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## Questions and information

For questions and information about working hours and rest periods in the mining sector, please contact State Supervision of Mines, tel. 070 - 379 84 41/18 on weekdays from 08.30 to 11.30 or fax 070 - 379 84 55.

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## 1. Foreword

The Working Hours Act contains rules on working hours and rest periods for employees. As well as the Working Hours Act, there is also the Working Hours Decree, which contains a number of exceptions to the rules for working hours and rest periods in special situations and for special sectors. The mining industry is just such a special sector.

This brochure 'Working hours in the mining sector' is intended for employees in this sector. Its purpose is to provide clarity in the complex system of working hours legislation, because it has been previously shown that employees in the mining industry are insufficiently familiar with these regulations.

The brochure is published by State Supervision of Mines. For more information on working hours and rest periods in the mining sector, please contact State Supervision of Mines.





## 2. Introduction

The Working Hours Act (*Arbeidstijdenwet*, hereinafter abbreviated to ATW) is the basic legislation for working hours. Working hours and rest periods, as laid down in the ATW, do not always allow sufficient scope for all sectors to conduct their business effectively. Mining is just such a sector, for which additional and different regulations are required. That is why the Working Hours Decree (*Arbeidstijdenbesluit*, hereinafter abbreviated to ATB) contains additional and different rules for employees who perform work on or from a mining installation (a drilling or production platform at sea or in surface water) or an onshore mining location. For divers too who perform work for the mining sector, additional and different rules are contained in the ATB. When applying the rules of the ATB, it must be remembered that the regulations of the ATW which are not explicitly deviated from in the ATB remain applicable. Furthermore, for some work a choice may be made between the working hours scheme of the ATW and that of the ATB.





### 3. General and principal norms and the collective scheme

In April 2007 the ATW was amended on a number of points to meet the need to create more flexibility. The ATW no longer has a standard and consultation scheme. There is now a **(principal) norm** which may be deviated from in a collective scheme. It is now permitted in the collective scheme to include different rules in relation to the following:

- Sunday work (regarding the number of free Sundays);

- breaks;

For employees aged 18 years or older

- working hours;

- night work.

At companies where nothing has been agreed on the above-mentioned subjects, the principal norm will apply. It is only possible to deviate from the principal norm by means of collective agreements between the employer and employees. In that case, the more flexible norm of the collective scheme will apply.

**Principal norm:** In principle the principal norm is applicable throughout. Deviations from this norm are only permitted by means of a collective scheme.

**Collective scheme:** This scheme allows for greater flexibility with the principal norm(s). This scheme may only be used if the employer and employees have reached collective agreements on one or more of the above subjects.

A collective scheme will initially be brought about during collective bargaining between the trade unions and employers' organisations. If there is no collective (labour) agreement (CAO; collectieve arbeidsovereenkomst), or if the collective agreement so allows, the employer and participation body may reach agreements on the principal norms. In companies with fewer than 100 employees, the employee representative body may come to agreements with the employer.

For employees it is important to know of any deviations from the principal norm in the above-mentioned matters. The following situations can be distinguished:

- No collective agreement is applicable and there is no participation body or employee representative body: the employer must abide by the principal norm(s).

- No collective agreement is applicable but there is a participation body or employee representative body: the employer may only deviate from the principal norm(s) if agreed in writing with the participation body or employee representative body.

- A collective agreement is applicable, but it does not contain anything about the above-mentioned matters: the employer must abide by the principal norm(s). Deviation is not even possible with the agreement of the participation body or employee representative body.

- A collective agreement is applicable and contains one or more provisions on the subjects referred to above: the employer may deviate from the principal norm(s) if agreed in writing with the participation body or employee representative body, provided that the agreement does not conflict with the collective agreement.





## 4 The (principal) norms of the ATW

### 4.1 Principal norm of the ATW

Since the amendments of April 2007, the principal norm of the ATW stipulates a maximum of 12 working hours per shift. There is no longer any article providing for overtime. To be quite clear, it may be that an employee who normally works 8 hours per shift must work an extra 4 hours. The Act used to refer to this as overtime, but now one may simply work 12 hours a day. However, the other provisions must be taken into account. For example, if work continues for more than 5½ hours, the work must be interrupted by a break of at least 30 minutes, and 45 minutes if the work continues for 10 hours or more. These breaks may be divided into 2 or 3 breaks respectively of 15 minutes each. It is now laid down that an individual may never work more than 12 hours a day per shift. In addition, it must also be borne in mind that:

- a maximum of 60 hours per week may be worked;
- in each period of 16 weeks, a maximum of 48 hours on average per week may be worked.
- in each period of 4 consecutive weeks, a maximum of 55 hours per week may be worked (this may be deviated from under a collective scheme).

After each shift the employee has a *rest period* of at least 11 hours. Once every 7 x 24 hours the employer may shorten the daily rest period to 8 hours.

