

(English version)

**Question for written answer E-003712/25
to the Commission**

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(24 September 2025)

Subject: Protecting doctors' health: full implementation of Directive 2003/88/EC on working time

In its 2024 white book ⁽¹⁾, the European Federation of Salaried Doctors points out that, due to the shortage of medical staff, Directive 2003/88/EC on working time is often derogated in several Member States, undermining the protection of workers' health. This situation has increased the physical and mental burden on doctors, who are forced to endure excessively long shifts, frequent overtime and insufficient rest, with little opportunity to take daily breaks, weekly days off or annual leave. In addition, there is widespread misuse of on-call periods (stand-by duty), used to compensate for staff shortages: doctors must remain close to their workplace, in a constant state of alert, unable to fully enjoy their free time.

In the light of this:

1. How does the Commission intend to strengthen the enforcement of Directive 2003/88/EC, for example by establishing common EU-level standards, defining maximum working hours, extending minimum rest periods, and recognising stand-by duty as a separate category of working time with its own characteristics?
2. Does the Commission plan to launch structured dialogue with Member States and social partners and, if necessary, propose legislative or interpretative measures to harmonise the management of stand-by duty and address the shortage of medical staff? If so, how will it do this?

Submitted: 24.9.2025

Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(20 November 2025)

The Working Time Directive 2003/88/EC ⁽¹⁾ sets minimum requirements for workers' health and safety, including 11 consecutive hours of daily rest and 35 hours of weekly rest, with a 48-hour average weekly working time limit.

On-call and stand-by are periods during which workers must remain available to resume their work in case of need. On-call time refers to periods where a worker is required to remain at the workplace or another place determined by the employer. During stand-by, a worker must be reachable but is not required to remain at a place determined by the employer.

The Court of Justice held that time spent on-call must count as working time. Stand-by periods qualify as working time when the constraints imposed by the employer have an objective and very significant impact on the worker's possibility to freely manage the time during which services are not required ⁽²⁾.

In 2023, the Commission adopted an Interpretative Communication on the Working Time Directive ⁽³⁾, which aims to increase legal certainty and clarity. It provides clarifications on stand-by, on the duration and timing of such duties, explaining the elements to qualify stand-by duties as working time or rest periods under the directive.

The Commission fully respects the autonomy of the Member States and the social partners to regulate working time within the framework of EU law. It currently does not plan to launch a structured dialogue on the above subject nor to propose a revision of Directive 2003/88/EC.

¹ 'European Federation of Salaried Doctors, 'European Doctors Working Conditions — A FEMS White Book', September 2024.

⁽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⁾ Case C-303/98, Simap; Case C-151/02, Jaeger; Case C-14/04, Dellas and Others; Case C-437/05, Vorel; Case C-518/15, Matzak; Case C-344/19, Radiotelevizija Slovenija; Case C-580/19, Stadt Offenbach am Main; Case C-107/19, Dopravní podnik hl. m. Prahy; Case C-214/20, Dublin City Council.

⁽³⁾ Corrigendum to Communication from the Commission, Interpretative Communication on Directive 2003/88/EC of the European Parliament and of the Council concerning certain aspects of the organisation of working time, OJ C 143, 26.4.2023, p. 8-77 — https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.C._2023.143.01.0008.01.ENG&toc=OJ%3AC%3A2023%3A143%3ATOC.