

date: September 5 2003
embargo: noon Sunday September 8 2003



Trades Union Congress

**Attention: industrial, political, business
correspondents, forward planning desks**
4 pages

staff forced to sign long hours opt outs

A new TUC poll finds that one in four people who have signed an opt out from working time rules were given no choice about opting out; two in three people who work more than 48 hours a week have not been asked to sign an opt out; and that only one employee in three even knows there is a 48 hour limit on the average working week. Analysis of the government's authoritative Labour Force Survey shows that seven out of ten people working more than 48 hours a week want to work fewer hours.

Using the poll and Labour Force Survey figures, the TUC estimates that across the UK more than 350,000 people have been given no choice about opting out of the working time directive and nearly three million who work more than 48 hours have not signed an opt out.

Most people at work in the UK are covered by working time rules that limit the average working week to 48 hours. The UK is the only country that allows all workers to opt out of this limit and work more than 48 hours. But this is meant to be a free choice, and employers who coerce staff in any way are breaking the law.

Not every worker who reports working more than 48 hours a week will be in breach of the law as some groups of workers are exempt, and some working time does not count against the limit. But the large number of people working more than 48 hours who say they have not been asked to sign an opt out suggests very many people have jobs where working time limits are ignored.

The poll has been conducted for the launch of the TUC's *It's about time* campaign aimed at tackling Britain's long hours culture, and persuading the European Commission to end the UK opt out when they review it in the next few months. The TUC is asking people with examples of long hours abuses to tell their stories via www.worksmart.org.uk or to the TUC's time line 0870 8 500 500. People can also obtain a new TUC leaflet on how to opt back into the 48 hour week, and other information on their working time rights from these sources.

Speaking in Brighton on the eve of the TUC Congress, TUC General Secretary **Brendan Barber** said: "Today we declare war on Britain's long hours culture with the launch of the TUC's *It's*

about time campaign. We work the longest hours in Europe, yet other countries are more productive and earn more.

“What makes me angry is that people cannot see that the UK’s very long hours are a symptom of something sick about our workplaces. Long hours are a symptom of badly organised, unproductive workplaces. It’s too often an easy way out for incompetent managers.”

regional breakdown

	proportion who know that there is a weekly limit of 48 hours	proportion who think there is no such law	Total working more than 48 hours a week	proportion of those working more than 48 hours and expressing a preference who want to work fewer hours	TUC estimate of number working more than 48 hours a week who were given no choice about signing an opt out	TUC estimate of number working more than 48 hours a week who have not signed an opt out
United Kingdom (poll figures are GB)	34%	24%	4,482,863	68.8%	376,560	2,824,204
North East	60%	17%	142,573	66.9%	11,976	89,821
North West	28%	35%	422,360	69.7%	35,478	266,087
Yorkshire & Humberside	31%	21%	386,643	69.1%	32,478	243,585
East Midlands	32%	26%	344,296	70.0%	28,921	216,906
West Midlands	41%	19%	377,527	65.1%	31,712	237,842
Eastern	41%	26%	468,756	68.1%	39,376	295,316
London	23%	22%	636,669	69.2%	53,480	401,101
South East	37%	23%	682,588	72.8%	57,337	430,030
South West	33%	21%	369,387	72.0%	31,029	232,714
Wales	34%	24%	193,277	63.3%	16,235	121,765
Scotland	27%	21%	352,569	66.2%	29,616	222,118
Northern Ireland	n/a		106,218	50.2%	8,922	66,917
source	TUC poll	TUC poll	Labour Force Survey	Labour Force Survey	Labour Force Survey and TUC poll	Labour Force Survey and TUC poll

Poll details (GB figures)

1) From the following, how many hours do you think can people work a week, on average, before they have to give written permission to their boss if they want to work longer? (The correct answer is 48 hours)

40 hours	24%
45 hours	11%
48 hours	34%
as many as you like	
there's no such law	24%

Base: 500 full or part-time workers

2) Except in some special circumstances, from the following, how many hours do you think you need to work before you must be able to take a break? (The correct answer is 6 hours)

4 hours	68%
5 hours	15%
6 hours	7%
there's no such law	6%

Base: 500 full or part-time workers

3) The law says that after you have worked 6 hours you should have a break (except in some special circumstances). From the following, how long do you think this break should be? (The correct answer is 20 minutes)

20 minutes	30%
30 minutes	43%
45 minutes	25%

Base: 540 full or part time workers

4) Has your employer asked you to sign a document saying you are willing to work more than 48 hours on average?

yes	35%
no	63%

Base: all who say they work more than 48 hours a week

5) Which of the following best describes how you signed the document?

I was told to sign when I started the job	15%
I didn't really have a choice about signing if I wanted to keep the job	9%
I was given a choice about whether I signed or not and told I could change my mind at a later time	66%
none of these	10%

base: all those who say they work more than 48 hours a week and have signed an opt out

technical note

The poll was conducted by Access, the omnibus division of BRMB international by phone on August 10 2003. A total of 2016 people were interviewed of whom 1060 were employed either full time or part time. Some questions were put to half the sample. Some questions were put to those who said they worked more than 48 hours a week who made up 30% of full time workers (237 respondents). Don't knows are not shown so respondents may not add up to 100%.

Labour Force Survey analysis

The Labour Force Survey is a regular authoritative sample survey conducted for the government by the Office of National Statistics. It regularly asks about working time and working time preferences. The figures are taken from the spring 2003 survey.

Notes to Editors:

- All TUC press releases can be found at www.tuc.org.uk
- Register for the TUC's **press extranet**: a service exclusive to journalists wanting to access pre-embargo releases and reports from the TUC. Visit www.tuc.org.uk/pressextranet

-

Contacts:

Media enquiries: Liz Chinchon on 020 7467 1248, 07699 744115 (pager), mobile 07778 158175 or email media@tuc.org.uk

Ben Hurley on 07626 317903 (pager) or 07881 622416 (mobile)

TUC press office in Brighton 01273 823525