



8. Working Time

Limits on hours of work help to ensure safety and health at work and enough rest between shifts, and enable workers to balance family and work responsibilities. International standards limit regular (pre-overtime) working hours in industrial enterprises to 8 hours each day, 48 hours each week, with some exceptions. Workers also must have at least one day off in seven. Hours and weekly rest may be regulated under national laws, regulations or agreements between workers and employers. In some cases, daily or weekly limits on hours can be averaged over longer periods of time to allow for fluctuations in hours of work.

8.1 Regular Hours

National law usually defines limits to regular working hours. Hours worked beyond the legal limits on regular hours are considered overtime.

Employers should ensure that they understand legal requirements regarding

- hours of work and break times;
- the period of time over which working hours can be averaged;
- any exceptions to limits on regular hours of work; and
- shift work arrangements.

Legal limits on working hours also may be determined by collective agreement. The employer should keep working time records that accurately reflect the hours worked.

8.2 Overtime

The conditions under which workers can work overtime may be specified in national law or applicable collective bargaining agreements. Overtime typically is allowed to address forces beyond the employer's control (such as floods, fire, earthquake), and to perform urgent work that cannot be delayed. National law usually limits the amount of overtime that workers can perform. National law also may require the employer to notify workers and/or the competent authority prior to working overtime. Special rules may apply to overtime performed on weekly rest days or public holidays. National law may require that overtime is voluntary under certain or all circumstances. If workers are forced to work overtime in order to earn the minimum wage, or if they are coerced into working overtime beyond legal limits, this may constitute forced labour (see *Forced Labour Guidance Sheet*).

8.3 Leave

Annual leave entitlements usually are established by national law, which may specify the amount of leave to be provided, the period of service needed to qualify for leave, and the scheduling or postponement of leave.

Absence from work due to illness or injury should not be counted as part of workers' annual leave. Maternity leave and breastfeeding breaks are usually provided under national law and must be respected by the employer. Other types of leave commonly provided include sick leave, personal leave, and paternity leave. National laws also may provide other types of leave.

Types of employer action that can lead to non-compliance

- Allowing workers' regular daily or weekly working hours to exceed legal limits.
- Failing to comply with legal requirements regarding shift work.
- Falsifying working time records.
- Not allowing workers sufficient daily or weekly rest.
- Working overtime for reasons not provided for under national law.
- Allowing overtime hours to exceed national limits.
- Not ensuring that overtime is voluntary, if this is required by national law.
- Not complying with rules regarding work on weekly rest days or public holidays.
- Breaching legal requirements on paid annual leave or personal leave, including those related to accrual and use of leave.
- Failing to grant maternity leave, breastfeeding breaks, or paternity leave in line with legal requirements.
- Not complying with legal requirements on sick leave.

Key action points for employers

- Ensure that workers (including those doing shift work) work within legal limits on working hours.
- Provide workers sufficient daily and weekly rest.
- Keep adequate, accurate working time records.
- Comply with legal requirements regarding overtime conditions and limits.
- Provide workers legally required sick, annual and personal leave.
- Comply with legal requirements on maternity leave, breastfeeding breaks, and paternity leave.
- Check national law for requirements regarding other types of leave.

Key references

ILO Conventions 1 Hours of Work (Industry), 132 on Holidays with Pay (revised), and 183 on Maternity Protection.