

Working time laws: A global perspective

Findings from the ILO's Conditions
of Work and Employment Database

Deirdre McCann

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PREFACE

This report contributes to the continuing efforts of the ILO's Conditions of Work and Employment Programme (TRAVAIL) to make up-to-date information on working time laws widely accessible. Its findings shed light on recent developments in this area of the law, substantiating reported trends in the regulation of working time around the world. Most significantly, it confirms the prevalence of the 40 hour week and 8 hour day; raises hopes for a continuing trend towards a 48 hour maximum on total weekly hours; reveals that workers are entitled to rest breaks in most countries and to a weekly day of rest in almost all of them; and shows that the minimum period of annual leave required by legislation is usually of at least four weeks.

The report draws on the Working Time Database, a searchable online database covering laws on working time (www.ilo.org/travdatabase).¹ The Database and this report are intended to make information on working time laws easily accessible; raise awareness of what is being done to improve working time arrangements in different countries; and, by permitting valid and accurate comparisons of regulations at the national level, advance national and international debates about how working time should be regulated.

The report builds on our recent publication on *Working Time and Workers' Preferences in Industrialized Countries*,² which drew on the experience of these countries to make a set of suggestions for designing working time policies that can advance 'decent working time'. For the future, the data compiled for this report will be drawn on as part of our current programme of research on working time trends, laws and policy developments in developing and transition countries, the results of which we intend to publish next year.

François Eyraud,
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Conditions of Work
and Employment Programme,
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¹ The Conditions of Work and Employment Programme also maintains databases of laws on maternity protection and minimum wages.

² Jon C. Messenger (ed.): *Working time and workers' preferences in industrialized countries: Finding the balance* (London, Routledge, 2004).

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I am also grateful to Ariel Golan and his team in the ILO Library for their invaluable assistance.

COUNTRY COVERAGE BY REGION

Industrialized countries

Australia
Austria
Canada
Denmark
Finland
France
Germany
Ireland
Italy
Luxembourg
Malta
Netherlands
Norway
Portugal
Spain
Sweden
Switzerland
United Kingdom

Central and Eastern Europe

Bulgaria
Czech Republic
Estonia
Latvia
Lithuania
Macedonia
Romania

Russian Federation

Slovakia

Slovenia

Africa

Algeria

Angola

Benin

Burkina Faso

Burundi

Cameroon

Cape Verde

Chad

Congo

Côte d'Ivoire

Democratic Republic of the Congo

Djibouti

Gabon

Guinea-Bissau

Kenya

Madagascar

Mali

Mauritania

Morocco

Mozambique

Namibia

Niger

Nigeria

Rwanda

Senegal

Seychelles

South Africa

Tanzania, United Republic of

Togo

Tunisia

Zimbabwe

Middle East

Egypt

Jordan

Lebanon

Latin America

Argentina
Belize
Bolivia
Brazil
Chile
Colombia
Costa Rica
Ecuador
El Salvador
Guatemala
Honduras
Mexico
Nicaragua
Panama
Paraguay
Peru
Uruguay
Venezuela

Caribbean

Bahamas
Cuba
Dominican Republic
Grenada
Haiti
Jamaica

Asia

Cambodia
China
India
Indonesia
Korea, Republic of
Lao People's Democratic Republic
Malaysia
Mongolia
Pakistan
Philippines
Singapore
Thailand
Viet Nam

INTRODUCTION

This report reviews the working time legislation of more than 100 countries in all regions of the world. It covers the main elements of these laws: limits on normal daily and weekly hours (Chapter One); overtime work (Chapter Two); maximum daily and weekly limits (Chapter Three); rest periods (Chapter Four); and annual holidays (Chapter Five).

As the most comprehensive review of the field of working time regulation conducted by the International Labour Office since 1995,¹ its object is to provide a comparative picture of the current legislated standards on working time, highlighting the main trends in its regulation, both globally and at regional level.

The Conditions of Work and Employment Programme and working time

The research for this report was conducted as part of the work of the ILO's Conditions of Work and Employment Programme (TRAVAIL) on working time and work organization and forms part of a broader research effort towards extending the available knowledge base on working time practices and policy.

This work has generated a review of policy and practice in industrialized countries, in which we made suggestions for the future development of working time policy aimed at elaborating the ILO's decent work agenda in the area of working time.² To this end, we identified five principles of 'decent working time: that it should be safe and healthy; 'family-friendly'; promote gender equality; advance productivity; and facilitate worker choice and influence. The data presented in this report will also contribute towards a more in-depth analysis of working time regulation in our forthcoming report on working time in developing and transition countries.

This attempt to document and compare working time laws can also be used by governments and the social partners in developing future regulatory measures. It is also hoped that by conducting a systematic comparative analysis of working time legislation, and thereby being able to indicate the current state of this field of regulation, it has been possible to clarify some of the more widespread misconceptions that have emerged in the national and international debates about how working time is being regulated.

The Conditions of Work and Employment Database

The report draws on the findings of a programme of research carried out by TRAVAIL for the *Conditions of Work and Employment Database*. The database provides searchable information on the laws of more than 100 countries, not only in the area of working time, but also on maternity protection and minimum wages.

It is available on TRAVAIL's website at www.ilo.org/travdatabase.

Coverage of the report

The report reviews legislation from 103 countries in all regions, including all but four European Union Member States, all of Latin America, more than 30 countries in Africa and 13 in Asia (a complete list is included on page xi).

In federal states, the legislation of the federal jurisdiction has been selected. This approach inevitably lacks the kind of detailed picture that the inclusion of provincial- or state-level laws would provide. Aside from the logistical problems of reviewing all state-level laws, however, the federal legislation was selected as the only law in these countries that has a degree of national application, albeit to a limited number of workplaces.

The legislation reviewed is up to date as of February 2005.

Some limitations

This report presents the formal legal standards on working time and the policy approach being pursued in each country, at least to the extent that this is reflected in the legislation. For many, it also accurately indicates the framework within which the working time of the majority of the labour force is arranged.

What the report does not do, however, is indicate the role of the legislation in each of the working time regimes under consideration. Given that it focuses only on the legislated standards, for many countries, especially in western Europe, it does not capture the substantial regulatory role played by collective agreements. Neither does it indicate, in developing countries, the extent to which the legislative standards are being enforced and applied, or their influence on the informal economy.

The research can, however, form a basis from which the question of the role of legal standards on working time can be further explored, and will be built on as part of the future work of TRAVAIL towards extending the ILO's goal of realizing decent work into the field of working time.

Notes

¹ ILO: "Working Time Around the World", in *Conditions of Work Digest*, Vol.15, 1995. See also the recent report of the Committee of Experts on the Application of Conventions and Recommendations: *Hours of work: From fixed to flexible?* (Geneva, ILO, 2005).

² Jon Messenger (ed.): *Working time and workers' preferences in industrialized countries: Finding the balance* (London, Routledge, 2004).

NORMAL HOURS LIMITS

1

Introduction

Most labour law regimes mandate statutory limits on working hours. Initially, the imposition of hours limits was intended to ensure a safe and healthy working environment and adequate rest or leisure time between shifts. Over the last century, however, hours limits increasingly came to be seen as a way of advancing the additional policy goals of allowing workers to balance their paid work with their family responsibilities and other aspects of their lives, promoting productivity and reducing unemployment.

The limits under review in this Chapter are those placed on “normal” hours: the hours worked before overtime payments are required. These normal hours limits can play divergent roles, depending on the regulatory regimes in which they are embedded. In some countries, they function as a ceiling on hours, thus contributing towards the goal of deterring excessive hours of work. In others, they operate primarily as a conduit to obtaining higher wages.

Weekly limits

International standards

The initial working hours standards adopted by the International Labour Organization, the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), mandate a maximum on normal (pre-overtime) hours of 48 hours per week. The more recent approach at the international level, reflected in the Forty-Hour Week Convention, 1935 (No. 47), and the Reduction of Hours of Work Recommendation, 1962 (No. 116), is the promotion of a 40-hour week as a standard to be realized, progressively if necessary, by ILO member States.

National laws

The extent of statutory weekly limits

The vast majority of countries covered by this report have adopted a similar regime to that embodied in the international standards, in that they specify a limit on the weekly hours that can be worked before overtime premia are required (see Table 1 and Map 1 and Annex I). The exceptions are those that have no universal legislated limit at national level: Australia, which has no federal working time legislation; and the six countries that have not enacted a general limit (India,¹ Jamaica,² Grenada,³ Nigeria,⁴ Pakistan⁵ and Seychelles⁶). In addition, five European countries (Denmark, Germany, Ireland, Malta and the United Kingdom) do not have a normal hours limit but instead impose a 48 hour limit on total working hours, including overtime. This mirrors the approach of the EU-level law, the Working Time Directive.⁷

The dominance of the 40-hour week

This research reveals that the 40-hour week is now the most prevalent weekly hours standard. Almost half of the 103 countries reviewed for this report have adopted a normal limit of 40 hours or less. Among the others, there is an almost even split between limits of 42 to 45 hours and the 48-hour week, while only two have weekly limits of more than 48 hours.

There are, however, substantial regional differences in the legislated weekly hours limits. The majority of industrialised countries impose a limit of 40 hours. These include half of the EU-15,⁸ Canada, Japan, New Zealand, Norway and the United States. Two countries have a lower threshold: Belgium (38 hours) and France (35 hours).

In central and eastern Europe, the 40-hour limit has a similarly strong hold: it is a feature of the law in all 10 of the countries covered by this report.

African labour laws also favour the 40-hour week. Almost half of these countries have a limit of 40 hours or less. One third have a limit in the 42 to 45 range, and only three permit a normal working week of more than 45 hours: Mozambique and Tunisia (48 hours) and Kenya (52 hours).

In Latin America, the 48-hour standard is more dominant than in other regions. More than half of these countries have enacted a 48-hour limit. The next most prevalent limit is of 44 to 45 hours, with only Ecuador having a 40-hour week.

In Asia, the 48-hour limit is also dominant, although not to the same extent as in Latin America. Six of the 11 Asian countries that have enacted a general hours limit have selected this standard. The others legislate a 40-hour week, with the exception of Singapore, which has adopted a 44-hour limit.

These regional differences are reflected in Table 1 and in Map 1.

Table 1: Weekly normal hours limits by region

	No universal national limit	35-39 hours	40 hours	42-45 hours	48 hours	More than 48 hours
Industrialized countries	Australia Denmark, Germany, Ireland, Malta, United Kingdom (48-hour limit on total hours in all)	Belgium, France	Austria, Canada, Finland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United States	Switzerland (workers in industrial enterprises, offices, technical posts and sales staff in large commercial enterprises)	Switzerland (all other workers)	
Central and eastern Europe			Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Macedonia, Romania, Russian Federation, Slovakia, Slovenia			
Africa	Nigeria, Seychelles	Chad	Algeria, Benin, Burkina Faso, Cameroon, Congo, Côte d'Ivoire, Djibouti, Gabon, Mali, Mauritania, Niger, Rwanda, Senegal, Togo	Angola, Burundi, Cape Verde, Democratic Republic of the Congo, Guinea Bissau, Madagascar, Morocco, Namibia, South Africa, United Republic of Tanzania	Mozambique, Tunisia	Kenya
Middle East			Egypt		Jordan, Lebanon	

(Table 1 cont'd)

Table 1 (cont'd)

	No universal national limit	35-39 hours	40 hours	42-45 hours	48 hours	More than 48 hours
Latin America			Ecuador	Belize, Brazil, Chile, El Salvador, Honduras, Uruguay (commerce), Venezuela	Argentina, Bolivia, Colombia, Costa Rica, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay (industry)	
Caribbean	Grenada, Jamaica		Bahamas	Cuba, Dominican Republic	Haiti	
Asia	India, Pakistan		China, Indonesia, Republic of Korea, Mongolia	Singapore	Cambodia, Lao People's Democratic Republic, Malaysia, Philippines, Thailand, Viet Nam	

Averaging of weekly hours limits

In a number of countries, the statutory weekly hours limits do not apply strictly to every workweek. Instead, the legislation permits the limit to be averaged over a reference period of longer than a week, so that hours beyond the normal limit can be worked, without resort to overtime pay, in individual weeks of the reference period.

These kinds of averaging provisions are prominent in the laws of industrialized countries. Indeed, certain weekly limits are in themselves averages, to be complied with over a specified reference period. The 40-hour limit in the Netherlands, for example, is expressed as an average over a 13-week period and the same limit is subject to a one year reference period in Spain. In other jurisdictions, hours averaging is of more restricted application. The 40-hour limit in Portugal, for example, can be averaged over a reference period of up to 12 weeks by collective agreement.

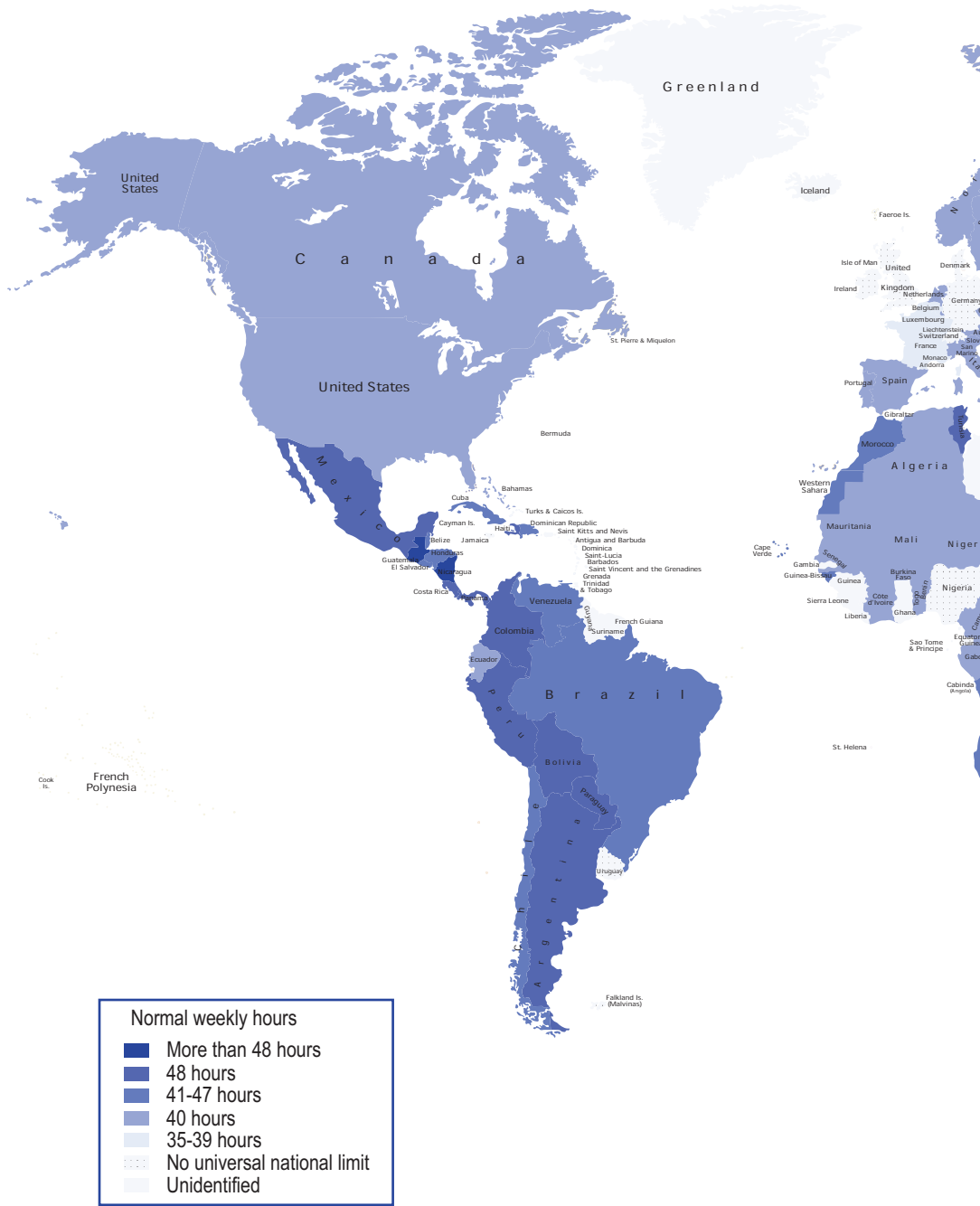
Reference periods are also contained in the working time laws of non-EU countries. In Japan, the 40-hour limit can be averaged over a period of up to one year; while hours averaging schemes are permitted in Canada in industrial establishments in which the nature of the work requires an irregular distribution of hours. Beyond the industrialised countries, in Singapore, individual employees and workers can agree that the 44-hour limit will be averaged over a two week period; and the same limit in the Dominican Republic's legislation can be averaged on the authorisation of the Secretary of State.

