



Have you opted out of the Working Time Regulations?

This leaflet is for people who have opted out of the Working Time Regulations.

Europe's Working Time Directive was adopted as a health and safety measure and it lays down minimum health and safety requirements. Most people at work are protected against having to work more than 48 hours a week on average* as a result.

In the UK, employers are allowed to exceed this limit on average weekly working hours provided that they have the official agreement of individual workers, the so-called "opt-out".

You should not be expected to work more than 48 hours on average without signing an opt-out. Remember, this should be your choice, even though some bosses have made it a condition of employment to opt-out.

If you have signed an opt-out, you have the right to opt back in, and tell your employer that you no longer want to work more than 48 hours a week.

All you have to do is write and tell your employer that you wish to be covered by the rules again. A letter you can use is on the reverse of this leaflet.

When you opted out the agreement you signed may have included how long you would have to wait if you opted back in again. The longest this can be is three months. If no time period was mentioned in your opt-out agreement, then you should only wait seven days.

Of course it's never an easy option to challenge an employer on your own, which is why it's better to do it as a group or with union backing.

*** Not every worker is covered, and there are complex rules about what counts as working time. You should not rely on this leaflet as a full statement of the law - always seek expert legal advice. An official government guide is available at www.dti.gov.uk**

Draft letter

Dear employer

I wish to withdraw my opt-out from the working time limit set by the Working Time Regulations as I no longer wish to work more than 48 hours on average each week.

I would ask you to acknowledge this in writing and to let me know when this will come into effect. I look forward to discussing how my hours will be adjusted to take account of this.

Yours sincerely

More Information is available from the TUC at:
www.tuc.org.uk/itsabouttime
the Government's guide at: www.dti.gov.uk
or Amicus website at: www.amicustheunion.org