In each period of 7 days, the employee must have an uninterrupted weekly rest period of at least 36 hours. It is also possible in each period of 14 days to take an uninterrupted rest period of at least 72 hours. This period of 72 hours may be divided into uninterrupted rest periods of at least 32 hours each.

Stricter rules apply to night shifts than to day shifts. The Act provides for greater flexibility, depending on the situation in which employees work. Not everything about night shifts can be described here.

A shift is considered as a night shift if more than 1 hour's work is carried out between midnight and 6 am. This means that even if a shift begins at 5 am, it qualifies as a night shift.

The number of night shifts in succession is maximised to 7 nights. Furthermore, during a period of 16 consecutive weeks an employee may work a maximum of 36 times in a night shift that ends after 2 am.

After a night shift that ends after 2 am, an uninterrupted rest period must be taken of at least 14 hours, which may be shortened to 8 hours once only in each period of 7 days. If the night shifts end before or at 2 am, the uninterrupted rest period will be at least 12 hours. After a series (3 or more) of night shifts, an uninterrupted rest period of at least 46 hours is compulsory. If an employee works 16 or more night shifts in a period of 16 consecutive weeks, he or she may work up to a maximum of an average of 40 hours a week.

It is also possible to work a maximum of five 12-hour night shifts in a period of 14 days, followed by 12 hours' rest, with a maximum of 22 night shifts per annum.

### 4.2 Collective scheme

With the collective scheme under the ATW, the following may be deviated from:

- Sunday work (as regards the number of free Sundays)
- breaks;

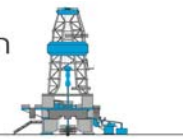
For employees aged 18 years and older

- working hours;
- night work;

Options to deviate from regulations:

- Sunday work: deviations (still with the permission of the employee) permitted from the principal norm of 13 free Sundays per 52 weeks.
- Breaks: with a shift of over 5½ hours there must be a break of at least 15 minutes.
- Working hours: only deviations allowed from the average of 55 hours per week in each period of 4 consecutive weeks, in which case an employee may work an average of 60 hours in 4 weeks.
- Night work: instead of working up to a maximum of 7 successive night shifts, this can be extended to 8 successive night shifts. The number of night shifts that end after 2 am may be extended to 140 night shifts in 52 weeks, or one may work in 2 consecutive weeks between midnight and 6 am, but up to a maximum of 38 hours' work.





## 5 The working hours scheme under the ATB

The paragraph on the mining industry in the ATB is applicable to five types of work:

1. Work performed at mining installations in a permanent and regular pattern of working hours;
2. Work performed onshore in a permanent and regular pattern of working hours;
3. Work performed offshore and onshore in a non-permanent and irregular pattern of working hours;
4. Diving work;
5. Saturation diving.

### 5.1 Work performed at mining installations in a permanent and regular pattern of working hours

The rules of the ATW on working hours and rest periods are not applicable if an employee remains on a mining installation for 24 hours or longer, even if he works for less than 8 hours per day. Since the employee spends his rest periods between two shifts on the mining installation, this rest period cannot be regarded as a normal rest situation. In this case, the rules of the ATB are applicable. In addition, with a collective scheme the rules of the night shift may deviate from the (principal) norm of the ATW.

The rules for work performed in a permanent and regular pattern of working hours apply to those employees who work and/or stay overnight at the same mining installation for longer than 6 weeks. These are usually the permanent personnel at a mining installation, but hired personnel too who work for longer than 6 weeks on the same platform are subject to these regulations.

On a mining installation, the employee works a (night) shift of 12 hours maximum, in which he works a maximum of 11 hours and has at least a 1-hour break. In this scheme, an employee may work a maximum of '14 days on, 14 days off' in 28 successive days. In a period of 16 weeks an average of no more than 40 hours a week may be worked.

For night shifts that end after 2 am, in a collective scheme a deviation from 36 night shifts in 16 weeks may be made. In that case, 140 night shifts in 52 weeks is permitted.

In addition, the following rules apply on mining installations for this pattern of working hours:

#### ***Exception to the stipulated rest period: shortening the minimum daily rest period***

There are situations in which an employee's daily rest periods must be interrupted or shortened, without the maximum working hours per shift being exceeded. In such circumstances it is permitted to shorten the daily rest period to a minimum of 8 hours, 4 times every 4 weeks.

**Example:** A crane operator must unload containers during the night from a ship that has just arrived. Because the consecutive rest period may be shortened to 8 hours per 24 hours, a maximum shift period of 16 hours remains. During the shift the employee may work up to a maximum of 11 hours, and therefore has at least a 5-hour break in the interim. The hours to be worked may be spread across a shift period of 16 hours.