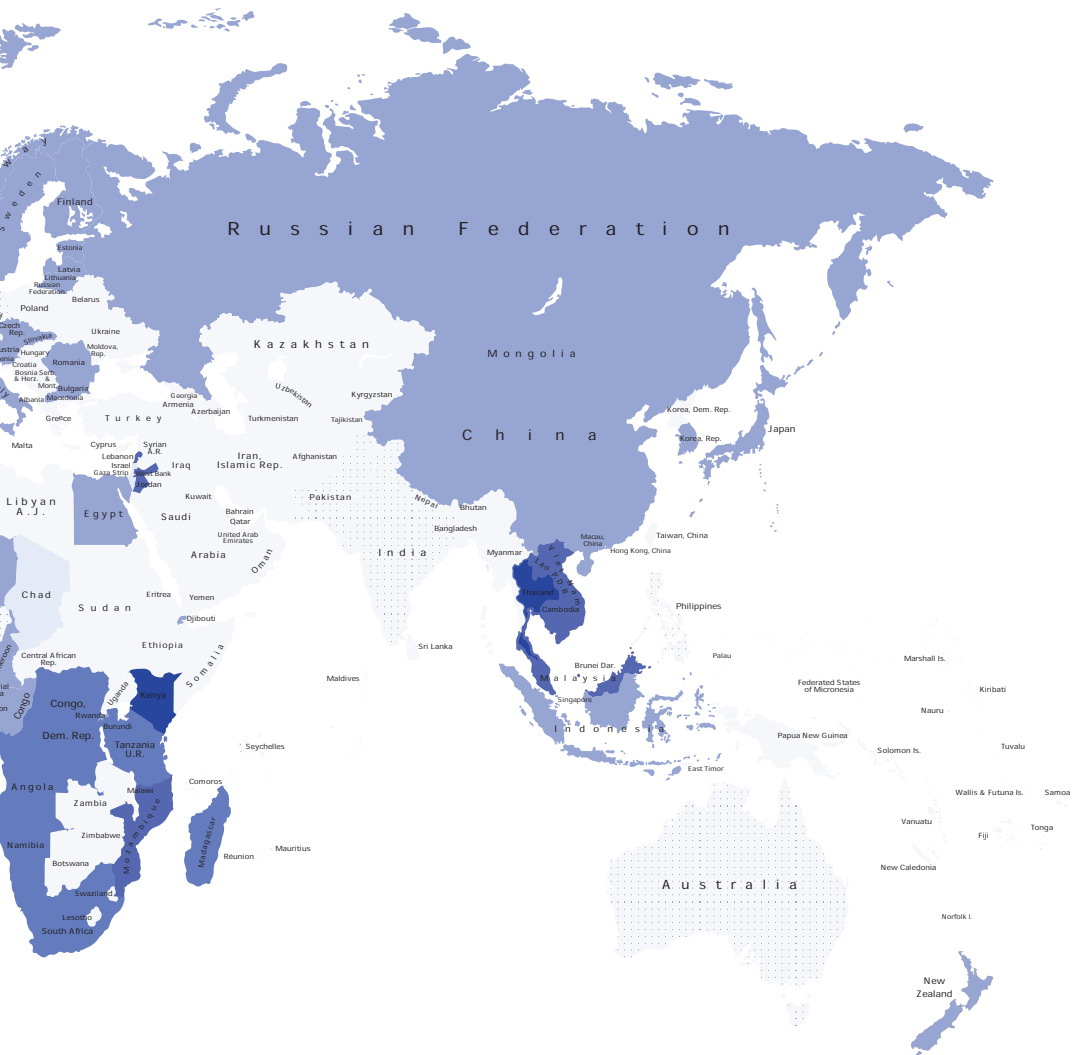
Where hours averaging is in operation, the legislation may also specify an additional, absolute, limit on the number of hours than can be worked in individual weeks of the reference period. The Dutch hours legislation mentioned above, for example, provides for a 45-hour absolute limit; and the averaging of the 44-hour limit in Singapore cannot produce workweeks of longer than 48 hours.

Exceptions and special treatment

Working time laws usually permit exceptions to their weekly hours limits, again allowing extended hours without recourse to overtime pay. These additional hours can be unlimited or subject to a specified higher hours limit. Some are stated to be permanent exceptions, others temporary. Moreover, the legislation can require that a specific procedure be followed, appropriate to the industrial relations regime in which they are found, such as approval by a works council or prior authorisation by the labour inspectorate. The requirement that a collective agreement be concluded is particularly prominent in industrialised countries, although a number of developing countries also allow derogations from hours limits in this way. In Mozambique, for example, the limit can be extended by collective bargaining, provided it would not result in financial disadvantage or less favourable working conditions.⁹ And in Senegal, the hours limit can be increased at the request of individual workers.¹⁰

Map 1 Weekly normal hours limits





Some exceptions are applicable across the economy. In Austria, for example, the 40-hour limit can be exceeded by any firm where there is a special temporary need for work, other measures cannot be taken and the work is needed to prevent a disproportionate economic disadvantage.¹¹ In South Africa, additional hours are permitted for urgent work resulting from circumstances the employer could not have foreseen and that cannot be performed during normal hours.¹² Another broad exception found in the legislation of a number of countries, including several in Latin America, covers work that is stated to be, by its nature, unsuited to working hours limits.

Other exceptions are more specific, including those designed to accommodate exceptional workloads; travel time; and, in many developing countries, the recuperation of hours that have been 'lost' due to accidents or force majeure. It is also common to provide for extended limits for work defined as being of a discontinuous or intermittent nature, often stated to include guarding or surveillance work. A further common exception covers workers whose jobs are described as involving only being present at the workplace.

Some exceptions apply to specific sectors, occupations or enterprises. In a number of developing countries, workers in the agricultural sector are permitted to work beyond the general limit. One example is Cameroon, where, rather than being subject to the general 40 hour limit, agricultural workers can work for 48 hours a week within a 2,400 hour annual limit.¹³ Export processing zones are subject to similar treatment in some jurisdictions, including in Djibouti where a 45-, rather than 40-, hour limit applies to them.¹⁴ Exclusions that cover managerial, supervisory or professional workers and those who determine their own working hours are common, including in EU Member States, Japan¹⁵ and several Latin American countries. And individuals who work outside of the employer's premises can also be subject to longer hours limits, as is the case in Paraguay.¹⁶

Other kinds of work are subject to lower limits than the general standard. Night work and work that is hazardous or unhealthy are the most obvious examples, in that they commonly attract lower limits. And miners and others who carry out work underground can be singled out to be subject to different limits; in Norway, for example, to a 36-hour rather than 40-hour week.¹⁷ Other groups who benefit from similar special treatment in national laws include medical workers, workers in essential services, shop workers and transport workers.

Daily limits

International standards

Daily working hours limits are a feature of Conventions Nos. 1 and 30, both of which provide for an 8-hour limit on normal hours. Convention No. 47 and Recommendation No. 116 do not provide for daily limits, the 40-hour week being considered an adequate guarantee of a working day of 8 hours or less.¹⁸

Under the international standards, daily hours can be averaged within the 48-hour week, allowing the 8-hour limit to be extended to 9 hours in industry (Convention No. 1)¹⁹ and 10 hours in commerce (Convention No. 30).

National laws

The 8-hour day

Although they are less widespread than weekly limits, almost two-thirds of the countries surveyed for this report have enacted daily normal hours limits. The vast majority provide for a limit of 8 hours. The exceptions are the five jurisdictions that have a 9-hour limit (Democratic Republic of the Congo, the Netherlands, Norway, Spain and mainland United Republic of Tanzania); Chile, which has a limit of 10 hours; and the three countries in which different limits apply to 5-day and 6-day workweeks, Indonesia (8 hours and 7 hours), Namibia (9 hours and 7½ hours) and South Africa (9 hours and 8 hours).

Hours averaging and daily limits

The laws discussed above that permit averaging of weekly hours limits over periods of longer than a week also provide that any daily limits they contain can be extended. As with weekly hours, these laws may also provide for an absolute maximum on daily working time. To return to the examples of hours averaging discussed above, for example, in the Dutch legislation, the 45-hour absolute weekly limit is accompanied by a 10-hour daily limit rather than the usual 9-hour day. And in Portugal, when averaging of hours limits is authorised by a collective agreement, the 8-hour limit is extended to 12 hours.²⁰

Exceptions and special treatment

The kinds of deviations permitted from weekly hours limits outlined above often also apply to daily limits. In addition, some laws facilitate hours averaging across the working week by allowing daily working time to be extended, but requiring that weekly limits are respected. In Malaysia, for example, employment contracts can permit extensions to the 8-hour limit by one hour, within the 48-hour week.²¹ Moreover, daily limits are particularly likely to be subject to exceptions to permit urgent or unforeseen work, such as preventing or responding to accidents and natural disasters, unforeseen needs or extraordinary workloads. Provisions that permit the extension of working hours for tasks on which the functioning of the enterprise depends, such as cleaning and maintenance work, are also widespread.

Exceptions to daily limits can exempt the workers concerned from any ceiling on any daily hours or mandate a higher limit, usually of 9 or 10 hours. They can also be attached to additional forms of protection. The urgent work extension contained in the Dutch legislation, for example, allows workers to perform 5 hours of work beyond the 9-hour limit, but only once in a two-week

period.²² Some laws mandate additional rest periods. In Belgium²³ and Mozambique,²⁴ for instance, daily working time can be extended from 8 to 9 hours only if the employee is granted a half-day off each week in addition to the weekly rest day.

As with weekly hours, daily hours limits can also be tightened in certain circumstances. Dangerous or unhealthy work, for example, usually entails a reduction of the working day to 6 or 7 hours.

Notes

¹ Indian legislation provides for hours limits for a number of specific sectors and occupations.

² In Jamaica, female factory workers are subject to a 10-hour normal daily limit.

³ Grenada has statutory weekly hours limits for three specified groups: 40 hours (agricultural, construction and industrial workers); 44 hours (clerical assistants, shop assistants and catering assistants); and 60 hours (domestic workers and security guards).

⁴ Nigerian legislation permits normal hours to be fixed by agreements or industrial wages boards.

⁵ Pakistan has legislated hours limits that apply to certain sectors and occupations.

⁶ Seychelles legislation stipulates a weekly limit of either (a) the customary hours in the business or occupation in which the worker is employed or (b) 60 hours per week or 12 hours per day, whichever is less.

⁷ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, article 6(b). The Directive specifies the minimum working time standards that must be reflected in the national laws of EU Member States.

⁸ The EU-15 are the Members States that constituted the EU until the accession of 10 new states in 2004 (Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and the United Kingdom).

⁹ Ley del trabajo, article 29.

¹⁰ Code du travail, article L.135.

¹¹ Working Time Act, §7(4).

¹² Basic Condition of Employment Act 1997, section 6(2).

¹³ Code du travail, section 80(2).

¹⁴ Loi No. 65/AN/94/3E L du 7 décembre 1994 portant création du régime de zone franche industrielle, article 29.

¹⁵ Labour Standards Law, article 41(2).

¹⁶ They are excluded from the 48-hour limit, but prohibited from working more than 12 hours per day. Código de Trabajo, article 205.

¹⁷ Act relating to worker protection and working environment, section 46(4).

¹⁸ ILO: *Hours of work*, extract from the Report of the 37th (1967) Session of the Committee of Experts on the Application of Conventions and Recommendations (Geneva, 1967) at paragraph 122.

¹⁹ The Convention permits the limit to be exceeded only by sanction of the competent public authority or agreement between employers' and workers' organizations, or, where no such organizations exist, between employers' and workers' representatives.

²⁰ Weekly limits of 60 hours per week and 50 hours on average over a 2 month period also apply.

²¹ Employment Act, section 60A(1)(iii).

²² Working Hours Decree, article 4.3 .1.

²³ Loi sur le travail, article 20.

²⁴ Lei do trabalho, article 28(2).

Introduction

Statutory limits on overtime work serve the same policy objectives as those on normal hours: preserving health and safety and ensuring workers have adequate time for their lives outside of paid employment. The regulation of overtime work, however, takes a number of different forms in addition to direct limits. Some laws limit the circumstances in which overtime can be resorted to by mandating criteria for when it can be performed or the procedures that should be followed before it is introduced. In some countries, overtime is prohibited for certain groups of workers, who are seen as at particular risk from working beyond normal hours. When overtime is permitted, most laws limit the number of hours that can be worked and provide for compensation in the form of either enhanced wages or an equivalent rest period.

Criteria for overtime work

International standards

The Hours of Work (Industry) Convention, 1919 (No. 1), Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), and Reduction of Hours of Work Recommendation, 1962 (No. 116), address overtime work as an exception to the normal hours limits. They specify certain circumstances in which it can be permitted, classified as either permanent or temporary exceptions. The former include preparatory or complementary work, ‘intermittent’ work, such as caretaking, and work in the public interest. The temporary exceptions are tailored more towards allowing firms to respond to urgent circumstances, for example to deal with exceptional workloads, accidents or force majeure; to perform urgent work on machinery or plant; and to make up for time lost during stoppages caused by incidents such as accidents, interruptions to the power supply, bad weather or a shortage of materials.

