

EMPLOYERS' GUIDE PART 3:

HOURS OF WORK OVERVIEW

This overview briefly explains your responsibilities as an employer for arranging hours of work for your employees. Please note that hours of work is a complicated area of the law. There are considerable variations in requirements depending on the industry sector you operate in and also the type of work undertaken by individual employees. For more detail or an explanation of any technical terms, please refer to the accompanying factsheets.

ARE THERE LIMITS TO THE HOURS AN EMPLOYEE IS ALLOWED TO WORK?

Yes there are limits to the hours of work with the exception of the following:

- Family member employees in organisations where only family members are employed;
- Employees working in public administration;
- Employees working as managers or employed in a confidential capacity.

Good employers should, however, be aware that limits to hours of work exist to protect the health and wellbeing of employees. Good employers should not abuse the absence of limits.

WHAT ARE NORMAL HOURS OF WORK?

The *normal maximum hours of work* are **44 hours per week**. There are also daily limits of **8 hours per day**. These limits exclude any break times. Employees can also only be required to work **6 days per week**.

These hours can be exceeded in some specific situations, including by voluntary agreement.

There are also limits on the hours **women and young people** can work. Details of these variations can be found in the *factsheet: hours of work*.

WHAT BREAK TIMES DO I NEED TO GIVE EMPLOYEES?

All employees who work for 6 hours or more on a work day must have a 1 hour meal break plus tea breaks totalling 20 minutes. These meal and tea breaks do not have to be paid but, as a matter of practicality, employers usually do not deduct the time taken for short tea breaks from the hours worked.

WHAT DAYS OFF AM I REQUIRED TO GIVE MY EMPLOYEES?

Employees are usually entitled to a weekly rest period of 24 consecutive hours. Although usually a Sunday, this can vary depending on the sector and individual employment agreements. Details can be found in the *factsheet: work on Sundays, religious days of rest and public holidays*.

DO I HAVE TO PAY OVERTIME?

Yes, apart from the exceptions referred to earlier that have no limits on their hours of work and **domestic workers**, you are required to pay overtime to employees who you require to work above the normal maximum hours of work. Details, including rates of pay for overtime can be found in the *factsheet: overtime*.

CAN I REQUIRE EMPLOYEES TO WORK ON SUNDAYS OR PUBLIC HOLIDAYS?

In general **no** employee can be required to work on a Sunday or public holidays but there are **some exceptions**. Employees in the following types of business activities can be required to work on Sundays or public holidays:

- transport of passengers or goods by road, sea or air;
- public utilities and similar services;
- hotels, guest houses, bars, restaurants, clubs etc;
- theatres and places of public amusement;
- health and related services;
- newspaper and radio broadcasting;
- animal husbandry.

Employers can also apply to a labour officer to be approved for compulsory work on Sundays or public holidays, but need to have a good reason to do so. Details can be found in the *factsheet: work on Sundays, religious days of rest and public holidays*.

Employers should be particularly aware of **public holidays that are declared for elections**. These public holidays are intended to make it easier for all citizens to exercise their civic right to vote, and to fulfil their civic responsibilities. Even if you operate in an industry where employees can be required to work on public holidays, a good employer will try to make arrangements to ensure that all employees get the opportunity to vote.