#### ***Exception to the stipulated rest period: drills and training***

Because of the nature of the work on a mining installation, the employees must undergo the necessary training and drills. The time spent on drills and training counts as working hours. For drills and training on the platform, the employee's working hours may be extended by a maximum of 1 hour in each period of 4 successive weeks. This means that in such cases the daily rest periods may be shortened by 1 hour. In principle, during the rest periods no work may be carried out onshore. These rest periods for personnel working in a permanent and regular pattern of working hours may only be interrupted for work-related training. The time spent on training must be compensated in time on an annual basis, so that the employee works no more than an average of 40 hours a week (including training). The number of days that may be spent on work-related training is 20 days a year. The extra days for drills and training may not be used for performing work for longer than 14 days on or from a mining installation or at an onshore mining location.

#### ***Similar work in the same pattern of working hours***





Employees performing similar work must carry out their work in the same pattern of working hours.

***For each period of 24 hours spent on a mining installation, there must be 24 hours of rest onshore***

For each consecutive period of 24 hours that an employee spends on a mining installation there is a rest period of 24 hours onshore. This will automatically be the case in a permanent and regular pattern of working hours (e.g. 14 days on, 14 days off).

***5.2 Work performed onshore in a permanent and regular pattern of working hours***

In principle, for employees working for longer than 6 weeks at the same onshore mining location, the rules of the (principal) norm of the ATW apply, unless there is a collective scheme in relation to the working hours. This scheme may include agreements regarding the limits of the collective scheme under the ATW. Another option is for the collective scheme to stipulate that onshore work be performed according to the norms that apply to work on mining installations.

**Under the ATB scheme for work performed in a permanent and regular pattern of working hours, the rules described in paragraph 5.1 are also applicable to onshore mining work. The 24-hour scheme is therefore also applicable: employees who, after working their shift, spend their daily rest period on or in the immediate vicinity of a mining location (e.g. in a temporary building or caravan), receive 24 hours' rest for each 24 hours spent on or at the mining location. Employees who spend their rest period at home or in a hotel do not come under the 24-hour scheme.**

***5.3 Work performed offshore and onshore in a non-permanent and irregular pattern of working hours***

In the mining sector there will be persons who, due to the nature of their work, will be working irregular hours at different places of work within a short space of time. The ATB contains a scheme for employees who work at onshore and/or offshore locations in a non-permanent and irregular pattern of working hours. This scheme is applicable to employees who do not work for longer than 6 weeks at the same place of work. This scheme may be applied instead of the ATW scheme.

***ATB scheme for work performed in a non-permanent and irregular pattern of working hours:***

The employee may work a maximum of 15 days in each period of 21 days (this means that whatever period of 21 days you choose, you may work on no more than 15 days in this period). This can be at a mining installation, onshore mining location or the workshop. Please note that the ATW is applicable to the work carried out in the workshop.

In each period of 21 days the employee will have at least one rest period of 72 hours or longer. At a mining installation or onshore mining location, a maximum of 11 hours per shift may be worked. This shift must be followed by an uninterrupted rest period of 12 hours. However, the rest period may be shortened 3 times in 21 days to at least 8 hours. Please note that it is not permitted to work for more than 11 hours. See the example of the crane operator. For each period of 24 hours spent on or in the vicinity of a mining installation or an onshore mining location there must be a 24-hour rest period onshore, that must be taken within a period of 26 weeks. In a period of 26 weeks a maximum of an average of 40 hours per week may be worked. In other words, in a period of 26 weeks, 1040 hours may not be exceeded. \*

\* The following pattern of working hours is not permitted:

<i>week 1</i>	<i>week 2</i>	<i>week 3</i>	<i>week 4</i>	<i>week 5</i>	<i>week 6</i>
Rest period	working week	working week	working week	working week	Rest period

***In this example, the employee is not working a maximum of 15 times in each period of 21 days. Although, when measured over week 1 to 3, he only works on 14 days, this is not the case from week 2 to 4. In this period of 21 days, he has in fact worked on 21 days!***





#### 5.4 Diving work

The ATB contains different and additional rules for diving work and directly related work performed from or for a mining installation. This also includes work performed by personnel operating remote operated vehicles. Since 1998, all diving work from seagoing vessels on pipelines to or from mining installations has come under the diving regulations of the ATB. If there is no collective scheme, the ATW is applicable to diving work for mining installations. With a collective agreement, the employer and employees may agree to adopt the norms of the ATB for diving work.

##### ***Collective scheme under the ATB***

According to this scheme under the ATB for diving work, the diver may work a maximum of 121 days in 26 weeks on location, up to a maximum of 28 days consecutively. After working up to 28 days consecutively on location, a rest period onshore must be taken of at least 7 consecutive days. For periods of less than 28 days work on location, for each week the employee must take 2 consecutive days' rest, and further pro rata.

This means that if a person has spent 21 days on location, he is entitled to  $3 \times 2$  days = 6 consecutive days' rest onshore.

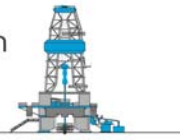
For example, for 24 days, on a pro rata basis this works out at  $3 \times 2 + \frac{3}{7} \times 2 = 7$  days (rounded off).

