

TOM PURSGLOVE MP
CORBY & EAST NORTHAMPTONSHIRE



HOUSE OF COMMONS

LONDON SW1A 0AA

24th January 2021

Dear Consultant,

RE: WORKING TIME DIRECTIVE

Thank you for your recent correspondence in respect of working time regulations. I have read your comments with interest and note your concern, albeit I am sure you will be pleased to hear it is without basis.

I have been assured that the Government is committed to maintaining and enhancing workers' rights following the UK's departure from the EU. The *Working Time Directive* has been transposed into UK law through the *Working Time Regulations 1998*, and under the *EU (Withdrawal) Act 2018* these and other regulations have been retained.

The regulations provide that, subject to certain exceptions where the nature of the work makes it impractical, employees cannot work for more than 48 hours a week averaged, normally, over a period of 17 weeks. It is possible for employees to opt out of this provision voluntarily and in writing, either indefinitely or for a specified period. Employers can request that an employee opts out, but cannot terminate their employment or treat them unfairly if they decline.

Specifically, the *Working Time Regulations 1998* remain in force during the COVID-19 pandemic. They include flexibilities in the regulations to vary or exclude some of the restrictions in special circumstances and done so by collective or workforce agreement. The *Working Time (Coronavirus) (Amendment) Regulations 2020* allows carry-over of leave and payment in lieu on termination if leave cannot be taken during the outbreak. This enables staff to carry over up to 20 days (pro-rated for part-time staff) of annual leave in the following two leave years. Employers should monitor staff annual leave to maintain their physical and mental wellbeing and staff should make sure they are able to rest and recuperate.

I am aware that there have been reports in the press that there were forthcoming plans to lower the standards of workers' rights. I am pleased that the Secretary of State for Business, Energy & Industrial Strategy has made clear that the Government has absolutely no intention of doing this. On the contrary, he expressed a desire to protect and enhance workers' rights going forward.

Once again, thank you for having taken the time to contact me and if I can ever be of any further assistance to you then please do not hesitate to contact me again.

With best wishes,
Tom

TOM PURSGLOVE MP
MEMBER OF PARLIAMENT
CORBY & EAST NORTHAMPTONSHIRE