National laws

Some countries' working time laws do not limit the circumstances in which overtime can be worked. Others specify criteria for when it is permissible. In a number, the legislative provisions take the form of a general prohibition of overtime work subject to specified exceptions, as is the case in Bulgaria¹ and Lithuania.² The criteria for overtime work can be broadly worded, such as the statement in the Chinese legislation that it is justified by production or business needs.³ Other laws provide more detailed grounds for permitting overtime, usually involving the need to respond to urgent circumstances, such as to prevent accidents, perform urgent public work or work in the national defence, carry out emergency repairs to machinery or deal with sudden increases in workload.

Certain kinds of overtime work may be permitted only on a temporary basis, as in El Salvador, with respect to work in response to unforeseen needs.⁴ It can also be attached to additional requirements. In Slovenia, for example, overtime is permitted only if it is not possible for it to be performed within normal hours by changing the distribution of work or working time, introducing new shifts or hiring new workers.⁵ There can also be a statutory requirement of how it is shared among the workforce, such as that in the Norwegian legislation, that overtime hours be arranged in such a way that they do not place too great a strain on individual workers.⁶ There can also be procedural requirements that have to be fulfilled before overtime work can be performed. This is the case in Egypt, where the relevant government authorities have to be notified of the justification for the work and the period required to complete it, and must grant written authority.⁷

Workers' representatives and government agencies may also have to be informed about planned overtime hours. In Sweden, where emergency overtime work is needed, the employer must inform the local employee's organization, and must apply for permission from the Work Environment Authority if it is to continue beyond two days.⁸

A number of countries distinguish between overtime that can be required by the employer — that the worker is obliged to perform — and that over which he or she can exercise a choice. Where overtime work is mandatory, the circumstances in which it can be required are specified, most commonly to respond to urgent or extraordinary circumstances. One such country is Argentina, where overtime work is mandatory in cases of force majeure involving a danger or accident, or to fulfil exceptional needs of the national economy or the firm.⁹

Prohibitions and limitations on overtime work

International standards

The international standards do not prohibit or limit the participation of designated

groups of workers in overtime work. The Reduction of Hours of Work Recommendation, 1962 (No.116), however, calls for consideration to be taken when arranging overtime work to the special circumstances of young workers, pregnant and nursing women, and handicapped workers.

National laws

At national level, certain groups of workers are prohibited from undertaking overtime work, while others are entitled to refuse to perform it.

Overtime in work that is dangerous or unhealthy, is frequently prohibited. This is the case, for example, in a number of countries in Latin America, including Chile¹⁰ and Panama.¹¹

Overtime work is also prohibited for pregnant workers in a significant number of countries. These prohibitions are extended to the mothers of young children in some, including in Bulgaria, until the child is six years old¹² and in Portugal, for mothers of children under twelve;¹³ and consent to perform overtime is required in the Russian Federation from mothers of children younger than three.¹⁴ Other groups subject to limitations on overtime work include disabled workers, whose consent is required in Lithuania;¹⁵ and students, who have the same protection in Bulgaria.¹⁶

Working time laws can also provide a right for all workers to refuse to work overtime. This is the case in Finland, where the consent of individual workers is required for each stint of overtime work.¹⁷

Overtime limits

International standards

The Conventions on hours of work require signatory states to issue regulations specifying the circumstances under which overtime can be performed, after consultation with employers' and workers' organizations. These regulations are required to set a limit on overtime hours. These regulations are required to set a limit on overtime hours. Although these limits are not specified in the Conventions, the ILO's Committee of Experts on the Application of Conventions and Recommendations has stated that they must be reasonable and in line with the goals of the standards.¹⁸

National laws

Most statutory working time regimes impose ceilings on overtime work, either through directly limiting the number of hours that can be worked beyond the normal hours limit or by specifying maximum limits on total working hours, including overtime (on which see further Chapter Three).

Where direct overtime limits are in place, they are most commonly expressed

on a daily, weekly or annual basis, or as a combination of these limits (see Annex 1). Canada, Lithuania and Tunisia, for example, specify only weekly limits, and Bolivia, Brazil and Chile only daily limits. Mozambique and Norway, however have both daily and annual ceilings; while in Indonesia and Viet Nam, the daily limit is twinned with a weekly limit.

A number of countries, however, specify limits over other periods. A monthly limit is included in the laws of Angola, Latvia and Malaysia; the Finnish legislation specifies a limit over a four month period; and there is a trimestral maximum in place in the Dominican Republic. Moreover, a number of laws provide for more than one limit. Portugal, for example, mandates a higher annual ceiling for small enterprises;¹⁹ and the Czech Republic's legislation imposes different limits on mandatory and voluntary overtime.²⁰

Labour laws also permit exceptions to their restrictions on overtime work, although less so than to normal hours limits. These are usually intended to allow firms to respond to urgent or extraordinary circumstances. It is also possible to permit higher limits to be established by collective agreements, as is the case in Austria.²¹

Overtime compensation

International standards

The international standards require that overtime work be remunerated at a premium rate of not less than 25 per cent above the ordinary wage.

National laws

The forms of compensation

The options for compensating overtime hours are to require that they be paid at an increased rate, entitle the workers concerned to a rest period equivalent to the hours worked, or both.

Compensatory rest is most prominent in the laws of industrialised countries, although the balance struck between the two options differs. In Spain, for example, time-off is the primary form of compensation: collective agreements and employment contracts can provide for a pay premium for overtime work, but where there is no agreement, it is to be compensated with a rest period.²² In contrast, in Austria, where this choice has not been made through collective bargaining or by a works council, overtime hours are to be paid at a premium rate.²³

A number of countries in other regions also make provision for compensatory rest. Either form of compensation is permitted, for example, in Mongolia,²⁴ Peru²⁵ and South Africa.²⁶

The rules on compensatory rest can also regulate its timing. In South Africa, the time-off must be scheduled within a one month period after the overtime work is performed;²⁷ while it can be taken within a four-month period in Spain.²⁸

Pay premia

In a substantial majority of the countries covered by this report, workers are entitled to a wage increase for performing overtime hours (see Table 2 and Annex 1). Half of these countries mandate an increase of at least 50 per cent of the ordinary wage²⁹ and slightly less than one-third a lower premium, usually of 25 per cent. Only three jurisdictions require a 100 per cent pay premium [Portugal, Latvia, Russian Federation³⁰ and Zanzibar (United Republic of Tanzania)].

Industrialized countries are more likely to permit overtime rates to be determined by collective bargaining or individual employers. Just over half, however, specify a minimum overtime premium, ranging from 10 per cent of the ordinary wage rate in France and Italy to 100 per cent in Portugal. On average, these premia are lower than in the other regions: most industrialized countries have enacted a statutory minimum below 50 per cent of the ordinary wage.

Of the ten central and eastern European countries surveyed, only Macedonia and Slovenia do not mandate overtime pay. The statutory overtime premia again vary in this region, from 25 per cent in the Czech Republic and Slovakia, to 100 per cent in Latvia

Almost two-thirds of African countries specify a minimum overtime rate and almost one third a single premium, most often of 50 per cent. It is more common in Africa than in other regions, however, to specify two premia, the second for overtime hours worked beyond a specified threshold. For example, in Guinea-Bissau a 50 per cent premium is required for the first hour of overtime work, and 75 per cent for subsequent hours.

All Latin American countries have introduced statutory minimum premia for overtime work, in half of them of 50 per cent of the ordinary wage.

The approach to overtime pay in Asia is more uniform than in the other regions. Most countries have specified a single minimum increase, all of 50 per cent, except for the Philippines, which requires a 25 per cent premium.

Exclusions and special treatment

Certain workers are excluded from the entitlement to overtime compensation in some jurisdictions. Managerial workers are particularly likely to be permitted to work overtime hours at their ordinary rate of pay.

In contrast, some workers for whom the generally-applicable overtime provisions may not readily apply are aided by legislative techniques designed to ensure their coverage. In the Seychelles, for example, with respect to workers

Table 2: Statutory overtime premia by region

	No universal national premia	Less than 50 per cent of ordinary wage	50 per cent of the ordinary wage	60 per cent-75 per cent of the ordinary wage	100 per cent of the ordinary wage
Industrialized countries	Australia, Denmark, Germany, Ireland, Malta, Netherlands, New Zealand, Sweden, United Kingdom	France, Italy, Japan, Luxembourg (blue- collar workers), Norway, Spain, Switzerland	Austria, Belgium, Canada, Finland (first 2 hours), Luxembourg (white-collar workers in the private sector), United States		Finland (3 rd and subsequent hours), Portugal
Central and eastern Europe	Macedonia, Slovenia	Czech Republic, Slovakia	Bulgaria, Estonia, Lithuania, Russian Federation (first 2 hours),	Romania	Latvia, Russian Federation (3 rd and subsequent hours)
Africa		Benin, Cameroon, Democratic Republic of the Congo (first 6 hours), Côte d'Ivoire (first 4 hours), Mali, Morocco, Niger	Algeria, Angola, Cape Verte, Côte d'Ivoire (5 th and subsequent hours), Guinea- Bissau (first hour), Kenya, Mozambique, Namibia, Rwanda (first 10 hours), Seychelles, South Africa, United Republic of Tanzania (mainland)	Democratic Republic of the Congo (7 th and subsequent hours), Guinea-Bissau (11 th and subsequent hours), Rwanda (1 st and subsequent hours), Tunisia	United Republic of Tanzania (Zanzibar)
Middle East		Egypt, Jordan	Lebanon		

	No universal national premium	Less than 50 per cent of ordinary wage	50 per cent of the ordinary wage	60 per cent-75 per cent of the ordinary wage	100 per cent of the ordinary wage
Latin America		Colombia, Honduras, Panama, Peru	Argentina, Belize, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Paraguay, Venezuela		Bolivia, El Salvador, Mexico, Nicaragua, Uruguay
Caribbean		Dominican Republic	Bahamas, Grenada, Haiti		
Asia	India, Pakistan	Philippines	Cambodia, China, Republic of Korea, Lao People's Democratic Republic, Malaysia, Mongolia, Singapore, Thailand, Viet Nam		

remunerated by the piece or task, their ordinary rate of pay for the purposes of calculating the overtime rate is deemed to be the piece-rate or task-rate.³¹

Supplementary premia

In addition to mandating minimum premia for overtime work, working time laws also tend to specify increased rates for overtime hours performed during the night and on weekly rest days and public holidays.

These kinds of provisions are less common in industrialized countries, although the Belgian legislation mandates an increased premium for overtime worked on Sundays and public holidays (100 per cent rather than 50 per cent of the ordinary wage).³²

Supplementary overtime rates are more common in other regions. In Africa, a number of countries specify them in their working time laws. One example is Benin, in which the legislation provides for a range of premia: 12 per cent for the first 8 weekday hours; 35 per cent for subsequent hours; 50 per cent for Sundays and public holidays; 50 per cent for night work during weekdays; and 100 per cent for night work on Sundays and public holidays.³³

Notes

¹ Labour Code, article 143(2).

² Labour Code, article 150(2).

³ Labour Act, section 41.

⁴ Código de Trabajo, article 170.

⁵ Labour Relations Act, article 145(1).

⁶ Act relating to worker protection and working environment, section 50(1).

⁷ Labour Law, article 85.

⁸ Working Hours Act, section 8.

⁹ Ley 20.744, texto ordenado por Decreto 390/76 sobre la Ley de Contrato de Trabajo, 13 de Mayo de 1976, article 203.

¹⁰ Código de Trabajo, article 31.

¹¹ Código de Trabajo, article 36.

¹² Labour Code, article 147(1)(3).

¹³ Código do trabalho, article 46.

¹⁴ Labour Code, article 99.

¹⁵ Labour Code, article 150(4).

¹⁶ Labour Code, article 147(1)(5).

¹⁷ Working Hours Act, section 18. Employees can give their consent for short predetermined periods if required by the nature of the work arrangement.

¹⁸ ILO: *Hours of work: From fixed to flexible?* Report of the Committee of Experts on the Application of Conventions and Recommendations (article 19, 22 and 35 of the Constitution) (Geneva, 2005) at paragraph 144.

¹⁹ The limits are 2 hours per day and (a) 175 hours per year in small enterprises, and (b) 150 hours per year in medium and large enterprises.

²⁰ The limits are (a) 8 hours per week and 150 hours per year for mandatory overtime, and (b) 8 hours per week on average over a period of not more than 4 calendar months for voluntary overtime.

²¹ Working Time Act, §7(2).

²² Real Decreto Legislativo 1/1995, de 24 de marzo, por el que se aprueba el Texto Refundido de la Ley del Estatuto de los Trabajadores, article 35(1).

²³ Working Time Act, §10.

²⁴ Labour Code, section 53.1.

²⁵ Decreto supremo núm. 007-2002-TR que aprueba el texto único ordenado del Decreto legislativo núm. 854,

Ley de Jornada de Trabajo, Horario y Trabajo en Sobretiempo, §10.

²⁶ Basic Conditions of Employment Act No. 75, 1997, section 10.

²⁷ *ibid.*, section 10(4).

²⁸ Real Decreto Legislativo 1/1995, de 24 de marzo, por el que se aprueba el Texto Refundido de la Ley del Estatuto de los Trabajadores, article 35(1).

²⁹ This figure includes only those countries that mandate a single overtime rate.

³⁰ In the Russian Federation, the 100 per cent premium is applicable only to the third and subsequent hours of overtime work.

³¹ Labour Act, section 118(2). This provision applies only to piece or task workers subject to continuous supervision.

³² Loi sur le travail, article 29.

³³ Code du travail, article 147.

MAXIMUM HOURS LIMITS

3

Introduction

Labour law regimes limit total daily and weekly hours, including overtime, with the aim of averting the harmful consequences to health, safety and family life of working very long hours. These maximums represent the ultimate legislated limit on working time. Their significance is dependent on the regime in which they are located. In a number of western European countries, collective agreements tend to prevent working hours from approaching the level of the legislated maximums. In other countries, however, maximum limits function as the final regulatory barrier against excessive working hours.

International standards

The international standards view normal hours limits as the primary restriction on working hours and overtime hours as exceptional. For this reason, maximum limits are not a central feature of the international regulatory regime. The standards do not specify a daily rest period or a maximum on total daily or weekly hours. As discussed in the previous Chapter, however, although the international instruments do not mandate specific limits on overtime hours, they require that a limit be in place at national level.

National laws

At national level, maximum limits on working hours are introduced through a number of different legislative techniques. Some laws specify maximums on total daily and weekly hours, including overtime. Others, as discussed in Chapter Two, limit overtime hours on a daily and weekly basis, thus in effect providing for a maximum limit. Finally, a number of jurisdictions implicitly impose maximum limits by providing for daily rest periods.