After each (night) shift, an uninterrupted rest period of at least 8 hours must be taken. i.e. the daily shift on a working day is 16 hours, in which the diver may work 12 hours.

#### 5.5 Saturation diving

The ATB also contains different and additional rules for saturation diving at mining installations. Saturation diving means work whereby the personnel remain under pressure even during rest periods. In order to reduce the risk that is always present with decompression, it has been decided on a maximum of 28 consecutive working days, followed by the same number of consecutive days' rest elsewhere. The saturation diver may work a maximum of 11 hours per shift or night shift, after which he has 12 hours' rest. In order to use this scheme, a collective scheme must be agreed.





## 6 Other rules

### **Break**

A break is a consecutive period of at least 15 minutes when work is interrupted and the employee has no obligation whatsoever in respect of the work assigned to him. An interruption to the work of less than 15 minutes does not count as a break but as working time.

A break is compulsory if an employee is working a shift of longer than 5½ hours. The (principal) norm stipulates that if more than 5½ hours are worked, this must be interrupted by a break of at least 30 minutes, which may be divided into breaks of at least 15 minutes. With more than 10 hours' work, a break of at least 45 minutes must be taken that may be divided into breaks of at least 15 minutes. With a collective scheme, it may be agreed that with 5½ hours of work a single break of 15 minutes may be taken. If work is performed in accordance with the ATW, a break of at least 1 hour is compulsory, which may once again be divided into two or more breaks.

### **On-call duty**

According to the Working Hours Decree, as well as normal work during the day there are a further four different types of on-call or standby duty, referred to in Dutch by a variety of names: *consignatie*, *aanwezigheidsdienst*, *bereikbaarheidsdienst* and *piket*. For the mining industry, only *consignatie* (on-call duty) is applicable. The other types of on-call duty only occur in the healthcare sector, fire service, defence etc. On-call duty is the time between two successive shifts or during a break, in which the employee is only required to be available in order to carry out necessary work in the event of unforeseen circumstances. This involves work that cannot be postponed. In principle on-call duty does not constitute work, because no effort of body or mind is required. Work begins only at the moment the employee is called up and counts as at least half an hour working time. The on-call scheme in the ATW sets limits on how often an employee may be on call and the maximum number of hours, including work resulting from all-call duty, he may work in any week. The employee may be on call for a maximum of 2 weeks in 4 consecutive weeks. An employee may not be on call during his rest period before or after a night shift. An on-call employee may not work a total of more than 13 hours in any 24-hour working period. If an employee has been on call 16 times or more in a period of 16 weeks between midnight and 6 am, no more than an average of 40 hours may be worked in these 16 weeks.

It is also possible to work an average of 45 hours per week, but in this case after each call-up an uninterrupted rest period of at least 8 hours must be taken.

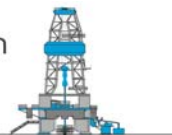
On-call duty may be necessary for a number of specialist jobs (e.g. nurses) at mining installations and onshore locations. The on-duty scheme under the ATW, however, is too restrictive for a 77-hour working week. With a collective scheme, the ATB allows onshore and offshore employees to be on call. The on-call employee may work up to a maximum of 85 hours per week. A maximum of 13 hours may be worked in a 24-hour period. The on-call duty may only be between two successive shifts. An employee can therefore not be on call during a week 'off'. An employee who is at home or in a hotel and knows that he could be called up shortly for a job is not 'on-call'.

### **Hours that count as working time**

For calculating the number of hours worked, the hours that the employee would have worked but did not actually work because of Works Council activities, illness, holiday or the fulfilment of an obligation imposed by law or the government, are included as working time. If an employee working in a permanent and regular pattern of working hours becomes ill during his 14 days offshore, the hours which he would have worked if he had not been ill still count as working hours. If employees working in this pattern of working hours are on holiday or ill during the planned offshore period, they are permitted to return to work during the actual planned rest period.

Whereas it can be readily calculated for an employee working in a permanent and regular pattern of working hours how many hours he would have worked if he had not been ill or on holiday, for **employees working in a non-permanent and irregular pattern of working hours** it may not always be clear beforehand how many hours they would have worked. In such situations 8 hours' work per day and 15 days per 21 days may be assumed (because it is not permitted to work more than 15 days in 21 days). The hours that the employee has been ill or on holiday must however be recorded. If the above formula is used, the figure may work out in excess of 1040 hours per half-year. In such cases SSM will not take enforcing action if an average 40-hour working week (including holiday and illness) is not exceeded on an annual basis. For an employee who carries out Works Council activities outside his regular working hours, the following applies. Works Council activities are





not classified as ‘work’, but these hours are to be included in the average of a 40-hour working week on an annual basis. Since Works Council activities are not regarded as work, these hours do not count towards the maximum number of hours per day but, as already stated earlier, do count towards the average of a 40-hour working week annually. It concerns here only the hours that an individual would normally have worked, i.e. not including the hours spent on Works Council activities outside his working hours.

