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News

Commission opinion on temporary extension of working time for junior doctors

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The Commission has issued opinions accepting that Hungary, the Netherlands and the UK will slightly extend working time of doctors in training on a temporary basis.

The Commission has consulted the social partners, and the opinions underline that the average weekly working time for doctors in training still cannot exceed 52 hours, including on-call at the work place, and that the temporary extension will last till 31 July 2011.

The Working Time Directive contains, special rules for doctors in training, whose average weekly working hours are to gradually reduce from 2004 to not more than 48 hours, in principle by 31 July 2009. The Directive allows Member States who have difficulties in meeting that target to use an additional two years, provided that average working time does not exceed 52 hours per week in the meantime.

The Directive provides for Member States to inform the Commission so that it can issue an opinion on the extensions. The Commission does not have power to refuse the extensions, and the Opinions do not have legally binding force. Hungary, the Netherlands and the UK notified the Commission that they would need an extension.

Hungary stated that it has already reduced working time limits for doctors in training to 56 hours per week, including on-call at the workplace. However, the government, supported by the Hungarian Medical Association, said it needed an extension to allow for reorganisation of the medical training system.

The Netherlands similarly said that it has already reduced working time limits for doctors in training to 56 hours per week, including on-call time at the workplace. The government

stated that the social partners had reached an agreement on how they could now move from a 52- to a 48-hour limit during the extended two-year period.

The UK said that it was committed to achieving full compliance with the 48-hour limit for all doctors in training and had made considerable progress towards this target. The majority of doctors in training in the UK already worked 48 hours or less per week on average, including on-call time. The UK could not yet meet this target in a minimum number of posts in some 24-hour services and remote or highly specialised units, due to shortages of specialist staff and reconfiguration of hospital services.

This option to extend transitional arrangements for doctors in training lasts till 31 July 2011 and only relates to average weekly working time. All the Directive's other provisions, such as on minimum rest periods and on-call time, apply in full to doctors in training since 1 August 2004. The Directive also allows Member States who have special difficulties in meeting their responsibilities for organisation and delivery of health services, to extend the 52-hour limit for doctors in training for one final year, until 31 July 2012. After that date, the 48-hour limit for average weekly working time applies in full.

The Commission's Opinions call for reinforced efforts in all three Member States to meet the 48-hour target for all doctors in training by 31 July 2011, and for stronger consultation between health sector employers and doctors' representatives on how that can be done.