



## REDISTRIBUTION OF EMPLOYEES' WORKING HOURS

### How to Use It During the Annual Leave Season

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For many employees, vacation season is the perfect moment to take a well-deserved break.

For employers, however, it often brings a different challenge - how to keep operations running smoothly while part of the team is on the beach.

Redistribution of working hours can be a practical solution, offering employers the flexibility needed to organize work efficiently, while also giving employees greater freedom to use their annual leave at the times that suit them best.

This article explores the options that redistribution of working hours provides, through careful planning and within the boundaries of the law.

### What Is Redistribution of Working Hours?

Redistribution of working hours is a mechanism that allows the employer to organize working time so that employees work more than full-time hours during a certain period (e.g., summer months), and then work fewer hours in another period when more employees are available.

The employer is not restricted in advance to how long the "extended" period may last (one, two, or three months), but it is essential that over any six-month period within the calendar year, the employee does not, on average, work more than the contracted full-time hours.

However, an employee may work more than the average contracted hours within a six-month period, but any hours exceeding the average full-time threshold are treated and paid as overtime.

### How Does Redistribution Affect Salary?

An employee's salary reflects the hours actually worked. Therefore:

- During the period of extended working hours, the employee earns more (because they have more regular working hours, though not necessarily overtime hours paid at a higher rate);
- During the period of reduced working hours, the lower number of hours is compensated by the employee receiving additional time off.

### Conditions Under Which an Employer May Apply Redistribution

The employer may introduce redistribution of working hours when required due to:

- the nature of the business activities,
- better utilization of equipment and resources,
- more efficient use of working time,
- meeting deadlines for completion of specific tasks,
- or the employer's overall organizational needs – which is often the case in the summer months when many employees take annual leave.

However, the employer cannot structure working time without limitations. Redistribution must comply with the following requirements:

- The employee may not work more than 60 hours per week during the redistribution period;
- The employee must be provided with a minimum daily rest of 11 consecutive hours;
- The employee must be provided with a minimum weekly rest of 24 consecutive hours.

Additionally, the employer must consider the following special rules:

- redistribution of working hours is prohibited for employees under 18 years of age;
- redistribution may be applied to a pregnant employee, a parent of a child under three, or a parent of a child with severe developmental disabilities only with his/her written consent.

## Conclusion

During the annual leave season, redistribution of working hours provides employers with the flexibility to organize work more efficiently and rationally, while allowing employees to take their vacations at times that would otherwise be difficult to accommodate.

However, compliance with statutory requirements is essential. Redistribution must be introduced in accordance with the law, ensuring that employers avoid potential negative consequences, including significant financial penalties.

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