



# MAHAGANPATI ASSOCIATE

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Date: / /

## Introduction

This policy sets out the organisation's position regarding working hours. The policy applies to workers only and does not apply to contractors, consultants or any self-employed individuals working for the organisation.

The organisation strives to provide a safe working environment and ensure the safety and wellbeing of all its workers. The organisation seeks to ensure that workers do not exceed reasonable working hours to provide for a satisfactory balance between work and personal life. The organisation is also committed to ensuring that workers' health is not compromised by the workplace.

Workers' managers have a responsibility to ensure that working hours are kept within reasonable limits and will monitor working hours for this purpose. Workers themselves also have a duty to ensure that they are not working excessive hours and to inform their manager directly if they consider that they may be doing so.

This policy is issued by way of guidance on the organisation's policy and practice. It does not form part of an employee's contract of employment or otherwise have any contractual effect. This policy may be varied, withdrawn or replaced at any time by the organisation at its absolute discretion.

## Normal working hours

Full-time workers are contractually obliged to work [35] hours per week. The organisation's normal hours of work are from [9am] to [5pm] from [Monday] to [Friday], with [one hour] off for lunch each day. These hours will be a worker's normal hours of work unless otherwise agreed between him/her and the organisation. The organisation reserves the right to vary reasonably a worker's hours of work and the days on which he/she works according to business and operational requirements on a temporary or permanent basis.

Workers may be required to work such additional hours in excess of their normal hours of work as are reasonably necessary for the proper performance of their duties and to meet the needs of the business.

If workers are requested to work in excess of their normal contractual hours, the organisation will seek to ensure that they do not work an average of more than 48 hours in a working week. However, the organisation may request that workers sign a form to "opt out" of the Working Time Regulations 1998. The worker has the right to refuse this request and, if he/she signs the opt-out, can give the

organisation [seven days'] notice that he/she wishes to revoke this, without facing any penalty. Any worker who has not signed the opt-out or who has revoked his/her opt-out will not be requested or permitted to work more than 48 hours in one week.

Any overtime worked will be paid in accordance with the organisation's overtime policy in force at that time.

[OR

Workers are required to work such hours as are necessary to complete their duties and overtime is to be worked if required. There are no overtime payments.]

### **Flexibility of working hours**

Workers are permitted to request flexibility in their contractual hours. This can be done by following the organisation's flexible working policy or raising the matter informally with their manager. Where raised informally, the organisation may, on specific occasions, permit workers to work hours outside their contractual hours to take time off during the period of [9am] to [5pm] from [Monday] to [Friday], subject to business needs and operational requirements. Informal arrangements are not in any way intended to be a variation to the worker's contractual hours.

### **Rest breaks**

Workers have the right to a minimum unpaid rest break of 20 minutes after working for six hours. If operational requirements mean that workers are unable to take these breaks at that time, they will be entitled to compensatory rest to be agreed with their manager. Workers' [one hour] off for lunch each day will constitute their daily rest break and, during a normal working day, the worker will [not be entitled to rest breaks over and above his/her lunch break/be allowed to take reasonable breaks outside his/her lunch hour].

Workers also have the right to a rest period of 11 consecutive hours in each 24-hour period during which they work for the employer. This does not apply to shift workers who change shifts, which prevents them taking this break. Workers are also entitled to an uninterrupted rest period of at least 24 hours in each seven-day period, at least 48 hours in each 14-day period or two uninterrupted rest periods each of at least 24 hours in each 14-day period, during which they work for the employer. The worker has a duty to inform his/her manager as soon as possible if he/she is or may be at risk of being unable to take these required rest breaks.

The organisation expects that workers will take their rest breaks between [5pm] and [9am] daily and between [5pm] on [Friday] and [9am] on [Monday].

[Night workers (ie those who work at least three hours between midnight and 5am) should not exceed an average of eight hours' work in every 24-ho period.

The worker has a duty to inform his/her manager as soon as possible if he/she is or may be at risk of working hours in excess of this. The manager will take appropriate steps to ensure that excessive night hours are not being worked by that individual.]

### **Young workers**

Young workers are those above school leaving age, but under the age of 18.

The organisation does not permit young people to work in excess of eight hours per day and they are subject to a maximum working week of 40 hours. All young workers are required to inform the organisation immediately if they have a second employer or carry out any casual work while employed by the organisation.

If the organisation requires that a young worker works hours in excess of this to maintain continuity of production or service or to respond to an upsurge in demand, his/her manager should first attempt to find an adult worker to perform this work and, if no such worker is available, ensure that performing this work would not adversely affect the young worker's education or training.

The organisation does not permit young workers to carry out night work and no young worker will be on any shift between the hours of [10pm] and [6am].

[OR

The organisation does not permit young workers to perform night work during the hours of 12am to 4am. If any young worker does work on shifts between the hours of [10pm] and [6am], he/she will be supervised at all times by an adult worker.]

Every young worker's manager will ensure that (as a minimum) he/she takes at least two rest days per week, a daily rest break of 12 consecutive hours, a rest break of 30 minutes where the worker's daily working time is more than four-and-a-half hours, a free health assessment prior to any night work assignment and free health checks at regular intervals thereafter. If any young worker is aware that he/she may not be able to comply with these requirements, he/she must inform his/her manager immediately.

### **Working time**

A worker is considered by the organisation to be "working" when he/she is carrying out activities on behalf of the organisation. This may include training, business travel and "on-call" time. It does not include rest breaks, travel time outside normal working time or non-job related training.

Working time does not normally include travel from the worker's home to his/her place of work. If the worker has no usual place of work, time spent travelling from and to home for the first and last appointments of the day does count.

The organisation defines “on-call” time as time when a worker is required to be available at his/her place of work and available for work throughout that period.

If the worker is not at his/her place of work, this does not constitute being “on call”.

[OR

The organisation defines “on-call” time as time when a worker is required to be available throughout the period to perform his/her functions, whether or not he/she is attending his/her usual place of work.]

Working time will include time where a worker is required to be at the organisation’s premises, but is free to rest while waiting for work to be available. It will also include time where a worker is required to travel from site to site for meetings, to attend training or to perform his/her functions at different locations.

However, working time will not include time when a worker (despite being on the organisation’s premises or at his/her place of work) is not available to perform functions for the organisation or is pursuing outside interests during that time.

### **Miscellaneous**

The organisation expects that workers will work their full contractual hours each week and it will pay them monthly in arrears on this basis.

If workers do not perform their full contractual hours, their manager will complete a time sheet for the worker and inform payroll. The worker’s wage payment will be adjusted accordingly.

### **Complaints about working hours**

If a worker considers that he/she has been unfairly treated with regard to his/her working hours (for example being required to work excessive hours or being unreasonably refused overtime or (temporary) flexible working arrangements), he/she is requested to raise this informally with his/her manager. If the worker’s complaint relates to his/her manager, he/she is requested to raise it with a more senior manager. If a worker is not satisfied following this route, he/she has the right to raise a grievance in accordance with the organisation’s grievance procedure.

Information sourced