### ***Hours worked abroad***

The hours worked abroad count towards the maximum number of hours that an employee of a Dutch employer may work **per period of 26 weeks**. The employee is obliged to report the hours worked abroad to his Dutch employer, even though he has worked for another employer abroad.

*Example: The employee who has worked 800 hours on a mining installation on the British Continental Shelf may, once he is back in the Netherlands, work a further 240 hours maximum up to the end of the period of 26 weeks.*

### ***Days worked abroad***

Before an employee who has worked abroad can be deployed for work again in the Netherlands, the ‘15 days’ work in 21 days’ rule must be observed. In other words, if an employee returns to the Netherlands and has worked the previous 15 days, he must first have 6 days’ rest.

### ***Travelling time***

Travelling time is in some cases considered as working time, and in other cases not. If the trip is being made by order of the employer, it is working time, otherwise it is not. Commuting travel is not usually by order of the employer, and therefore does not count as working time. Travel from work to work does take place by order of the employer and therefore counts as working time. It is not always very clear whether travel takes place by order of the employer or not. **That is why it is recommended that employers and employees make clear agreements on commuting travel and work-to-work travel.** If a driver travels with a company goods vehicle, this is classified as work-work travel. If employees are in a boarding house in the vicinity of the location, and travel from there to a location to carry out work, this may be classified as commuting travel. Helicopter flights from the shore to the platform are classified as commuting travel. Working time begins at the time of beginning the first shift. Helicopter transport from central complex to satellite, however, is work-work-transport. Furthermore, the time that

an employee waits on a satellite to be transported to the central complex is classified as working time. Only when he arrives at the central complex does his rest time begin.

### ***Supervisors and senior personnel***

The working and rest periods under the ATW and ATB are in principle not applicable to supervisors and their deputies, senior personnel and self-employed workers. An exception has been made here for the mining sector. **Only supervisors** come outside the scope of the ATW/ATB. A supervisor is an individual who solely or mainly manages employees (there must be a relationship of authority) and bears responsibility for this. Furthermore, managerial duties must take up at least three-quarters of his working time. For the mining sector, this would be an Offshore Installation Manager (OIM), a district supervisor or cluster manager, a manager of a drilling platform, a diving supervisor or a head foreman for a new building project. Those who are directly involved in carrying out work even though they also give some supervision to personnel, such as service engineers, drilling foreman, co-working foreman, shift supervisor etc., are not supervisors under the ATW/ATB.





## 7 Enforcement

If the principal norms apply at a company, the employees themselves must ensure that these are not exceeded. The employer may not demand that an employee works outside these norms. If the employee is of the opinion that the scheme is being infringed, the matter may be submitted – with the assistance of the trade union if necessary – to the court, which can then compel the employer to abide by the principal norms. Apart from the individual employee, others too, such as the Works Council, have the task of ensuring compliance with the principal norms.

State Supervision of Mines of the Ministry of Economic Affairs ensures that employees do not work longer hours or take shorter breaks than permitted under the rules of the collective scheme. If this does indeed occur, a punishable offence has been committed.

For the mining industry, there are articles which, if infringed, lead to a punishable offence. In general, State Supervision of Mines will pursue a two-step approach.

Step 1: SSM will send the employer a warning letter;

Step 2: If it is evident after further checks that the employer has not rectified the situation, a penalty report will be announced and drawn up.

With some serious infringements, a penalty report will be drawn up immediately and step 1 will be ignored.

Complaints relating to an exceeding of the working time norms may also be reported by employees to SSM. If the complainant so wishes, SSM will deal with the complaint anonymously.

Although it is not permitted to deviate from the norms laid down in the Act or the Decree, situations may occur where it is impossible for the employer to remain within the terms of the Act or Decree. An example of this could be when fog prevents the transport of employees to and from the mining installation. Such situations must however be recorded. In such cases, SSM may decide not to take enforcing action, because it was a situation out of the employer's control.



## 8 Obligations of the employer

The employer is obliged to record the pattern of working times of its employees. Each employee must be able to inspect these schedules. If an employer establishes changes or withdraws a particular pattern of working times, it must discuss this with the participation body or employee representative body or, if there are no such bodies, with the employees involved. The employer must announce a change in the pattern of working times to the employees at least 28 days in advance. In some cases it is not possible for the employer to keep to a notice period of 28 days. With service companies, for example, peaks in work can often only be anticipated at short notice. In that case, the employee only needs to inform the employees 28 days in advance when they have their weekly rest period. It must then announce the work rota 4 days in advance. Deviations from these notice periods may be contained in a collective scheme. If there is no collective scheme, or if the collective schemes contain no provisions on this matter, the employer may only deviate from these notice periods with the consent of the employees involved.

