

(English version)

**Question for written answer E-002900/25
to the Commission
Maria Zacharia (NI)
(15 July 2025)**

Subject: Greece's systematic infringement of Directive 2003/88/EC — failure to comply with the 11-hour daily rest period

In Greece, Article 59(3) of Law 5053/2023 is already in force. It permits up to 13 hours of work per day if a worker has a second contract with a different employer, without placing limits on total working time. The government plans to extend the possibility of working 13-hour days to those working for a single employer. Realistically, workers spend at least two hours per day commuting, leaving only nine hours for daily rest. This is not enough time to rest or lead a personal life. Everyday life becomes a cycle of exhaustion. There are already thousands of cases of catering, logistics and delivery workers working 12 to 13 hour days, without overtime pay. At the same time, there is a huge increase in the number of workplace accidents and other serious accidents across the country, with official statistics underestimating the reality.

Directive 2003/88/EC (Article 3) sets out the requirement for 11 hours of rest per 24-hour period. The CJEU (Tyco case) ruled that travelling time affects working time. The Charter of Fundamental Rights (Article 31) guarantees the limitation of working hours. The European Agency for Safety and Health at Work's 2023 report confirms that work exceeding 10 hours is associated with accidents, burnout and cardiovascular problems. The normalisation of this practice constitutes a systematic breach of EU law. The Commission's silence would amount to complicity.

In view of the above, can the Commission say:

1. Does it consider the current and announced legislation to be in breach of Article 3 of Directive 2003/88/EC?
2. Will it demand evidence and initiate an infringement procedure under Article 258 TFEU?

Submitted: 15.7.2025

**Answer given by Executive Vice-President Minzatu on behalf of the European Commission
(28 August 2025)**

It appears that Law 5053/2023 does not contain any Article 59(3) as mentioned by the Honourable Member. Instead, its Article 9 permits work for more than one employer as long as working time limits, which derive from Directive 2003/88/EC ⁽¹⁾, are respected.

The aim of Directive 2003/88/EC is to protect the health and safety of workers. The directive sets a maximum average weekly working time (48 hours in a reference period of four months) and minimum daily (at least 11 consecutive hours per 24-hour period) and weekly rest periods (at least 24 hours of uninterrupted rest plus the 11 hours' daily rest).

A 13-hour working day is allowed only if the average maximum weekly working time of 48 hours in the reference period of four months is respected.

In the *Tyco* case ⁽²⁾ the Court of Justice of the European Union (CJEU) held that travel time between home and the place of work counts as 'working time' in case of workers without fixed places of work.

As regards daily travel time to a fixed place of work, there is no indication in the CJEU case law that such periods should be considered as 'working time' for the purposes of the directive.

The Commission has no indication that Law 5053/2023 breaches the directive. At present, the Commission does not consider launching an infringement procedure against Greece over its Law 5053/2023.

The Commission will continue monitoring compliance with the directive by all Member States, including Greece, by taking into account any information it receives from the European Parliament and/or the public, including the individual complainants.

⁽¹⁾ Directive 2003/88/EC concerning certain aspects of the organisation of working time, OJ L 299, 18.11.2003, p. 9 replaced Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time, OJ L 307, 13.12.1993, p. 18-24. — <https://eur-lex.europa.eu/eli/dir/2003/88/oj/eng>.

⁽²⁾ Judgment of 10 September 2015, *Federación de Servicios Privados del sindicato Comisiones obreras (CC.OO.) v Tyco Integrated Security SL and Tyco Integrated Fire & Security Corporation Servicios SA*, C266/14, ECLI:EU:C:2015:578. <https://curia.europa.eu/juris/document/document.jsf?text=&docid=167291&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=13069088>.