

## 6. Working Time Rules

**BUDGET CONTRACT  
DISTRIBUTION LTD**

**FULLFLOOD ROAD  
HAVANT  
HAMPSHIRE  
PO95AX**

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The working time rules that apply to you depend on whether you drive a vehicle in scope of the EU or GB domestic drivers' hours rules.

If you are driving under the EU drivers' hours rules

If you operate a vehicle in scope of the EU drivers' hours rules, then you are subject to the Road Transport (Working Time) Regulations 2005 (as amended – 'the 2005 Regulations'), unless you are an occasional mobile worker (see text boxes at the end of this Annex for definitions). The main provisions of the 2005 Regulations are as follows

***Weekly working time must not exceed an average of 48 hours per week over the reference period. A maximum working time of 60 hours can be performed in any single week providing the average 48-hour limit is not exceeded.***

**Night work:** if night work is performed, working time must not exceed 10 hours in any 24-hour period. Night time is the period between 00.00 and 04.00 for goods vehicles and between 01.00 and 05.00 for passenger vehicles. The 10-hour limit may be exceeded if this is permitted under a collective or workforce agreement.

**Breaks:**

- Mobile workers must not work more than 6 consecutive hours without taking a break.
- If your working hours total between 6 and 9 hours, working time should be interrupted by a break or breaks totalling at least 30 minutes.
- If your working hours total more than 9 hours, working time should be interrupted by a break or breaks totalling at least 45 minutes.
- Breaks should be of at least 15 minutes' duration.

**Rest:** the regulations are the same as the EU or AETR drivers' hours rules.

**Record keeping:** records need to be kept for two years after the period in question.

The reference period for calculating the 48-hour week is normally 17 weeks, but it can be extended to 26 weeks if this is permitted under a collective or workforce agreement. There is no 'opt-out' for individuals wishing to work longer than an average 48-hour week, but breaks and 'periods of availability' do not count as working time.

Generally speaking, a period of availability (POA) is waiting time, the duration of which is known about in advance. Examples of what might count as a POA are accompanying a vehicle on a ferry crossing or waiting while other workers load/unload your vehicle. For mobile workers driving in a team, a POA would also include time spent sitting next to the driver while the vehicle is in motion (unless the mobile worker is taking a break or performing other work i.e. navigation).<sup>7</sup> Working time rules