In its general business policy in relation to working and rest times, the employer must take account of the personal circumstances of the employee, in so far as it may be reasonably requested to do so. In view of the nature of the work performed in the mining sector, the employer may not be expected to take account of such matters as an employee's care tasks. However, the employer may, for example, take account of the personal circumstances of the employee with regard to holiday plans, or to ensure that not always the same employees are scheduled to work during public holidays.

The employer must ensure that a proper record is kept of working and rest periods. These records must make it possible to monitor compliance with the law. Records must be present at manned mining installations. Furthermore, a copy of the records must be received within 6 weeks by the head office of the employer based in the Netherlands. The records must be kept for at least one year. Employees working in a non-permanent and irregular pattern of working times must keep

a record of their working hours with them, or be able to submit this record within a reasonable period of time (about 1 hour) by means of fax or email. Excuses that the fax machine or email is not working will not be accepted by SSM. This is to enable SSM to check, if the employee performs work for different employers or clients, that the maximum number of working hours is not being exceeded. Records for employees working in a non-permanent and irregular pattern of working times must comply with the 'Rules for recording working times in the mining sector' dated 29 December 2000.



*Summary table of working times according to the ATW and the ATB*



**WORK CARRIED OUT IN A PERMANENT AND REGULAR PATTERN OF WORKING TIMES ON MINING INSTALLATIONS**

<b>Norms for employees aged 18 years or older</b>	<b>Principal norm under the ATW</b>	<b>ATB Article 5.14:2</b>
<p><i>Minimum rest times</i></p> <p>* <b>weekly rest</b></p>	36 hours consecutively or 72 hours per 14 days to be divided into periods of minimum 32 hours.	14 days in each period of 28 days; For each period of 24 hours spent on a mining installation there will be 24 hours rest onshore
<p>* <b>daily rest</b></p>	11 hours, 1 x per week to be shortened to 8 hours.	12 hours per 24 hours, 4x per 4 weeks to be shortened to 8 hours
<p><i>Sunday work</i></p> <p>* <b>Sunday provision</b></p>	at least 13 free Sundays per year.	at least 13 free Sundays per year
<p><i>Maximum working times (structural)</i></p> <p>* <b>working time per shift</b></p> <p>* <b>working time per week</b></p> <p>* <b>working time per 4 weeks</b></p> <p>* <b>working time per 16 weeks</b></p>	<p>12 hours</p> <p>60 hours</p> <p>average 55 hours per week</p> <p>average 48 hours per week</p>	<p>11 hours</p> <p>7 x 11 hours = 77 hours</p> <p>-</p> <p>average 40 hours per week</p>
<p><i>Additional rules in the event of night shifts (work between midnight and 6 am)</i></p> <p>* <b>minimum rest after a night shift that ends after 2 am</b></p> <p>* <b>minimum rest after a series of 3 or more night shifts</b></p> <p>* <b>maximum working time per night shift</b></p> <p>* <b>maximum working time per 16 weeks</b></p> <p>* <b>maximum number of night shifts</b></p> <p>* <b>maximum number of successive night shifts</b></p>	<p>14 hours and 1 x per week 8 hours</p> <p>46 hours</p> <p>10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks</p> <p>average 40 hours per week</p> <p>36 per 16 weeks</p> <p>7</p>	<p>-</p> <p>-</p> <p>11 hours.</p> <p>Average 40 hours.</p> <p>36 per 16 weeks with <b>collective scheme</b></p> <p>140 per 52 weeks ending after 2 am.</p> <p>14</p>
<p><i>The Working Hours Act no longer provides for overtime</i></p>	-	-
<p><i>Break (period of time of minimum ¼ hour)</i></p> <p>* <b>working time per shift &gt; 5½ hours</b></p> <p>* <b>working time per shift &gt; 10 hours</b></p>	<p>30 minutes or 2x15 minutes if preferred</p> <p>45 minutes or 3x15 minutes if preferred</p>	<p>-</p> <p>regardless of duration of working time minimum 1 hour per shift; break may be divided into two or more breaks</p>
<p><i>On-call duty</i></p> <p>* <b>maximum working time per 24 hours</b></p> <p>* <b>maximum working time per week</b></p>	<p>13 hours</p> <p>40 hours average in 16 weeks</p> <p>45 hours average in 16 weeks provided a number of conditions are met.</p>	<p>not possible unless there is a <b>collective scheme regarding on-call duty</b></p> <p>13 hours</p> <p>85 hours</p>