Weekly maximums

Towards a 48 hour maximum?

More than two-thirds of the countries covered by this report provide for some kind of maximum limit on weekly working hours. The dominant approach is to specify a limit above the 48 threshold but below 60 hours, as is the case in more than a third of the countries that have limits. A slightly smaller number specify a 48-hour limit. As with normal hours limits, however, there are significant differences between regions (see Annex 1, Table 3 and Map 2).

The lowest limits are in place in industrialized countries. Among those that have generally-applicable working time legislation at the national level, only Japan, New Zealand and the United States do not impose any form of maximum limit. The majority have a 48-hour maximum and a number have lower limits, including 40 hours in Sweden.

This picture in western European countries is mirrored in central and eastern Europe. The majority of the ten countries surveyed for this report mandate a 48-hour maximum week.

African countries are more likely to have a limit in the 49 to 58 hour range. Five of the 17 jurisdictions in which relevant provisions were identified have adopted limits of this nature. Among the others, equal numbers have a maximum of 60 hours or above (including those with no limits) and of 48 hours or below.

The maximum hours limits are highest in Latin America and Asia. Half the countries in Latin America have a limit within the 49 to 58 hour range and an equal number either have a limit of 60 hours or above or have not specified a maximum. Of the Asian countries with universal working time legislation, five have a limit of between 49 to 58 hours, four have a 60-hour limit, and only Cambodia and the Philippines have no maximum.

Table 3: Maximum weekly hours by region

	No universal national maximum	40 hours	41-47 hours	48 hours	49-58 hours	60 hours and above (including no limit)
Industrialized countries	Australia	Sweden	Austria, France, Netherlands, Spain	Canada, Denmark, Finland, Germany, Ireland, Italy, Luxembourg, Malta, Norway, Portugal, United Kingdom	Belgium, Switzerland	Japan, New Zealand, United States
Central and eastern Europe			Bulgaria, Russian Federation	Czech Republic, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia	Macedonia	
Africa	Mali, Rwanda, Seychelles		Cape Verde, Guinea-Bissau	Algeria, Angola, Niger	Chad, Côte d'Ivoire, Mozambique, Namibia, South Africa, United Republic of Tanzania (mainland)	Benin, Cameroon, Gabon, Nigeria, Tunisia
Middle East						Egypt, Jordan, Lebanon

Maximum hours limits

(Table 3 cont'd)

Table 3 (cont'd)

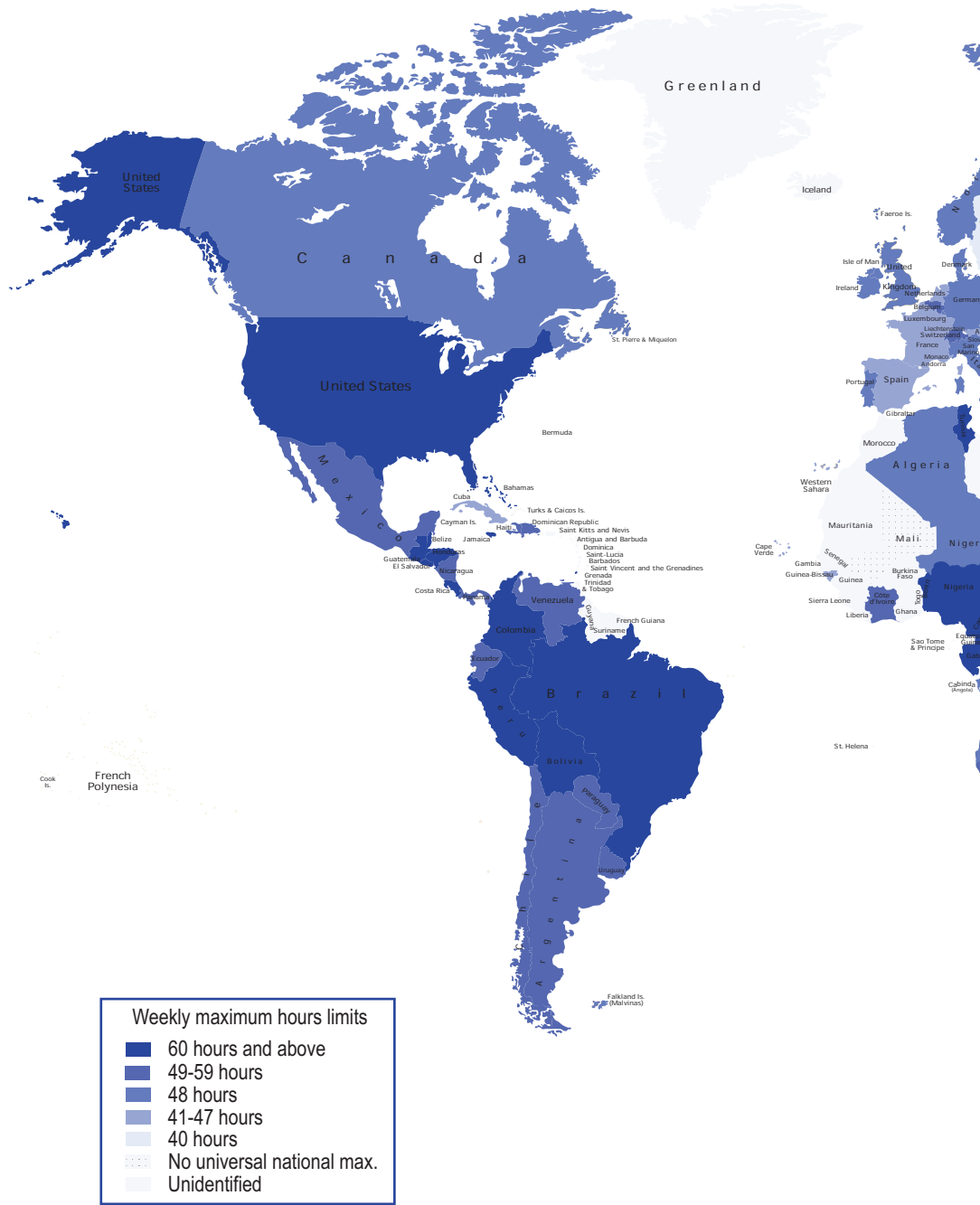
	No universal national maximum	40 hours	41-47 hours	48 hours	49-58 hours	60 hours and above (including no limit)
Latin America					Argentina, Chile, Ecuador, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Venezuela	Belize, Bolivia, Brazil, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Peru
Caribbean			Cuba		Dominican Republic, Haiti	Bahamas, Grenada, Jamaica
Asia	India, Pakistan				China, Indonesia, Republic of Korea, Lao People's Democratic Republic, Viet Nam	Cambodia, Malaysia, Mongolia, Philippines, Singapore, Thailand

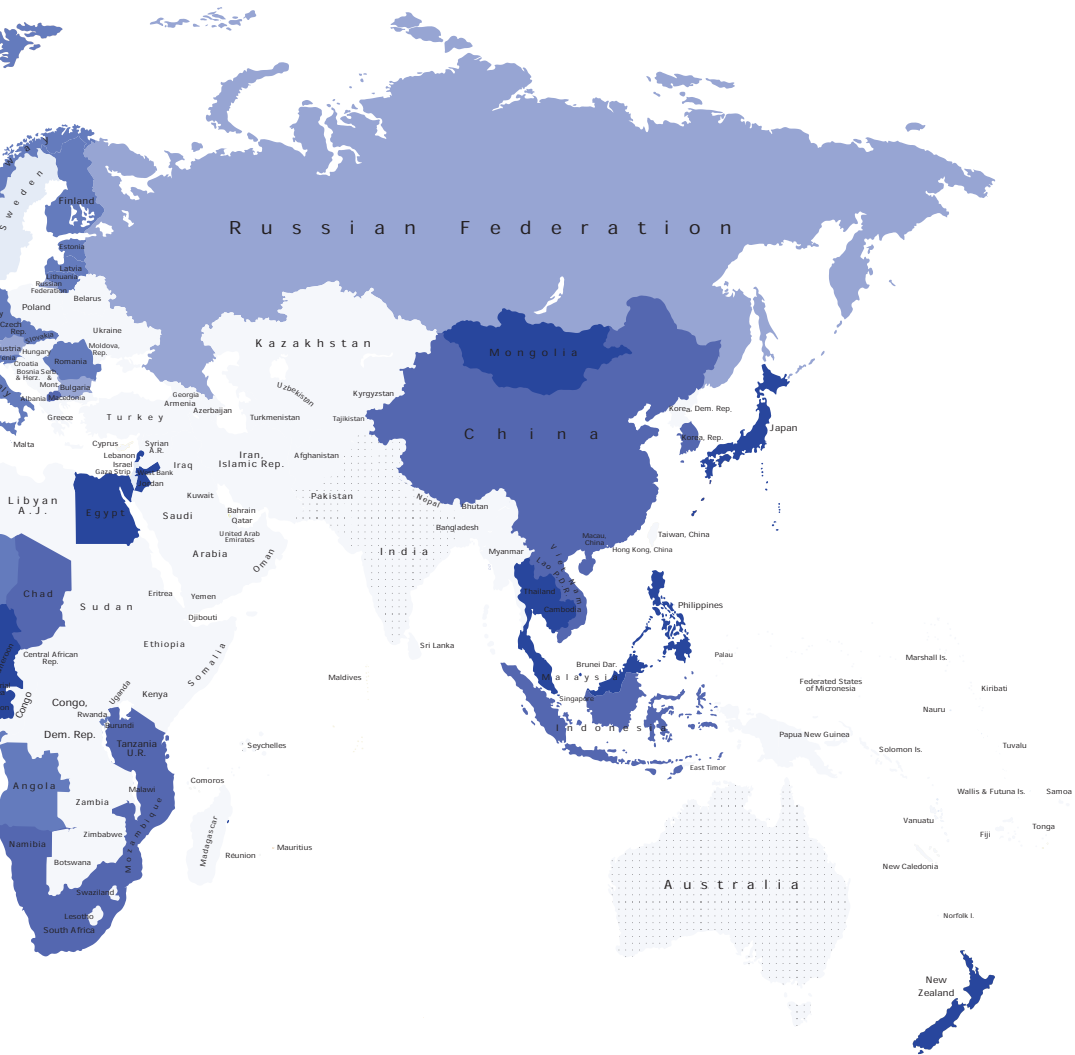
Exceptions and hours averaging

Maximum hours limits can, like those imposed on normal hours, be subject to exceptions. As was discussed in Chapter Two, overtime limits are subject to a range of exceptions. Specific maximum limits too can be exceeded in certain circumstances. This is the case in the federal Canadian legislation, for example, under which the relevant government body can authorize working hours in excess of the 48-hour maximum on application from an employer or an employers' organization.

Moreover, in a number of jurisdictions, especially in Europe, the maximum limits can be averaged over a reference period in the same way as normal hours limits (see Chapter One). In the United Kingdom, for example, the 48-hour maximum limit can be averaged over a reference period of 13 weeks; and a four-month reference period applies to the 55-hour maximum limit in the South African legislation. Where hours averaging is in operation, maximum hours will, in some weeks, extend past the maximum limit. It is possible, however, to specify absolute maximums for individual weeks of the reference period.

Map 2 Weekly maximum hours limits





Daily maximums

More than 80 per cent of the countries surveyed have some kind of limit on total daily hours (see Annex 1 and Table 4). The most popular limits are of 10 or 11 hours: these feature in the laws of around one-third of the countries that have limits in place. Slightly fewer countries have a 12-hour limit and around a quarter have a limit of 14 hours and above or no limit of any kind.

Among industrialized countries, maximum limits have been enacted only in Europe. The 13-hour maximum is the most prominent. Six countries have a limit of 10 or 11 hours, and the same number have a limit of 14 hours or more or no limit. There is more uniformity in central and eastern European countries, in which the majority specify a 12-hour limit. In Africa, the countries in which limits have been identified are split mainly between 10- or 11-hour limits and a 12-hour limit; while in Latin America, 10-and 11-hour maximums are most prominent.

Table 4: Maximum daily hours by region

	No universal national maximum	8 - 9 hours	10-11 hours	12 hours	13 hours	14 hours and above (including no limit)
Industrialized countries	Australia	Germany	Austria, Belgium, France, Luxembourg, Netherlands, Portugal	Spain	Denmark, Finland, Ireland, Italy, Malta, Switzerland, United Kingdom	Canada, Japan, New Zealand, Norway, Sweden, United States
Central and eastern Europe			Bulgaria	Czech Republic, Estonia, Latvia, Macedonia, Romania, Slovakia, Slovenia	Lithuania	Russian Federation
Africa			Angola, Cape Verde, Chad, Côte d'Ivoire, Guinea-Bissau, Mozambique, Namibia (6-day workweeks), Rwanda, South Africa (6-day workweeks)	Algeria, Benin, Namibia (5 day workweeks), Niger, South Africa (5 day workweeks), United Republic of Tanzania (mainland)		Cameroon, Nigeria, Seychelles, Tunisia
Middle East	Jordan		Egypt	Lebanon		

(Table 4 cont'd)

Table 4 (cont'd)

No universal national maximum		8 - 9 hours	10-11 hours	12 hours	13 hours	14 hours and above (including no limit)
Latin America			Argentina, Bolivia, Brazil, Colombia, Mexico, Nicaragua, Panama, Paraguay, Venezuela	Chile, Costa Rica, Ecuador, Guatemala, Honduras		Belize, El Salvador, Peru, Uruguay
Caribbean			Cuba, Haiti (commerce)			Bahamas, Dominican Republic, Grenada, Haiti (industry), Jamaica
Asia	India, Pakistan	China	Indonesia, Lao People's Democratic Republic	Malaysia, Mongolia, Viet Nam, Singapore		Republic of Korea, Philippines, Thailand

Introduction

In addition to limiting the number of permissible daily and weekly working hours, labour laws can also provide for rest breaks during the working day, to allow workers to rest and take meals. Daily rest periods can also be required, which function in the same way as hours limits, to limit the working day and provide for adequate rest between shifts. Finally, labour laws usually provide for a weekly rest day, both to ensure a substantial rest period during the working week, and also to allow workers to spend time with family, friends, in religious observance and with the community as a whole.

International standards

The international standards do not provide for rest breaks during the working day and mandate hours limits rather than daily rest periods. In contrast, the weekly rest period is enshrined in the international working time regime. The Weekly Rest (Industry) Convention, 1921 (No. 14), and Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), require a rest period of at least 24 hours each week. Wherever possible, this rest period should be granted simultaneously to the whole of the staff of an establishment and fixed so as to coincide with traditional or customary days of rest. The Conventions permit certain exceptions from the entitlement to the weekly rest day, to be compensated by an equivalent rest period.

