

WORKING TIME POLICY

Section 1: Purpose

The purpose of this policy is to ensure that USSL complies with the requirements of the Working Time Regulations, by protecting the health and safety of staff from the risks of working excessive hours.

Section 2: Scope

The policy applies to all USSL staff who fall under the remit of the Working Time Regulations. For the purposes of this policy USSL staff includes employees and those deemed to be 'workers' under the legislation. Employees who are considered to be managing executives or who have autonomous decision-making powers are not covered by the Regulations except for the provision related to annual leave. These definitions are far from clear at the moment but USSL have been interpreted to mean that, with the exception of the annual leave requirements, all staff employed within the Senior Management Team or Site Management Team fall outside of the scope of the Regulations and they will therefore not be required to maintain formal records of hours worked.

Section 3: Introduction

With effect from 1 October 1998, the Working Time Regulations fulfilled the British Government's obligation to implement the European Working Time Directive. USSL positively discourages the working of excessive hours and has reviewed working practices in order to ensure compliance with the law.

Section 4: Policy

The Working Time Regulations are extremely complex but the main provisions are as follows:

- That employees should not be required to work more than a maximum of 48 hours per week averaged over a 17 week period
- That employees should not be required to work more than a maximum of an average of eight hours' night work per 24 hour period
- That employees should have a minimum daily rest period of 11 consecutive hours
- That employees should have a rest break of at least 20 minutes where the working day is longer than 6 hours
- That employees should have a minimum rest period of one day per week
- That employees are given paid annual leave of 5.6 weeks' a year (pro rata to the number of weeks/hours worked per annum)

Employers are required to keep records of the hours worked by all employees who fall within the remit of the Regulations to ensure that excessive hours are not being worked. The Health and Safety Executive has the power to enforce these provisions and to check that adequate records are being kept.

In order that USSL may comply with the Working Time Regulations, all staff falling under the remit of the Working Time Regulations will be required, by law, to comply with all provisions of the Regulations as noted above. The only way that employees will be permitted to work in excess of an average of 48 hours per week averaged over a seventeen week period will be if they agree formally to opt out of this provision which has been introduced to protect their health and safety at work. Whilst USSL wishes to discourage excessive working hours, it accepts that individual employees have the right to waive their rights to the 48 hour limit provided they sign a formal document to confirm it is their intention to opt out of this provision of the Working Time Regulations.

However, even if an employee elects to opt out of the 48 hour ruling, hours of work must still be recorded for all employees other than those who fall into the category of managing executive or employees with autonomous decision-making powers. Individual employees who do not fall into the category of managing executive or employees with autonomous decision-making powers as listed above and who wish to exercise their right to work in excess of 48 hours averaged over a seventeen week period should complete and return to Human Resources an opt out form.

Section 5: Document History

October 2016	New Document
February 2019	New branding