WORK CARRIED OUT IN A PERMANENT AND REGULAR PATTERN OF WORK ONSHORE		
Norms for employees aged 18 years or older	Principal norm under the ATW	ATB Article 5.14.3 Solely with collective scheme
<i>Minimum rest times</i> * <b>weekly rest</b>  * <b>daily rest</b>	36 hours consecutively or 72 hours per 14 days to be divided into periods of minimum 32 hours.  11 hours 1 x per week to be shortened to 8 hours.	14 days in each period of 28 days; for each period of 24 hours spent on a mining installation or in the vicinity or a mining installation there will be 24 hours rest elsewhere. 12 hours per 24 hours 4x per 4 weeks to be shortened to 8 hours
<i>Sunday work</i> * <b>Sunday provision</b>	at least 13 free Sundays per year.	at least 13 free Sundays per year
<i>Maximum working times (structural)</i> * <b>working time per shift</b> * <b>working time per week</b> * <b>working time per 4 weeks</b> * <b>working time per 16 weeks</b>	12 hours 60 hours average 55 hours per week average 48 hours per week	11 hours 7 x 11 hours = 77 hours - average 40 hours per week
<i>Additional rules in the event of night shifts (work between midnight and 6 am)</i> * <b>minimum rest after a night shift that ends after 2 am</b> * <b>minimum rest after a series of 3 or more night shifts</b> * <b>maximum working time per night shift</b>  * <b>maximum working time per 16 weeks</b> * <b>maximum number of night shifts</b> * <b>maximum number of successive night shifts</b>	14 hours and 1 x per week 8 hours 46 hours 10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks average 40 hours per week 36 per 16 weeks 7	- - 11 hours.  Average 40 hours. 36 per 16 weeks with <b>collective scheme</b> 140 per 52 weeks ending after 2 am. 14
<i>The Working Hours Act no longer provides for overtime</i>	-	-
<i>Break (period of time of minimum ¼ hour)</i> * <b>working time per shift &gt; 5½ hours</b> * <b>working time per shift &gt; 10 hours</b>	30 minutes or 2x15 minutes if preferred 45 minutes or 3x15 minutes if preferred	- Regardless of duration of working time minimum 1 hour per shift; break may be divided into two or more breaks
<i>On-call duty</i> * <b>maximum working time per 24 hours</b> * <b>maximum working time per week</b>	13 hours 40 hours average in 16 weeks 45 hours average in 16 weeks provided a number of conditions are met.	Not possible unless there is a <b>collective scheme regarding on-call duty</b> 13 hours 85 hours





**WORK CARRIED OUT IN A NON-PERMANENT AND IRREGULAR PATTERN OF WORK OFFSHORE AND ONSHORE**

<b>Norms for employees aged 18 years or older</b>	<b>{Principal norm under the ATW</b>	<b>ATB Article 5.14:4</b>
<i>Minimum rest times</i> * <b>weekly rest</b>	36 hours consecutively or 72 hours per 14 days to be divided into periods of minimum 32 hours.	6 days in each period of 21 days, 72 of which are consecutive, for each period of 24 hours spent on a mining installation/location or in the vicinity, there will be 24 hours rest elsewhere within a period of 26 weeks
* <b>daily rest</b>	11 hours 1 x per week to be shortened to 8 hours.	12 hours per 24 hours (3x per 21 days to be shortened to 8 hours)
<i>Sunday work</i> * <b>Sunday provision</b>	at least 13 free Sundays per year.	at least 13 free Sundays per year
<i>Maximum working times (structural)</i> * <b>working time per shift</b> * <b>working time per week</b> * <b>working time per 4 weeks</b> * <b>working time per 16 weeks</b>	12 hours 60 hours average 55 hours per week average 48 hours per week	11 hours 7 x 11 hours = 77 hours - -
<b>working time per 26 weeks</b>	-	average 40 hours per week (max. 1040 hours in 26 weeks)
<i>Additional rules in the event of night shifts (work between midnight and 6 am)</i> * <b>minimum rest after a night shift that ends after 2 am</b> * <b>minimum rest after a series of 3 or more night shifts</b> * <b>maximum working time per night shift</b>  * <b>maximum working time per 16 weeks</b> * <b>maximum number of night shifts</b> * <b>maximum number of successive night shifts</b>	14 hours and 1 x per week 8 hours 46 hours 10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks av. 40 hours per week 36 per 16 weeks 7	- - 11 hours  36 per 16 weeks with <b>collective scheme</b> 140 per 52 weeks ending after 2 am 15
<i>The Working Hours Act no longer provides for overtime</i> <i>Break (period of time of minimum ¼ hour)</i> * <b>working time per shift &gt; 5½ hours</b> * <b>working time per shift &gt; 10 hours</b>	- 30 minutes or 2x15 minutes if preferred 45 minutes or 3x15 minutes if preferred	- - Regardless of duration of working time minimum 1 hour per shift; break may be divided into two or more breaks
<i>On-call duty</i> * <b>maximum working time per 24 hours</b> * <b>maximum working time per week</b>	13 hours 40 hours average in 16 weeks 45 hours average in 16 weeks provided a number of conditions are met.	<b>Not possible unless there is a collective scheme regarding on-call duty</b> 13 hours 85 hours