National laws

Rest breaks

Duration

Rest breaks to be taken during the working day are mandated by the legislation of just over two-thirds of the countries covered by this report (see Annex 2 and Table 5). Among these, the vast majority specify a minimum period for the break, ranging from ten minutes in Italy to two hours in Angola¹ and Bolivia. The most widespread approach is to require a rest break of at least 30 minutes in length, although a substantial number of countries require a break of 45 minutes or more.

Among the industrialized economies, all European countries entitle their workers to a break during the working day. Most require a break of at least 15 to 30 minutes in length, although both Finland and Portugal specify a one-hour break. Beyond Europe, only Japan legally requires a rest break, which must be one hour in length.

In central and eastern Europe, all the countries surveyed for this report mandate daily rest breaks of at least 30 minutes, with the exception of Romania, which requires a rest break but does not specify a minimum duration.

In Africa, legislative provisions on rest breaks are much less common: more than half of these countries do not provide for a break. Among the ten that do, longer breaks are more common than in Europe, usually of one hour.

In contrast, all Latin American countries require a rest break during the working day, and only Argentina, Colombia and Ecuador do not specify a minimum duration. More than half of these countries provide for a rest break of 30 minutes in length.

Most of the Asian countries surveyed also call for a rest break during the working day. Again, the break should usually be of at least 30 minutes in length, although both the Philippines and Thailand require a one-hour break.

Some countries also specify a maximum length for rest breaks, in addition to the minimum, including Estonia (one hour)² and Guinea-Bissau (three hours).³

Table 5: Statutory minimum rest breaks by region

No universal national minimum		none	10-20 minutes	30 minutes	45 minutes - 2 hours
Industrialized countries	Australia	Canada, Denmark,* New Zealand, Sweden,* United States	Belgium, France, Italy, Malta, Spain, Switzerland, United Kingdom	Austria, Germany, Ireland, Luxembourg, Netherlands, Norway	Finland, Japan, Portugal
Central and eastern Europe		Romania*		Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Macedonia, Russian Federation, Slovakia, Slovenia	
Africa		Algeria, Benin, Burkina Faso, Burundi, Cape Verde,* Cameroon, Chad, Congo, Democratic Republic of the Congo, Côte d'Ivoire, Djibouti, Gabon, Madagascar, Mali, Mauritania Morocco, Niger, Rwanda, Senegal, Togo		Mozambique, Seychelles	Angola, Guinea-Bissau, Namibia, Nigeria, South Africa, United Republic of Tanzania, Tunisia
Middle East		Jordan			Egypt, Lebanon

Rest periods

(Table 5 cont'd)

Table 5 (cont'd)

	No universal national minimum	none	10-20 minutes	30 minutes	45 minutes - 2 hours
Latin America		Argentina,* Colombia,* Ecuador*		Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Venezuela	Belize, Bolivia, Brazil, Peru
Caribbean		Bahamas, Jamaica		Cuba	Dominican Republic, Grenada, Haiti
Asia	India, Pakistan	China, Mongolia,* Singapore*	Lao People's Democratic Republic	Indonesia, Republic of Korea, Malaysia, Viet Nam	Philippines, Thailand

* A rest break of unspecified duration is required.

Scheduling

The entire period of the statutory rest break does not necessarily have to be taken at one time: the laws often permit it to be divided into shorter breaks. In Austria, for example, if it is in the interests of the worker or the company, or necessary for operational reasons, the 30-minute rest break can be arranged as two 15-minute breaks or three breaks of ten minutes each.⁴

Provisions specifying the timing of breaks are not common, although the legislation in the Netherlands prohibits them from being taken within two hours of the start and end of the day;⁵ and Slovenian law prohibits breaks during the first and final hours.⁶ There may be some indication that the rest period is intended to be taken as a lunch break. The laws of both Namibia and South Africa, for example, explicitly indicate that their rest breaks are for meals; and Lebanese legislation requires that its one-hour rest break be taken in the middle of the working day.⁷ Similarly, in Latin American countries it is common to require that the working day be divided into two periods with a break between them.

Exceptions and special treatment

The minimum entitlements to rest breaks reviewed above are often those applicable to the normal full-time working day. Many laws specify a minimum shift length for entitlement to rest breaks, usually of 4-6 hours. In addition, a number of countries mandate a longer break when daily hours are extended. In Finland, for example, those working for more than ten hours in a day are entitled to a 30-minute break after eight hours of work in addition to the universally available 30-minute break.⁸ Additional breaks are also required for work beyond eight hours in Japan.⁹

The legislation may also permit the rest break to be shortened. This often requires a collective agreement, although in both Grenada¹⁰ and Namibia¹¹ individual employees and employers can agree to shorten the one hour meal interval to not less than 30 minutes.

In addition, labour inspectorates or other government bodies can be permitted to allow derogations from the statutory rules on rest breaks. In Portugal, for example, breaks can be reduced or cancelled by the labour inspectorate at the employer's request and with the agreement in writing of employees, if it is in the workers' interest or is required to meet specific business needs.¹² In Angola, the labour inspectorate can authorize a reduction in the one-hour rest break to a minimum of 30 minutes or decide not to grant it, in exceptional circumstances.¹³

Certain groups of workers are entitled to more extensive protection in some jurisdictions. Women workers, for example, are entitled to a rest break after five rather than six hours of work in Lebanon.¹⁴ In Switzerland, pregnant employees who work in a standing position are entitled to additional breaks;¹⁵ and parents can request a lunch break of at least one-and-a-half hours, rather

than being confined to the 15-minute break extended to all workers.¹⁶ There can also be specific provision for certain sectors or occupations. Shop workers in Ireland, for example, are entitled to a one-hour, rather than 30-minute, break when they work between 11:30 and 14:30.¹⁷

Longer breaks can also be mandated in the interests of worker health. In Norway, the labour inspectorate can require additional breaks for this reason. In the United Kingdom, the legislation states that where work patterns put health and safety at risk, in particular where the work is monotonous or its rate is predetermined, the employer is required to ensure adequate rest breaks.¹⁸ Similarly, Nigerian legislation demands that rest breaks be suitable for work that involves continuous strain or that is particularly arduous in other ways.¹⁹

Daily rest periods

Rather than relying solely on daily hours limits, working time laws can limit working hours by requiring a minimum period of rest between consecutive working days (see Annex I). The EU-level instrument, for example, the Working Time Directive, requires that a daily rest period of at least 11 hours be reflected in the laws of EU Member States.²⁰ The daily rest period may represent the only legislated restriction on the length of the working day, as is the case in the United Kingdom. Alternatively, it may function as a supplementary limit: a ceiling on the hours that extend beyond normal hours including in overtime work, where hours limits are averaged, and where work is performed as an exception to the normal hours limit.

Daily rest periods are of most relevance as a maximum limit on daily hours and are reviewed in this context in Chapter Three.

Weekly rest periods

Legislated minimums: The day of rest

Almost all countries provide for a minimum period of weekly rest (see Annex 2). The vast majority of these require that it be of one day in length and, in principle, be taken on a Sunday. There is little variation between regions in this aspect of working time regulation, although some countries are exceptions.

New Zealand and the United States do not require a day of rest; and Australia, India, Jamaica and Pakistan do not have a generally applicable rest period.

Argentina and Spain both require one-and-a-half days of rest. Four central and eastern European countries require a two-day rest period (Bulgaria, Estonia, Romania and Slovakia), as do the Bahamas, China, the Democratic Republic of the Congo, Ecuador and Mongolia.

Japan, Malta and the United Kingdom do not specify a day on which weekly rest should be taken. This is also the case in two countries in central and eastern

Europe (Macedonia and Slovenia), Africa (Nigeria and the United Republic of Tanzania), the Middle East (Egypt and Lebanon), the Caribbean (Bahamas and Grenada) and Asia (Philippines and Thailand), and in Guatemala.

The weekly rest day in Algeria, Jordan and Mauritania is Friday. The Tunisian legislation offers the choice of Friday, Saturday or Sunday, and the same three days or the weekly market day can be selected in Morocco.

Where more than one day of rest is required, the legislation specifies Sunday and usually elects Saturday as the additional day,²¹ although both Slovakia and Spain allow a choice between Saturday and Monday,²² and the legislation in Bahamas and Bulgaria leaves it open.

Exceptions and special treatment

Laws also provide for exceptions from the rules on weekly rest, to allow for work to be performed on the rest day. Economy-wide exceptions are incorporated into some working time regimes. In Japan, for example, the one-day rest period does not apply to employers who ensure at least four rest days over a four-week period.²³ Similarly, in the United Kingdom, the weekly rest day can be substituted by either two one-day rest periods in each two-week period, or one rest period of 48 hours over the same period.²⁴

A number of countries allow for derogations from their weekly rest provisions to be stipulated in collective agreements. Individual agreement is permitted less often. In South Africa, however, individual workers can agree in writing to forego the weekly rest day for a rest period of at least 60 hours every two weeks; or to reduce the weekly rest period by up to 8 hours, if it is extended by the same amount in the following week.²⁵

Many countries allow urgent work to be performed on the weekly rest day. Some, including Germany,²⁶ specifically permit rest day work by the emergency services. Others allow work in the public interest to be carried out. It is also common to allow work on rest days for maintenance or to prevent the deterioration of crops or perishable goods.

Workers in certain sectors, occupations or enterprises may be subject to different weekly rest rules. Agricultural workers can be required to work on the rest day in some countries. Managerial and supervisory workers are excluded from the relevant rest provisions in others, including Japan.²⁷ In Egypt, firms that employ fewer than 10 workers can determine their own weekly rest period.²⁸ And retail workers are permitted to work on the weekly rest day in Belgium²⁹ and Chile.³⁰ Other work permitted on rest days include in seasonal jobs, hotels and catering, transport, the newspaper industry, tourism, and security and surveillance work.

Also common are legislated exceptions for work required for technical, operational or economic reasons. In Algeria, for example, weekly rest can be taken on a day other than Friday where economic or production needs require it.³¹ In Malaysia, workers in industry are permitted to carry out work essential to

the economy on the rest day.³² And in Switzerland, regular or periodic Sunday work is permitted for imperative technical or economic reasons.³³

Compensation for work on a rest day

It is common to provide for compensation in addition to the ordinary wage for work performed on a weekly rest day. As is the case for overtime work, this can take the form of a pay premium, compensatory rest, or both. Where increased pay is required, the minimum premium ranges from 25 per cent, as, for example, in Japan³⁴ up to 100 per cent, including in Angola.³⁵

Protected groups

Even where exceptions are permissible, certain groups of workers can be prohibited from working on rest days or be entitled to refuse to do so. In Switzerland, all workers have a right to refuse to work on Sundays.³⁶ In a number of countries, pregnant workers are prohibited from working on the rest day or have to specifically consent to do so. These entitlements can also extend to breastfeeding workers, and, as in Latvia, to mothers for a specified period after childbirth.³⁷ In Lithuania, consent is required from workers raising a child younger than 14 years or a disabled child of up to 16 years.³⁸

Working time laws can also include provisions that ensure that weekly rest day work is shared among the workers in an enterprise. An example is the Netherlands, where employers are required to ensure that individual workers take their weekly rest on at least four Sundays in each 13-week period.³⁹

Notes

¹ The two-hour limit applies where there are no onsite eating facilities. Where these are available, a one-hour break is required.

² Working and Rest Time Act, §16(2).

³ Lei Geral do Trabalho, article 46(1).

⁴ Working Time Act, §11(1).

⁵ Working Hours Act, article 5:10(5).

⁶ Labour Relations Act, article 154(4).

⁷ Code du travail, article 34.

⁸ Working Hours Act, section 28.

⁹ Labour Standards Law, article 34(1).

¹⁰ Employment Act, 1999, section 41(2).

¹¹ Labour Act 1992, section 31(2).

¹² Código do trabalho, article 175(2).

¹³ Lei Geral do Trabalho, article 97(3)-(4).

¹⁴ Code du travail, article 34.

¹⁵ Ordonnance 1 relative à la loi sur le travail, article 61(1).

¹⁶ Loi sur le travail, article 36(2).

¹⁷ Organisation of Working Time (Breaks at Work for Shop Employees) Regulations, 1998, regulation 3(b).

¹⁸ Working Time Regulations 1998, regulation 8.

¹⁹ Labour Act, section 13(5).

²⁰ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, article 3.

²¹ Saturday afternoon in the Dominican Republic.

²² Saturday afternoon or Monday morning in Spain.

²³ Labour Standards Law, article 35(2).

²⁴ Working Time Regulations 1998, regulation 11(2).

²⁵ Basic Conditions of Employment Act, 1997, section 15(3).

²⁶ Hours of Work Act, section 10(1).

²⁷ Labour Standards Law, article 41(2).

²⁸ Labour Law, article 84.

²⁹ Loi sur le travail, article 14.

³⁰ Código del trabajo, article 38.

³¹ Loi no. 90-11 du 21 avril 1990 relative aux relations de travail, article 37.

³² Employment Act 1955, section 60A(2)(f).

³³ Loi sur le travail, article 19(2).

³⁴ Labour Standards Law, article 37. A maximum premium of 50 per cent is also specified in the Japanese legislation.

³⁵ Decreto-Lei no. 21-A/94 de 16 de Dezembro, article 15.

³⁶ Loi sur le travail, article 19.

³⁷ In Latvia, for the period of a year after childbirth. Labour Law, section 143(5).

³⁸ Labour Code, article 161(6).

³⁹ Working Hours Act, article 5:4(1).

Introduction

Labour laws usually extend to workers a right to a holiday period in each year of their employment. Twin policy goals underlie these laws. On the one hand, they are aimed at ensuring sufficient rest and recreation opportunities throughout the year, to preserve the health of workers and ensure that they remain able to perform their jobs. At the same time, annual holidays serve the goal of facilitating work/life balance, by allowing workers to devote uninterrupted periods of time to their families and recreational activities.

In addition to annual leave, workers are usually entitled to a day off work on national or local public holidays. These customary rest days provide opportunities for the entire community to spend time together outside of paid work: work on these days is generally prohibited and subject to additional compensation when performed.

International standards

The Holidays with Pay Convention (Revised), 1970 (No. 132), requires that workers be entitled to an annual paid holiday of not less than three working weeks. During these vacation days, they must receive at least their ordinary wage, which must be paid prior to the holiday. The annual vacation can be divided into more than one period, one of which must consist of at least two uninterrupted working weeks. The timing of the holidays must be determined after consultation with the employee or his or her representatives, taking into account both work requirements and the rest and relaxation opportunities available to the worker.

Public holidays and the compensation for the work performed on them are not addressed by the international working time standards.

National laws

Annual leave

Leave entitlement: The 4- to 5-week minimum¹

Almost all of the 103 countries covered by this report offer their workers a right to a period of annual leave (see Annex 2 and Table 6). The most common, among one-third of these countries, is 24 to 26 days. Slightly less than one-third mandate 10 to 15 days of leave, and just less than one-fifth require 18 to 22 days.

