Since the employee's full-time working time is eight hours per day and 40 hours during any seven-day period, the employee's full-time working time cannot be more than 40 hours per week if the employee works for several employers. This means that an employee can work for multiple employers on a part-time basis. For example, an employee who works for two employers part-time for 20 hours during a seven-day period (total 40 hours).

In order to allow the employer to comply with the working time and rest time when planning the employee's working time, the employee must inform the employer of his or her arrangement of working for several employers.

Working time calculation

• The employer calculates the working time. Working hours may not exceed 40 hours a week.
• The employer may summarise the working time, i.e., the working hours may distribute differently in a calculation period (e.g., in a month). The summarised working time calculation is primarily used when the employee works under a working time schedule, i.e. a roster where the distribution of the employee's working time during a week and/or days than in another week, in the case of a particular week is not even. This means that in some period the employee may work more hours per week and/or days than in another week. For example, an employee who works under a working time schedule may work 40 hours in one week and 40 hours in another week.
• When agreeing upon summarised working time, the employer must notify the employee in writing of the conditions by giving notice of a working time schedule (summarised months), period of the working time schedule, and the time of giving prior notice to the staff of the working time schedule before the beginning of a calculation period or a shorter period. The employer must notify the employee in writing of when and how the employee can examine the working time schedule.

Act on working time and rest time: www.riigiteataja.ee

• Employment Contracts Act

Additional information:
Ministry of Social Affairs
Gonsiori 29, 15027 Tallinn

Labour Inspectorate
Gonsiori 29, 15027 Tallinn

Lawyer’s hotline: 640 6000
Lawyer’s e-mail: jurist@ti.ee

Labour Inspectorate
Gonsiori 29, 15027 Tallinn

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www.sm.ee
**WORKING AND REST TIME**

Additional information
www.toelu.ee

An employment contract is entered into from the moment the employee and the employer have agreed on the material terms and conditions of the employment relationship. Before you commence working, agree with the employer upon your working and rest time. If you work in the company under a working time schedule, do not forget to clarify and, if necessary, to agree on the rules of working time organisation. Make sure that the material terms and conditions of working and rest time are included in the contract of employment.

**DURATION OF THE WORKING TIME**

- Full-time work is 40 hours per week or 8 hours a day.
- The employer and the employee may agree on part-time work. For example, an employee works 20 hours a week.

**REST TIME**

**Daily rest time**

- The employee must rest for at least 11 consecutive hours per 24 hours. Thus, the length of a shift, including overtime, must not exceed 13 hours.
- Exceptions from the daily rest time
  - The restriction is not applied to health care professionals and welfare workers.
  - Exceptions to the restriction of the daily rest time may be made by a collective agreement in the case of activities where the worker’s place of work and his or her place of residence are distant from one another, or which require continuity of service or production, also in producing gas, water and electric energy, for security and surveillance staff, port and airport staff and staff involved in the carriage of passengers, etc.
  - If an employee works for more than 13 hours during a 24-hour period, he or she must be given additional time off, immediately after the end of the working day, equal to the number of hours by which the 13 working hours were exceeded. For example, if the shift of an employee was 16 hours, he or she must subsequently receive at least 14 hours of rest time (11 hours of daily rest time plus the hours exceeding 13 hours, i.e., 3 hours).

**Weekly rest time**

- The employee must have at least 48 consecutive hour rest time over a period of seven days.
- In case of summarised working time, the employee must have at least 36 consecutive hour rest time.

**Break during working day**

- The employee must be able to have breaks during a working day. After six hours of working, the employee must rest for at least 30 minutes.
- Breaks during the working day are not counted as the working time.
- However, breaks during the working day are considered working time if due to the nature of the work it is not possible to give a break. In this case, the employee must be given the opportunity to rest and dine during working time.

**Shortening of work time before national and public holidays**

- The employer must shorten the working day by three hours on the day immediately preceding the New Year’s Day, the anniversary of the Republic of Estonia, the Victory Day and Christmas Eve.

**Overtime work**

- Overtime is working beyond the agreed working time.

**What to take into account when working overtime?**

- The parties must agree on overtime work each time.
- A minor employee must not work overtime as it may be harmful to their health and development.
- The employer may demand that an employee works overtime in exceptional cases when the overtime work is necessary due to unforeseen circumstances. For example, to prevent loss or if an employee does not show for a shift on time and operations cannot be interrupted.
- The employer cannot demand that a pregnant woman or an employee who has the right to pregnancy and maternity leave would work overtime.

- In case of summarised working time calculation, the overtime period is clarified at the end of the calculation period.
- Overtime is compensated by granting time off, which must be granted to the employee as soon as possible after working overtime. Time off is granted from the employee’s working time to the extent equal to the overtime and must be remunerated as normal working time. The employee and employer may agree that overtime is compensated by 1.5 times of the wages.

**Agreement on additional overtime**

- The employer and the employee may agree on additional overtime. Additional overtime means working an average of 48 hours per week.
- Additional overtime work must not be harmful to the health of the employee. The employee may cancel the agreement at any time, notifying the employer of it two weeks in advance.
- The employee may refuse additional overtime if it is harmful to his or her health, the employer does not meet occupational safety and health requirements and fails to comply with working time limits.
- The labour inspector is entitled to prohibit or restrict additional overtime.

**Working time limit**

- The employee must not work more than 48 hours a week on the average with a calculation period of up to:
  - 4 months, or
  - 12 months by a collective agreement for health care professionals, welfare workers, agricultural workers, and tourism workers.
- When additional overtime work is performed, the employee must not work on the average for more than 52 hours during a 4-month calculation period.

**Working time if you work for several employers**

- The employee may be in an employment contracts with several employers at the same time.