



# Maximum weekly working hours

NOTES

## 1. Overview

You can't work more than 48 hours a week on average - normally [averaged over 17 weeks](#). This law is sometimes called the 'working time directive' or 'working time regulations'.

You can choose to work more by [opting out](#) of the 48-hour week.

**!** If you're under 18, you can't work more than 8 hours a day or 40 hours a week.

## Exceptions

You may have to work more than 48 hours a week on average if you work in a job:

- where 24-hour staffing is required
- in the armed forces, emergency services or police
- in security and surveillance
- as a domestic servant in a private household
- as a seafarer, sea-fisherman or worker on vessels on inland waterways
- where working time is not measured and you're in control, eg you're a managing executive with control over your decisions

**!** Contact the [Acas helpline](#) or use the [Acas Helpline Online](#) to get further advice on working hours.

## 2. Calculating your working hours

Average working hours are calculated over a 'reference' period, normally 17 weeks.

This means you can work more than 48 hours one week, as long as the average over 17 weeks is less than 48 hours a week.

**!** Your working hours can't be averaged out if you're under 18. You can't work more than 40 hours in any one week.

## Exceptions

Some jobs have different reference periods, eg:

- trainee doctors have a 26-week reference period
- the offshore oil and gas sector has a 52-week reference period

## What counts as work

A working week includes:

- job-related training
- time spent travelling if you travel as part of your job, eg sales rep
- working lunches, eg business lunches
- time spent working abroad
- paid overtime
- unpaid overtime you're asked to do
- time spent on call at the workplace
- any time that is treated as 'working time' under a contract
- travel between home and work at the start and end of the working day (if you don't have a fixed place of work)

## What doesn't count as work

A working week doesn't include:

- time you spend on call away from the workplace
- breaks when no work is done, eg lunch breaks
- travelling outside of normal working hours
- unpaid overtime you've volunteered for, eg staying late to finish something off
- paid or unpaid holiday
- travel to and from work (if you have a fixed place of work)

## You have more than one job

Your combined working hours shouldn't be more than 48 hours a week on average.

If you work more than 48 hours on average, you can either:

- sign an [opt-out agreement](#)
- reduce your hours to meet the 48-hour limit

### 3. Opting out of the 48 hour week

You can choose to work more than 48 hours a week on average if you're over 18. This is called 'opting out'.

Your employer can ask you to opt out, but you can't be sacked or treated unfairly for refusing to do so.

You can opt out for a certain period or indefinitely. It must be voluntary and in writing.

#### Example of opt-out agreement:

I [worker's name] agree that I may work for more than an average of 48 hours a week. If I change my mind, I will give my employer [amount of time - up to 3 months'] notice in writing to end this agreement. Signed.....  
Dated.....

## Workers who can't opt out

You can't opt-out of the 48 hour week if you're:

- airline staff
- a worker on ships or boats
- a worker in the road transport industry, eg delivery drivers (except for drivers of vehicles under 3.5 tonnes using [GB Domestic drivers' hours rules](#))
- other staff who travel in and operate vehicles covered by [EU rules on drivers' hours](#), eg bus conductors
- a security guard on a vehicle carrying high-value goods

## Cancelling an opt-out agreement

You can cancel your opt-out agreement whenever you want - even if it's part of your employment contract.

You must give your employer at least 7 days' notice. You may have to give more notice (up to 3 months) if you have a written opt-out agreement.

! Your employer can't force you to cancel your opt-out agreement.

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