In industrialized countries, annual holidays range from 10 days in Japan to 30 days in Denmark, Finland and France. The most widespread minimum leave entitlement, reflected in half of the laws that offer a right to annual leave, is 24 or 25 days. One-third provide for leave of 28 to 30 days; and only Australia and the United States have no nationally-applicable limit.

In the central and eastern European countries covered by this report, annual leave entitlements are less diverse. The laws require 24 days of vacation in all, except Macedonia (18 days) and Bulgaria and Romania (20 days).

There is greater diversity in the African region, where the statutory minimums range from 6 days in Nigeria to 30 days in Algeria, Madagascar and Togo. A third of African countries provide for annual leave of 18 to 22 days and more than 40 per cent for 24 to 26 days.

The Latin American countries have the same range of annual leave entitlements as in Africa, from 6 days in Bolivia and Mexico to 30 days in Panama. Their average leave entitlement is lower, however: more than half provide for annual leave of 10 to 15 days.

The Asian countries have the least extensive annual leave provisions, usually requiring 15 holidays per year or less.

The regional picture is reflected in Table 6 and Map 3.

Table 6: Statutory minimum annual leave by region

	No universal national minimum	Less than 10 days (including no minimum)	10-15 days	18-22 days	24-26 days	28-30 days
Industrialized countries	Australia	United States	Canada, Japan	New Zealand, Portugal	Belgium, Germany, Ireland, Italy, Luxembourg, Netherlands, Norway, Spain, Switzerland, United Kingdom	Austria, Denmark, Finland, France, Malta, Sweden
Central and eastern Europe				Bulgaria, Macedonia, Romania	Czech Republic, Estonia, Latvia, Lithuania, Russian Federation, Slovakia, Slovenia	
Africa		Nigeria, United Republic of the Tanzania (Zanzibar)	Democratic Republic of the Congo, Tunisia	Angola, Burundi, Cameroon, Cape Verde, Mauritania, Morocco, Mozambique, Namibia, Rwanda, Seychelles, South Africa	Benin, Burkina Faso, Chad, Congo, Côte d'Ivoire, Djibouti, Gabon, Guinea- Bissau, Mali, Niger, Senegal, United Republic of Tanzania (mainland), Zimbabwe	Algeria, Madagascar, Togo
Middle East			Jordan, Lebanon	Egypt		

(Table 6 cont'd)

Table 6 (cont'd)

	No universal national minimum	Less than 10 days (including no minimum)	10-15 days	18-22 days	24-26 days	28-30 days
Latin America		Bolivia, Mexico	Belize, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Paraguay, Venezuela	Uruguay	Argentina, Brazil, Peru	Panama
Caribbean			Bahamas, Dominican Republic, Grenada, Haiti, Jamaica		Cuba	
Asia	India, Pakistan	Malaysia, Philippines, Singapore, Thailand	Indonesia, Republic of Korea, Lao People's Democratic Republic, Mongolia, Viet Nam	Cambodia		

Exceptions and special treatment

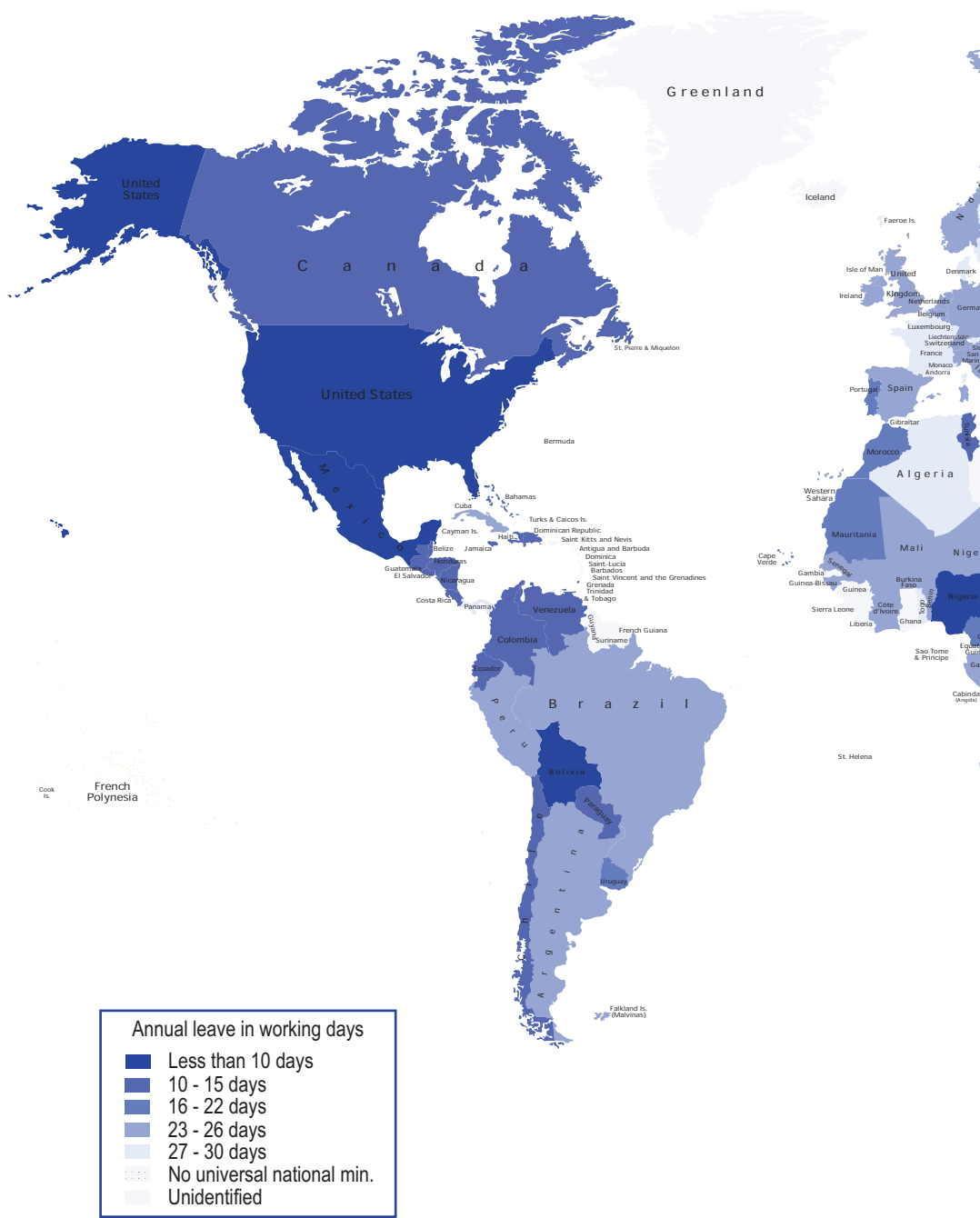
Minimum annual leave entitlements may not apply to all employees. Some laws, for example, provide for increases in annual leave in line with seniority. In Ecuador, for example, workers are entitled to one extra day of leave for each year they work beyond five years, or the corresponding remuneration.² In others, much longer periods of service are required before entitlement to additional days arises. In Côte d'Ivoire, the first increment becomes available after 15 years in the same undertaking,³ and it is not due until after 25 years of employment in Austria.⁴ A scale of seniority-based increases are included in some working time legislation. In Mongolia, for instance, the basic entitlement to annual leave of 15 days is increased to 18 days (six to ten years of employment), 20 days (11 to 15 years), 22 days (16 to 20 years), 24 days (21 to 25 years), 26 days (26 to 31 years) and 29 days (32 years and more).⁵

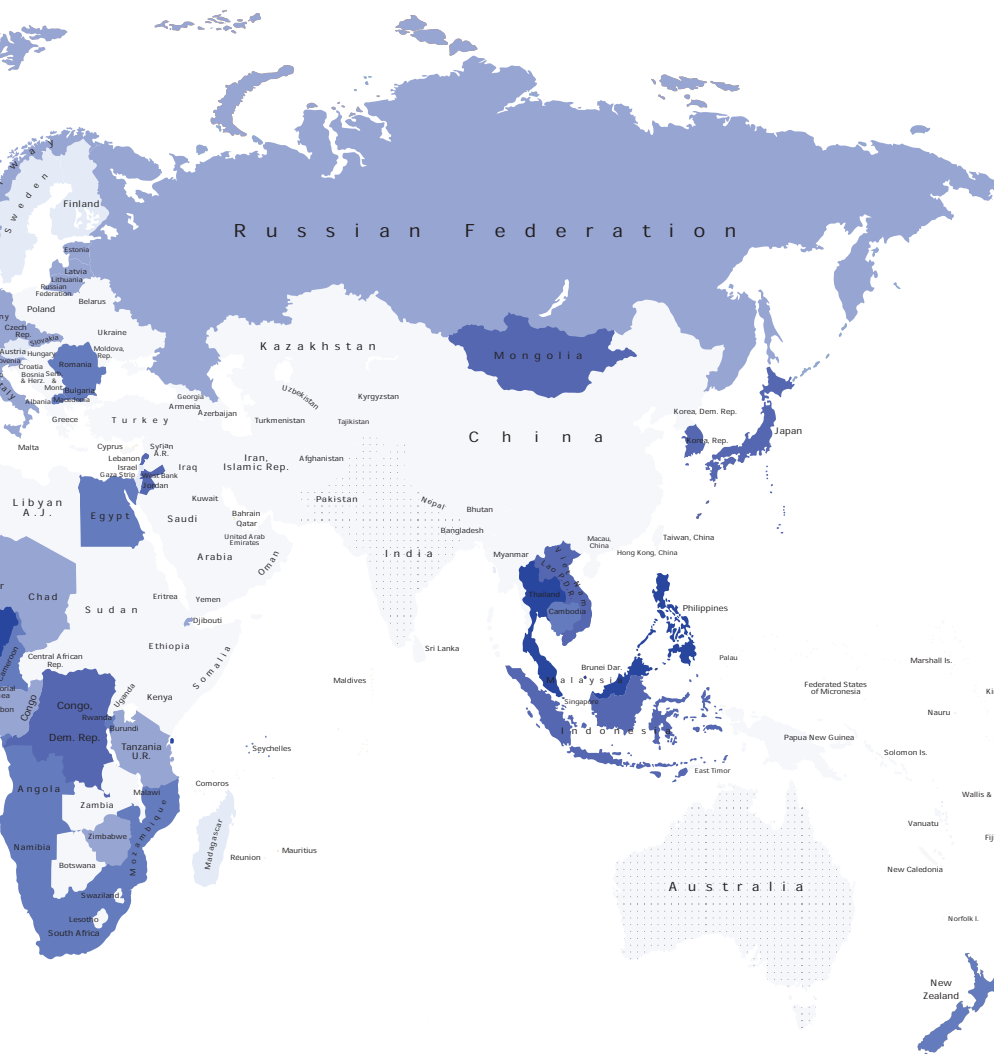
Those engaged in work that presents a risk to their health or is hazardous may also be entitled to additional leave days: their entitlement is increased by five days, for example, in Bulgaria,⁶ and seven days in Egypt.⁷ In Algeria, there is a regional element to leave entitlement, with supplementary leave of at least ten days being available to those who work in its southern regions.⁸ In some countries, parents are entitled to additional leave days. And additional days are available to older workers in Norway⁹ and disabled workers in Slovenia.¹⁰

Workers employed by an enterprise for short periods may be excluded from leave by the requirement that they have completed a qualifying period of employment, for example of 6 months or one year. In a number of countries, however, workers who have been employed for less than one year are entitled to pro rata leave for the periods during which they have worked.

In some jurisdictions, the leave entitlement can be reduced where the worker has been absent from work. This is the case in Malaysia, where workers absent without permission or reasonable excuse for more than 10 per cent of the year are not entitled to annual leave.¹¹ In a number of countries, workers on leave can be called back to work. Usually this can only be justified by urgent circumstances. Where a worker is recalled, the legislation can provide for their compensation. In Costa Rica, these workers are paid at twice the rate of their ordinary hours.¹² And in Romania, the employer must also bear all the expenses involved for the employee and his or her family in returning to the workplace, together with losses arising from the interruption of the leave.¹³ In contrast, in the Dominican Republic, employees are specifically prohibited from working for their employers during the annual leave period, and it cannot be compensated for or substituted in any way.¹⁴ And in Guatemala it is unlawful to work for any other employer during the annual leave period.¹⁵

Map 3 Annual leave in working days





Remuneration

The vast majority of annual leave provisions require that the leave be remunerated. In most countries, the compensation is the equivalent of the ordinary wage over the same period. In a number of African countries, including Burundi,¹⁶ the vacation pay must include any benefits in kind received by the worker. The legislation in El Salvador is unusual, in that workers are entitled to an addition of 30 per cent of the ordinary wage for the holiday period.¹⁷

Payment in lieu of annual leave is almost universally prohibited, except where the employment contract is terminated or expires before the leave is taken. In Brazil, however, one-third of the 24-day annual leave period can be replaced by a payment¹⁸; and in Seychelles, the same proportion of the 18-day holiday, can be converted into cash, if approved in writing by the competent government authority.¹⁹

Public holidays

In addition to the annual leave entitlement, most countries designate a number of additional days each year as public holidays, usually in principle available to all workers. The number of these holidays vary, although they do not extend beyond ten or 11 days per year (see Table 7).

As with annual leave days, labour laws usually require that public holidays be paid. They are also often regulated in the same way as Sunday work, in that exceptions to the prohibition of work on public holidays are permitted in certain circumstances, such as for urgent or emergency work or work performed in continuous processes.

Similarly too, when employees work on public holidays they are usually entitled to additional compensation. In some jurisdictions, public holiday work can be compensated by a rest day, including in Bolivia, the Czech Republic and Germany. In a number of countries, such as Guatemala²⁰ and Indonesia,²¹ hours worked on public holidays are treated as overtime hours, and subject to the same pay increase. In others, a specific public holiday pay premium is mandated, including of 50 per cent of the ordinary wage in Canada²² and 100 per cent in the Dominican Republic²³ and Egypt.²⁴

Table 7: Public holidays by region

	No universal national minimum	Less than 10 days	10-11 days	12-13 days	14 days or more
Industrialized countries	Australia, Japan, Sweden, United Kingdom, United States	Canada, Ireland, Netherlands, Switzerland	Belgium, Italy, Luxembourg, France, New Zealand	Austria, Norway, Portugal	Malta, Spain
Central and eastern Europe		Romania	Czech Republic, Russian Federation	Bulgaria, Lithuania	
Africa		Burundi, Mauritania, Nigeria, Rwanda, Tunisia	Cameroon, Democratic Republic of the Congo, Djibouti, Seychelles	Benin, Burkina Faso, Gabon, Morocco, Namibia, Niger, South Africa, Togo	Angola, Chad, Côte d'Ivoire
Latin America		Brazil, Ecuador, El Salvador, Mexico, Nicaragua, Panama, Uruguay, Venezuela	Bolivia, Honduras, Panama	Belize, Guatemala, Peru	Colombia, Costa Rica
Caribbean		Cuba, Jamaica	Bahamas		Haiti
Asia		Mongolia, Viet Nam	Malaysia, Singapore	Philippines, Thailand	Republic of Korea

Notes

¹ The annual leave entitlements referred to in this Chapter assume a six-day week for countries in which the leave entitlement depends on the length of the working week.

