

48 HOUR OPT OUT AGREEMENT

Opting out of the 48 hour maximum working week

Workers over the age of 18 can agree to work beyond the 48-hour weekly limit as set out in the Working Time Regulations 1998. However workers must not be forced to work more than 48 hours on average over a 17 week period. Agreement to work beyond the 48-hour weekly limit must be in writing and signed by the worker ('opt-out' agreement). You must ensure your workers can take their rest breaks, as they cannot opt-out of them. If your PA wishes to opt out of the 48 hour maximum weekly working hours you should complete the agreement below with them. Staff who regularly work at least 3 hours during the night period (usually between 11pm - 6am) are classed as night workers and cannot opt out of the 48 hour maximum working week.

Agreement to opt out of the 48 hours maximum weekly working hours

Name of employer:	
Name of PA (employee):	
Date of agreement:	
I agree that I may work for more than an average of 48 hours a week. If I change my mind, I will give my employer 3 months' notice in writing to end this agreement.	
Signed (employee)	
Signed (employer)	