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Answer given by Executive Vice-President Mînzatu
on behalf of the European Commission
(14.8.2025)

Directive 2003/88/EC¹ lays down minimum safety and health requirements for the organisation of working time. It sets out the workers' right to minimum 11 consecutive hours of daily rest and offers flexibilities for Member States and social partners to establish derogations.

Derogations are allowed for specific activities, such as those involving the need for continuity of service or production, such as care services. Where a derogation applies, the workers concerned must be granted equivalent periods of compensatory rest or, exceptionally, appropriate protection. On these conditions the Directive opens the possibility for shifts to last 24 hours.

In accordance with Article 153 of the Treaty on the Functioning of the European Union², the Directive sets minimum requirements and does not harmonise the laws or regulations of Member States. Member States and social partners, where Member States have delegated its implementation to them, are therefore free to set working time rules that are more protective of workers.

The Commission fully respects the autonomy of the Member States and their national or regional social partners to regulate working time within the framework of EU law and does not intend to propose a revision of the Directive.

In accordance with, and within the limits of the powers conferred by the EU Treaties, the EU adopts the necessary measures for the inclusion of persons with disabilities in society and for the full recognition of their rights. Through a series of concrete actions put forward in the Strategy for the Rights of Persons with Disabilities 2021-2030³, the Commission aims at improving the lives of persons with disabilities in the EU and beyond.

¹ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, OJ L 299, 18.11.2003, p. 9-19 - <https://eur-lex.europa.eu/eli/dir/2003/88/oj/eng>.

² OJ C 202, 7.6.2016, p. 1-388.

³ <https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:52021DC0101>.