² Código de Trabajo, article 69.

³ Code du travail, article 25.2.

⁴ Annual Leave Act, §2.

⁵ Labour Code, section 79.5.

⁶ Labour Code, article 156(1).

⁷ Labour Law, article 47.

⁸ Loi no. 90-11 du 21 avril 1990 relative aux relations de travail, article 42.

⁹ Employees of age 60 and over and entitled to 6 additional days. Act relating to holidays, §5(2).

¹⁰ Labor Relations Act, article 159(2).

¹¹ Employment Act, 1955, section 60E(1).

¹² Código de Trabajo, article 156.

¹³ Labour Code, article 146(2).

¹⁴ Código de Trabajo, article 182.

¹⁵ Código de Trabajo, article 133.

¹⁶ Code du travail, article 134.

¹⁷ Código de Trabajo, article 177.

¹⁸ Consolidação das leis do trabalho, article 143.

¹⁹ Employment Act, 1990, section 9(4).

²⁰ Código de Trabajo, section 127-128.

²¹ Act concerning manpower, section 85(3).

²² Canada Labour Code, section 197.

²³ Employment Act, section 42(2).

²⁴ Labour Code, section 52.

ANNEX I DAILY AND WEEKLY HOURS LIMITS AND OVERTIME

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Industrialized countries							
Australia	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation
Austria	40 hours	8 hours	5 hours per week and an additional 60 hours per year	50 per cent	11 hours	46 hours ²	10 hours
Belgium	38 hours	8 hours	3 hours per day and 12 hours per week ⁶	50 per cent	11 hours	50 hours	11 hours
Canada	40 hours	8 hours	8 hours per week ⁴	50 per cent	None	48 hours	None
Denmark	None	None	None	None	11 hours	48 hours	13 hours ⁵
Finland	40 hours	8 hours	138 hours over a 4-month period and not more than 250 hours per year	50 per cent (first 2 hours) 100 per cent (subsequent hours)	11 hours	48 hours ²	13 hours ⁵
France	35 hours	None	180 hours per year	10 per cent	11 hours	44 hours	10 hours
Germany	None	None	None	None	11 hours	48 hours ³	8 hours
Ireland	None	None	None	None	11 hours	48 hours	13 hours ⁵
Italy	40 hours	None	250 hours per year	10 per cent	11 hours	48 hours	13 hours ⁵

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Japan	40 hours	8 hours	None	25 per cent	None	None	None
Luxembourg	40 hours	8 hours	2 hours per day and 8 hours per week ⁶	25 per cent (blue-collar workers) 50 per cent (white-collar workers)	None	48 hours	10 hours
Malta	None	None	None	None	11 hours	48 hours	13 hours ⁵
Netherlands	40 hours	9 hours	2 hours per day and 5 hours per week on average over a 13-week period	None	11 hours	45 hours	11 hours
New Zealand	40 hours	None	None	None	None	None	None
Norway	40 hours	9 hours	5 hours per day and 200 hours per year	40 per cent	11 hours	48 hours	14 hours
Portugal	40 hours	8 hours	2 hours per day and 175 hours per year (small enterprises) 150 hours per year (medium and large enterprises)	100 per cent ⁷	11 hours	48 hours	10 hours

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Spain	40 hours	9 hours	80 hours per year	Ordinary wage ⁸	12 hours	41.5 hours ²	12 hours ⁵
Sweden	40 hours	None	48 hours over a 4-week period or 50 hours per calendar month and 200 hours per year	None	None	40 hours	None
Switzerland	45 hours (workers in industrial enterprises, offices, technical posts and sales staff in large commercial enterprises) 50 hours (all other workers)	None	2 hours per day and 170 hours per year (45-hour normal weekly limit) 140 hours per year (50-hour normal weekly limit)	25 per cent	11 hours	49 hours (workers in industrial enterprises, offices, technical posts and sales staff in large commercial enterprises) 53 hours (all other workers)	13 hours ⁵
United Kingdom	None	None	None	None	11 hours	48 hours	13 hours ⁵

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
United States	40 hours	None	None	50 per cent	None	None	None
Central and eastern Europe							
Bulgaria	40 hours	8 hours	150 hours per year and not more than 30 hours in one calendar month; 6 hours in one calendar week; 3 hours in 2 consecutive working days	50 per cent	12 hours	46 hours	9.5 hours ⁹
Czech Republic	40 hours	None	8 hours per week and 150 hours per year (mandatory); 8 hours per week on average over a period of not more than 4 calendar months (voluntary) ¹⁰	25 per cent	12 hours	48 hours	12 hours ⁵
Estonia	40 hours	8 hours	4 hours per day and 8 hours per week on average ¹¹	50 per cent	11 hours	48 hours	12 hours

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Latvia	40 hours	8 hours	144 hours over a 4-month period	100 per cent	12 hours	48 hours ¹²	12 hours
Lithuania	40 hours	8 hours	8 hours per 7 working days	50 per cent	11 hours	48 hours	13 hours ⁵
Macedonia	40 hours	None	10 hours per week	none ¹³	12 hours	50 hours	12 hours ⁵
Romania	40 hours	8 hours	8 hours per week	75 per cent ¹⁴	12 hours	48 hours	12 hours ⁵
Russian Federation	40 hours	None	4 hours in 2 days and 120 hours per year	50 per cent (first 2 hours) 100 per cent (subsequent hours)	None	42 hours ¹⁵	None
Slovakia	40 hours	8 hours	8 hours per week and 150 hours per calendar year	25 per cent	12 hours	48 hours	12 hours ⁵
Slovenia	40 hours	None	8 hours per week, 20 hours per month and 180 hours per year	none ¹³	12 hours	48 hours	12 hours ⁵
Africa Algeria	40 hours	None	8 hours per week ¹⁶	50 per cent	None	48 hours ¹⁷	12 hours

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Angola	44 hours	8 hours	2 hours per day, 40 hours per month and 200 hours per year	50 per cent	10 hours	48 hours ¹⁸	10 hours
Benin	40 hours	None	240 hours per calendar year	12 per cent (first 8 hours) 35 per cent (subsequent hours)	None	60 hours	12 hours
Burkina Faso	40 hours	8 hours	Unidentified	unidentified ¹⁹	None	Unidentified	Unidentified
Burundi	45 hours	8 hours	Unidentified	Unidentified	None	Unidentified	Unidentified
Cameroon	40 hours	None	20 hours per week ²⁰	20 per cent (first 8 hours) 30 per cent (next 8 hours) 40 per cent (subsequent hours)	None	60 hours	None
Cape Verde	44 hours	8 hours	2 hours per day and 160 hours per year	50 per cent	None	47 hours ¹⁸	10 hours
Chad	39 hours	Unidentified	15 hours per week ²⁰	Unidentified	12 hours	54 hours	11 hours

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Congo	40 hours	Unidentified	Unidentified	Unidentified	None	Unidentified	Unidentified
Democratic Republic of the Congo	45 hours	9 hours	Unidentified	30 per cent (first 6 hours) 60 per cent (subsequent hours)	None	Unidentified	Unidentified
Côte d'Ivoire	40 hours	8 hours	3 hours per day, 15 hours per week and 75 hours per year	15 per cent (first 4 hours) 50 per cent (subsequent hours)	None	55 hours ¹⁷	11 hours
Djibouti	40 hours	Unidentified	Unidentified	Unidentified	None	Unidentified	Unidentified
Gabon	40 hours	Unidentified	20 hours per week	Unidentified	None	60 hours ¹⁷	Unidentified
Guinea-Bissau	45 hours	8 hours	2 hours per day and 120 hours per year	50 per cent (first hour) 75 per cent (subsequent hours)	10 hours	47 hours ²¹	10 hours
Kenya	52 hours	Unidentified	116 hours over a 2-week period	50 per cent	Unidentified	Unidentified	Unidentified
Madagascar	43 hours ²²	Unidentified	Unidentified	Unidentified	None	Unidentified	Unidentified

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Mali	40 hours	Unidentified	2 hours per day (urgent work) 7.5 hours per year (extraordinary workloads) 18 hours per week (to maintain or increase production)	10 per cent (first 8 hours) 25 per cent (subsequent hours)	None	No general maximum ²³	Unidentified
Mauritania	40 hours	8 hours	Unidentified	Unidentified	None	Unidentified	Unidentified
Morocco	44 hours	8 hours	Unidentified	25 per cent	None	Unidentified	Unidentified
Mozambique	48 hours	8 hours	2 hours per day and 100 hours per year	50 per cent	None	50 hours ¹⁷	10 hours
Namibia	45 hours	9 hours (5-day workweek) 7.5 hours (6-day workweek)	3 hours per day and 10 hours per week	50 per cent	None	55 hours	12 hours (5-day workweek) 10.5 hours (6-day workweek)
Niger	40 hours	8 hours	8 hours per week	10 per cent (first 8 hours) 25 per cent (subsequent hours)	None	48 hours	12 hours ⁵
Nigeria	None	None	None	Unidentified	None	None	None

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Rwanda	40 hours	None	No general limit ²⁴	50 per cent (first 10 hours) 70 per cent (subsequent hours)	10 hours	No general limit ²³	10 hours
Senegal	40 hours	Unidentified	Unidentified	unidentified ¹⁹	None	Unidentified	Unidentified
Seychelles	No general limit ²⁵	No general limit ²⁵	60 hours per month or an aggregate of 15 hours per day	50 per cent	None	No general limit	15 hours
South Africa	45 hours	9 hours (5-day workweek) 8 hours (6-day workweek)	3 hours per day and 10 hours per workweek	50 per cent	12 hours	55 hours	12 hours (5-day workweek) 11 hours (6-day workweek)
Tanzania, United Republic of	45 hours (mainland) 42 hours (Zanzibar)	9 hours (mainland) 8 hours (Zanzibar)	50 hours over a 4-week period (mainland)	50 per cent (mainland) 100 per cent (Zanzibar)	12 hours (mainland)	57.5 hours (mainland) ²	12 hours (mainland)
Togo	40 hours	Unidentified	Unidentified	Unidentified	None	Unidentified	Unidentified
Tunisia	48 hours	Unidentified	12 hours per week ²⁰	75 per cent	10 hours	60 hours	14 hours ⁵
Zimbabwe	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Middle East							
Egypt	40 hours	8 hours	2 hours per day ²⁶	35 per cent	None	60 hours	10 hours
Jordan	48 hours	8 hours	No general limit ²⁷	25 per cent	Unidentified	None	No general limit ²⁷
Lebanon	48 hours	None	24 hours per week ²⁸	50 per cent	9 hours	72 hours ³	12 hours
Asia							
Cambodia	48 hours	8 hours	Unidentified	50 per cent	Unidentified	None	Unidentified
China	40 hours	8 hours	1 hour per day, 3 hours per week and 36 hours per month	50 per cent	Unidentified	49 hours ²⁹	9 hours
India	No universal legislation ³⁰	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation
Indonesia	40 hours	8 hours (5-day workweek) 7 hours (6-day workweek)	3 hours per day and 14 hours per week	Unidentified	None	54 hours	11 hours (5-day workweek) 10 hours (6-day workweek)
Korea, Republic of	40 hours	8 hours	12 hours per week	50 per cent	None	52 hours	None

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Lao People's Democratic Republic	48 hours	8 hours	3 hours per day and 30 hours per month	50 per cent	None	55.5 hours ²⁹	11 hours
Malaysia	48 hours	8 hours	104 hours per month	50 per cent	None	74 hours ²⁹	12 hours
Mongolia	40 hours	8 hours	None	50 per cent	12 hours	60 hours ³¹	12 hours ⁵
Pakistan	No universal legislation ³⁰	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation
Philippines	48 hours	8 hours	None	25 per cent	None	None	None
Singapore	44 hours	8 hours	72 hours per month	50 per cent	None	62 hours ²⁹	12 hours
Thailand	48 hours	8 hours	36 hours per week	50 per cent	None	84 hours	None
Viet Nam	48 hours	8 hours	4 hours per day and 200 hours per year	50 per cent	None	52 hours ¹⁸	12 hours
Latin America							
Argentina	48 hours	8 hours	3 hours per day, 30 hours per month and 200 hours per year	50 per cent	12 hours	52 hours ¹⁸	11 hours
Belize	45 hours	9 hours	None	50 per cent	9 hours	None	None
Bolivia	48 hours	8 hours	2 hours per day	100 per cent	None	60 hours ³²	10 hours

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Brazil	44 hours	8 hours	2 hours per day	50 per cent	11 hours	60 hours ³²	10 hours
Chile	45 hours	10 hours	2 hours per day	50 per cent	None	57 hours ³²	12 hours
Colombia	48 hours	8 hours	2 hours per day and 12 hours per week	25 per cent	None	60 hours	10 hours
Costa Rica	48 hours	8 hours	4 hours per day ³³	50 per cent	None	72 hours ³⁴	12 hours
Ecuador	40 hours	8 hours	4 hours per day and 12 hours per week	50 per cent	None	52 hours	12 hours
El Salvador	44 hours	8 hours	None	100 per cent	8 hours	None	None
Guatemala	48 hours	8 hours	4 hours ³³	50 per cent	None	72 hours ³⁴	12 hours
Honduras	44 hours	8 hours	4 hours ³³	25 per cent	10 hours	72 hours ³⁴	12 hours
Mexico	48 hours ³⁶	8 hours	3 hours per day, not more than 3 times per week	100 per cent	None	57 hours ³⁵	11 hours
Nicaragua	48 hours	8 hours	3 hours per day and 9 hours per week	100 per cent	None	57 hours	11 hours
Panama	48 hours	8 hours	3 hours per day and 9 hours per week	25 per cent	None	57 hours	11 hours

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Paraguay	48 hours	8 hours	3 hours per day and 9 hours per week ³⁷	50 per cent	10 hours	57 hours	11 hours
Peru	48 hours	8 hours	None	25 per cent (first 2 hours) 35 per cent (subsequent hours)	None	None	None
Uruguay	48 hours (industry) 44 hours (commerce)	8 hours (industry) None (commerce)	8 hours per week	100 per cent	None	56 hours (industry) 52 hours (commerce)	None
Venezuela	44 hours	8 hours	10 hours per week and 100 hours per year	50 per cent	None	54 hours	10 hours
The Caribbean							
Bahamas	40 hours	8 hours	None	50 per cent	None	None	None
Cuba	44 hours on average	8 hours	4 hours over a 2-day period and 160 hours per year	Unidentified	None	47 hours ¹⁸	10 hours ³⁸
Dominican Republic	44 hours	8 hours	80 hours per trimester	35 per cent	None	51 hours ²	None