**WORK CARRIED OUT DURING DIVING WORK**

<b>Norms for employees aged 18 years or older</b>	<b>Principal norm under the ATW</b>	<b>ATB Article 5.14:7 Only with collective scheme</b>
<i>Minimum rest times</i>		
* <b>weekly rest</b>	36 hours consecutively or 72 hours per 14 days to be divided into periods of minimum 32 hours.	After 28 days on location at least 7 days, with less than 28 days on location, 2 days rest elsewhere for every 7 days on location pro rata. 8 hours
* <b>daily rest</b>	11 hours 1 x per week to be shortened to 8 hours.	8 hours
<i>Sunday work</i>		
* <b>Sunday provision</b>	at least 13 free Sundays per year.	at least 13 free Sundays per year.
<i>Maximum working times (structural)</i>		
* <b>working time per shift</b>	12 hours	12 hours
* <b>working time per week</b>	60 hours	60 hours
* <b>working time per 4 weeks</b>	average 55 hours per week	average 55 hours per week, with <b>collective scheme</b> average 60 hours
* <b>working time per 16 weeks</b>	average 48 hours per week	average 48 hours per week
<i>Additional rules in the event of night shifts (work between midnight and 6 am)</i>		
* <b>minimum rest after a night shift that ends after 2 am</b>	14 hours and 1 x per week 8 hours	-
* <b>minimum rest after a series of night shifts</b>	46 hours	after 28 days on location at least 7 days, with fewer than 28 days on location, 2 days rest elsewhere for each 7 days on location pro rata.
* <b>maximum working time per night shift</b>	10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks av. 40 hours per week	10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks av. 40 hours per week
* <b>maximum working time per 16 weeks</b>		
* <b>maximum number of night shifts</b>	36 per 16 weeks	36 per 16 weeks with <b>collective scheme</b> 140 per 52 weeks ending after 2 am
* <b>maximum number of successive night shifts</b>	7	28
<i>The Working Hours Act no longer provides for overtime</i>		
<i>Break (period of time of minimum ¼ hour)</i>		
* <b>working time per shift &gt; 5½ hours</b>	30 minutes or 2x15 minutes if preferred	30 minutes or 2x15 minutes if preferred, with <b>collective scheme</b> 15 minutes
* <b>working time per shift &gt; 10 hours</b>	45 minutes or 3x15 minutes if preferred	45 minutes or 3x15 minutes if preferred
<i>On-call duty</i>		
* <b>maximum working time per 24 hours</b>	13 hours	-
* <b>maximum working time per week</b>	40 hours average in 16 weeks 45 hours average in 16 weeks provided a number of conditions are met.	-
* <b>maximum working time per 13 weeks</b>	13 hours	-




**WORK CARRIED OUT DURING SATURATION DIVING**

<b>Norms for employees aged 18 years or older</b>	<b>Principal norm under the ATW</b>	<b>ATB Article 5.14:8 Only with collective scheme</b>
<i>Minimum rest times</i> * <b>weekly rest</b>  * <b>daily rest</b>	36 hours consecutively or 72 hours per 14 days to be divided into periods of minimum 32 hours. 11 hours 1 x per week to be shortened to 8 hours.	After 28 days work, 28 days rest must be taken elsewhere 12 hours
<i>Sunday work</i> * <b>Sunday provision</b>	at least 13 free Sundays per year.	at least 13 free Sundays per year
<i>Maximum working times (structural)</i> * <b>working time per shift</b> * <b>working time per week</b> * <b>working time per 4 weeks</b> * <b>working time per 16 weeks</b>	12 hours 60 hours average 45 hours per week average 48 hours per week	11 hours 7 x 11 hours = 77 hours - average 40 hours per week
<i>Additional rules in the event of night shifts (work between midnight and 6 am)</i> * <b>minimum rest after a night shift that ends after 2 am</b> * <b>minimum rest after a series of 3 or more night shifts</b> * <b>maximum working time per night shift</b>  * <b>maximum working time per 16 weeks</b> * <b>maximum number of night shifts</b>	14 hours and 1 x per week 8 hours- 46 hours 10 hours, 12 hours, provided 12 hours rest after the shift, maximum 5 times per 2 weeks and maximum 22 times per 52 weeks average 40 hours per week 36 per 16 weeks	- - 11 hours average 40 hours per week. -
* <b>maximum number of successive night shifts</b>	7	28
<i>The Working Hours Act no longer provides for overtime</i> <i>Break (period of time of minimum ¼ hour)</i> * <b>working time per shift &gt; 5½ hours</b> * <b>working time per shift &gt; 10 hours</b>	- 30 minutes or 2x15 minutes if preferred 45 minutes or 3x15 minutes if preferred	- 30 minutes or 2x15 minutes if preferred, with <b>collective scheme</b> 15 minutes 45 minutes or 3x15 minutes if preferred
<i>On-call duty</i> * <b>maximum working time per 24 hours</b> * <b>maximum working time per week</b>	13 hours 40 hours average in 16 weeks 45 hours average in 16 weeks provided a number of conditions are met.	- -