(Annex I cont'd)

Annex I (cont'd)

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premia	Minimum daily rest periods	Weekly maximum hours limits ¹	Daily maximum limits ¹
Grenada	40 hours (agricultural, construction and industrial workers) 44 hours (clerical assistants, shop assistants and catering assistants) 60 hours (domestic workers and security guards)	8 hours	None	50 per cent	None	None	None
Haiti	48 hours	8 hours	80 hours per trimester (industry) 2 hours per day and 300 hours per year (commerce)	50 per cent	None	55 hours (industry) ² 54 hours (commerce) ¹⁵	None (industry) 10 hours (commerce sector)
Jamaica	None	None	None	Unidentified	None	None	None

Notes

- ¹ All maximum limits are included, whether directly specified or derived from overtime hours limits or minimum rest periods. Where there is no specific maximum limit, the derivation of the limit is indicated in a footnote.
- ² An average derived from the overtime limit.
- ³ Derived from the daily maximum limit and minimum weekly rest period of 1 day.
- ⁴ Derived from the weekly maximum hours limit.
- ⁵ Derived from the minimum daily rest period.
- ⁶ Derived from the daily and weekly maximum hours limits.
- ⁷ The primary form of compensation is compensatory rest. It can be replaced by this premium by individual agreement, provided the overtime was not worked on a mandatory rest day.
- ⁸ Individual agreements determine if overtime is paid or compensated with time off. If there is no agreement, overtime is to be compensated with equivalent rest periods.
- ⁹ An average derived from overtime limit of 3 hours over 2 consecutive working days.
- ¹⁰ The voluntary overtime limit applies to regularly scheduled work. The reference period for unevenly scheduled work is 6 consecutive calendar months.
- ¹¹ The limits can be averaged over a 4-month reference period.
- ¹² An average derived from the overtime limit.
- ¹³ The overtime premium is to be determined by collective agreement.
- ¹⁴ The primary form of compensation is compensatory rest. The pay premium is available where time off is not possible within a 30-day time limit.
- ¹⁵ An average derived from the annual overtime limit.
- ¹⁶ The limit is expressed as 20 per cent of normal hours.
- ¹⁷ Derived from the weekly overtime limit.
- ¹⁸ An average derived from the annual overtime limit.
- ¹⁹ The legislation provides that overtime work should be paid at an unspecified higher rate.
- ²⁰ Derived from the normal and maximum weekly limits.
- ²¹ Derived from the annual overtime limit.
- ²² This limit is an average: the legislation mandates a monthly limit of 173.33 hours.
- ²³ The maximum limit is derived from the applicable overtime limit.
- ²⁴ The applicable limit depends on the nature of the overtime work.
- ²⁵ Where no specific limit for an occupation has been determined by the government, the limit is (a) the customary number of hours per week or per day prevalent in the business or occupation in which the worker is employed or (b) 60 hours per week or 12 hours per day, whichever is the less.
- ²⁶ Derived from the daily maximum limit.
- ²⁷ A maximum daily limit of 10 hours is mandated for work on annual inventories, preparing balance sheets, closing accounts, and preparing for sales.
- ²⁸ Derived from the normal weekly hours limit, maximum daily limit and minimum weekly rest period of one day.
- ²⁹ An average derived from the monthly overtime limit.
- ³⁰ Limits have been enacted for certain sectors and occupations.
- ³¹ Derived from the daily maximum limit and the statutory 5-day maximum workweek.
- ³² Derived from the daily overtime limit and the statutory 6-day maximum workweek.
- ³³ Derived from the normal and maximum daily limits.
- ³⁴ Derived from the daily maximum limit and the statutory 6-day maximum workweek.
- ³⁵ Derived from the overtime limits.
- ³⁶ No explicit weekly limit. Derived from the 8-hour daily limit and 1-day minimum weekly rest period.
- ³⁷ The weekly limit is derived from the normal and maximum weekly limits.
- ³⁸ An average derived from the overtime limit of 4 hours over a 2-day period.

ANNEX II REST PERIODS AND HOLIDAYS

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days	Public holidays
Industrialized countries				
Australia	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation	No nationally applicable legislation
Austria	30 minutes	1 day	25 days	13 days
Belgium	15 minutes	1 day	24 days	10 days
Canada	None	1 day	12 days	9 days
Denmark	Unspecified duration ³	1 day	30 days	Unidentified
Finland	1 hour	1 day	30 days	Unidentified
France	20 minutes	1 day	30 days	11 days
Germany	30 minutes	1 day	24 days	Unidentified
Ireland	30 minutes	1 day	20 days	9 days
Italy	10 minutes	1 day	20 days	10 days
Japan	45 minutes	1 day	10 days	No legislated entitlement

(Annex II cont'd)

Annex II (cont'd)

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Day specified	5-day week	6-day week	
Luxembourg	30 minutes	1 day	Sunday	25 days	25 days	10 days
Malta	15 minutes	1 day	Not specified	24 days	28 days	14 days
Netherlands	30 minutes	1 day	Sunday	20 days	24 days	8 days
New Zealand	None	None	Not applicable	15 days	18 days	11 days
Norway	30 minutes	1 day	Sunday	25 days	25 days	12 days
Portugal	1 hour	1 day	Sunday	22 days	22 days	13 days
Spain	15 minutes	1.5 days	Sunday and Saturday afternoon or Monday morning	20 days	24 days	14 days ⁴
Sweden	Unspecified duration ⁵	1 day	Unspecified	25 days	29 days	No legislated entitlement
Switzerland	15 minutes	1 day	Sunday	20 days	24 days	9 days ⁶
United Kingdom	20 minutes	1 day	Not specified	20 days	24 days	No legislated entitlement

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Day specified	5-day week	6-day week	
United States	None	None	Not applicable	None	None	No legislated entitlement
Central and eastern Europe						
Bulgaria	30 minutes	2 days	Including Sunday	20 days	20 days	13 days
Czech Republic	30 minutes	1 day	Sunday	20 days	24 days	11 days
Estonia	30 minutes	2 days	Saturday and Sunday	20 days	24 days	Unidentified
Latvia	30 minutes	1 day	Sunday	20 days	24 days	Unidentified
Lithuania	30 minutes	1 day	Sunday	20 days	24 days	12 days
Macedonia	30 minutes	1 day	Not specified	18 days	18 days	Unidentified
Romania	unspecified duration	2 days	Saturday and Sunday	20 days	20 days	8 days
Russian Federation	30 minutes	1 day	Sunday	20 days	24 days	11 days
Slovakia	30 minutes	2 days	Sunday and either Saturday or Monday	20 days	24 days	Unidentified
Slovenia	30 minutes	1 day	Not specified	20 days	24 days	Unidentified

(Annex II cont'd)

Annex II (cont'd)

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Minimum duration	Day specified	5-day week	
Africa						
Algeria	None	1 day	Friday	30 days	30 days	Unidentified
Angola	1 hour (onsite eating facilities) 2 hours (No onsite eating facilities)	1 day	Sunday	22 days	22 days	14 days
Benin	None	1 day	Sunday	24 days	24 days	12 days
Burkina Faso	None	1 day	Sunday	20 days	24 days	13 days
Burundi	None	1 day	Sunday	20 days	20 days	9 days
Cameroon	None	1 day	Sunday	18 days	18 days	10 days
Cape Verde	Unspecified duration ⁷	1 day	Sunday	21 days	21 days	Unidentified
Chad	None	1 day	Sunday	24 days	24 days	15 days
Congo	None	1 day	Sunday	26 days	26 days	Unidentified
Democratic Republic of the Congo	None	2 days	Saturday and Sunday	12 days	12 days	10 days
Côte d'Ivoire	None	1 day	Sunday	24 days	24 days	16 days

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays	
			Minimum duration	Day specified	5-day week		6-day week
Djibouti	None		1 day	Sunday	20 days	24 days	10 days
Gabon	None		1 day	Sunday	24 days	24 days	13 days
Guinea-Bissau	1 hour		1 day	Sunday	20 days	24 days	Unidentified
Kenya	Unidentified		Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Madagascar	None		1 day	Sunday	30 days	30 days	Unidentified
Mali	None		1 day	Sunday	20 days	24 days	Unidentified
Mauritania	None		1 day	Friday	18 days	18 days	8 days
Morocco	None		1 day	Friday, Saturday, Sunday or the weekly market day	18 days	18 days	12 days
Mozambique	30 minutes		1 day	Sunday	21 days	21 days	Unidentified
Namibia	1 hour		1 day	Sunday	16 days	19 days	12 days
Niger	None		1 day	Sunday	20 days	24 days	12 days
Nigeria	1 hour		1 day	Not specified	6 days	6 days	9 days
Rwanda	None		1 day	Sunday	18 days	18 days	9 days
Senegal	None		1 day	Sunday	24 days	24 days	10 days
Seychelles	30 minutes		1 day	Sunday	15 days	18 days	Unidentified
(Annex II cont'd)							

(Annex II cont'd)

Annex II (cont'd)

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Day specified	5-day week	6-day week	
Minimum duration						
South Africa	1 hour	1 day	Sunday	15 days	18 days	12 days
Tanzania, United Republic of	1 hour (mainland and Zanzibar)	1 day (mainland and Zanzibar)	Not specified (mainland and Zanzibar)	20 days (mainland) 7 days (Zanzibar)	24 days (mainland) 7 days (Zanzibar)	Unidentified
Togo	None	1 day	Sunday	30 days	30 days	13 days
Tunisia	1 hour	1 day	Friday, Saturday or Sunday	12 days	12 days	6 days
Zimbabwe	Unidentified	1 day	Not specified	20 days	24 days	
Middle East						
Egypt	1 hour	1 day	Not specified	21 days	21 days	Unidentified
Jordan	None	1 day	Friday	14 days	14 days	Unidentified
Lebanon	1 hour	1 day	Not specified	15 days	15 days	Unidentified
Asia						
Cambodia	Unidentified	1 day	Sunday	18 days	18 days	Unidentified
China	None	2 days	Saturday and Sunday	Unidentified	Unidentified	Unidentified ⁸

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Day specified	5-day week	6-day week	
			Minimum duration			
India	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation
Indonesia	30 minutes	1 day	Not specified	12 days	12 days	Unidentified
Korea, Republic of	30 minutes	1 day	Sunday	15 days	15 days	17 days
Lao People's Democratic Republic	15 minutes	1 day	Sunday	15 days	15 days	Unidentified
Malaysia	30 minutes	1 day	Not specified	8 days	8 days	10 days
Mongolia	Unspecified duration ⁹	2 days	Saturday and Sunday	15 days	15 days	8 days
Pakistan	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation	No universal legislation
Philippines	1 hour	1 day	Not specified ¹⁰	5 days	5 days	12 days
Singapore	Unspecified duration	1 day	Sunday	7 days	7 days	11 days
Thailand	1 hour	1 day	Not specified	6 days	6 days	13 days

Annex II (cont'd)

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays	
			Minimum duration	Day specified	5-day week		6-day week
Viet Nam	30 minutes		1 day	Sunday or another specified day of the week	12 days	12 days	8 days
Latin America							
Argentina	Unspecified duration		1.5 days	Saturday afternoon and Sunday	20 days	24 days	Unidentified
Belize	1 hour		1 day	Sunday	10 days	12 days	13 days
Bolivia	2 hours		1 day	Sunday	5 days	6 days	10 days
Brazil	1 hour		1 day	Sunday	20 days	24 days	7 days
Chile	30 minutes		1 day	Sunday	15 days	15 days	Unidentified
Colombia	Unspecified duration ¹¹		1 day	Sunday	10 days	12 days	18 days
Costa Rica	30 minutes		1 day	Sunday	10 days	12 days	16 days
Ecuador	Unspecified duration ¹²		2 days	Sunday and Saturday	10 days	10 days	9 days
El Salvador	30 minutes		1 day	Sunday	10 days	12 days	9 days
Guatemala	30 minutes		1 day	Not specified	15 days	15 days	12 days ¹³

Country	Minimum rest breaks ¹	Minimum weekly rest periods ²	Minimum annual leave entitlement in working days			Public holidays
			Day specified	5-day week	6-day week	
			Minimum duration			
Honduras	30 minutes		1 day	Sunday 10 days	10 days	11 days
Mexico	30 minutes		1 day	Sunday 6 days	6 days	7 days
Nicaragua	30 minutes		1 day	Sunday 15 days	15 days	9 days
Panama	30 minutes		1 day	Sunday 30 days	30 days	10 days
Paraguay	30 minutes		1 day	Sunday 10 days	11 days	Unidentified
Peru	45 minutes		1 day	Sunday 20 days	24 days	12 days
Uruguay	30 minutes		1 day	Sunday 20 days	20 days	5 days
Venezuela	30 minutes		1 day	Sunday 15 days	15 days	8 days
The Caribbean						
Bahamas	None		2 days	Not specified 10 days	12 days	10 days
Cuba	30 minutes		1 day	Sunday 20 days	24 days	6 days
Dominican Republic	1 hour		1.5 days	Sunday and Saturday afternoon 14 days	14 days	Unidentified
Grenada	1 hour		1 day	Not specified ¹⁴ 10 days	12 days	Unidentified
Haiti	1 hour 30 minutes		1 day	Sunday 10 days	12 days	14 days
Jamaica	None		No universal legislation	No universal legislation 10 days	12 days	8 days

Notes

¹ Where the duration of the rest break depends on the length of the working day, the break required for an 8-hour day has been selected.

² The minimums are calculated based on the maximum length of workweek permitted by the legislation, usually of 6 days.

³ Workers are entitled to a rest break of sufficient duration.

⁴ This figure represents the maximum number of public holidays that can be permitted each year.

⁵ The employer must state the duration and arrangement of the rest breaks in advance and their number, duration and arrangement must be satisfactory with regard to the working conditions.

⁶ This figure is a maximum: the *jour de la fête nationale* is designated as a nationwide public holiday and each canton can specify a maximum of 8 additional days.

⁷ The legislation specifies only a maximum duration of 1 hour.

⁸ The legislation designates as public holidays New Year's Day, the Spring Festival, the International Labour Day, the National Day and other holidays stipulated in laws and regulations.

⁹ Employees are entitled to a break for eating and resting. Its starting and finishing times are to be stated in the internal labour regulations.

¹⁰ The weekly rest day is scheduled by the employer, who is required to respect the preferences of employees that are based on religious grounds.

¹¹ The legislation requires that daily hours be arranged in two periods with a rest period between them that is suitable to the nature of the work and to the needs of the workers.

¹² The legislation only specifies a maximum duration of 2 hours.

¹³ This figure includes two half-day public holidays, on 24 and 31 December.

¹⁴ The rest day is to be taken on a customary day of rest or on a day agreed between the parties.