



FEU Study

“European Fire Fighters’ Working Time 2007”

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Scope of the study

In 2003 the European Parliament and the European Council issued Directive 2003/88/EC "Concerning certain aspects of the organisation of working time" with reference to the former Directive 93/104/EC on the same subject. The 2003 Directive had a major impact on the working time of many fire services within EU member states because some of the new regulations contradicted national, regional or local working time regulations.

In 2005 and 2006 some EU member states sought modifications, but the Directive was implemented without change.

The issue was raised at several FEU meetings and the effects in different countries were discussed. It was subsequently decided to do an in-depth study to establish the true position across the member states.

Basics of the Study

The Directive 2003/88/EC lays down provisions for a maximum 48 hour working week (including overtime), rest periods and breaks and a minimum of four weeks paid leave per year, in order to protect workers from adverse health and safety risks. Fire Services were mainly concerned by the regulations that require:

1. The average working time for a seven-day period, including overtime, not to exceed 48 hours
2. A minimum daily rest period of 11 consecutive hours per 24 hours period
3. A minimum uninterrupted rest period of 24 hours, plus 11 hours daily rest for each seven-day period
4. Night working not to exceed eight hours per night on average
5. Minimum Annual leave of 4 weeks
6. Application of an "opt out" possibility with individual agreement to work longer than 48 hours

One of the most difficult definitions was the "working time" itself. It was defined as "any period during which the worker is working, at the employer's disposal and carrying out his activities or duties, in accordance with national laws and/or practice". But many fire service shifts recognise "Working time" and "Rest time" i.e. presence in the fire station without work activities. The official term to describe the two different states is "active working time" and "non active working time".

The study tried to avoid comparing non-comparable items, for example "active" and "non active" working time, which are defined and implemented in many different ways in different fire services - sometimes with additional built-in compensatory factors.

Ultimately, a single comparator for the working time of a firefighter was identified and established i.e. the net annual presence on the fire station.

Working plan

Following the discussions at an FEU meeting in 2006, a working group developed a questionnaire about the major effects of the working time directive with a view to getting an overview of the situation in Europe. In January 2007 this questionnaire was circulated and the preliminary results were discussed at the FEU meeting in February 2007 and further refined. The revised and improved questionnaire was then circulated. During the FEU meeting in September 2007 the results were discussed and individual errors were corrected.

Outcome of the study

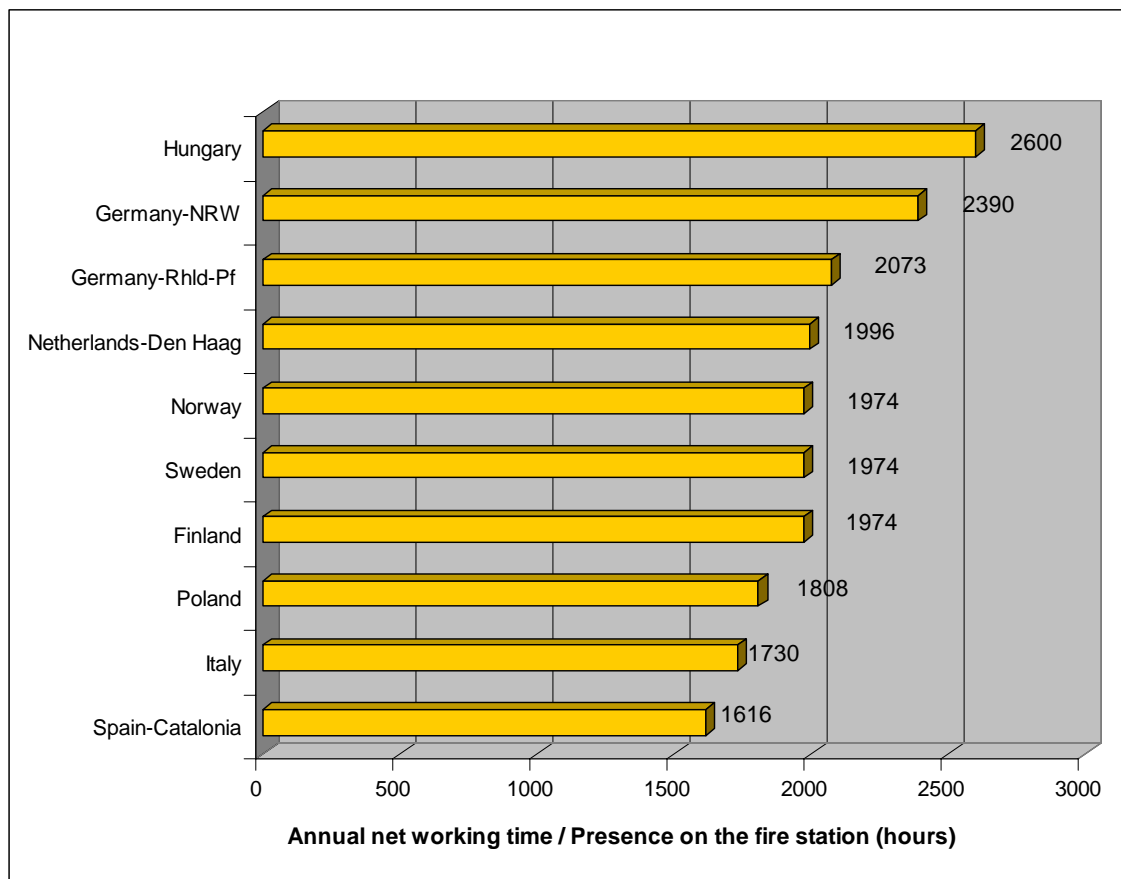
A total of 12 FEU member states have responded to the questionnaire: eleven EU member states and Norway not being member of the EU. The latter was included only for information purposes. Missing from the study are France, United Kingdom and Austria, which have a high number of professional, full-time fire services.

The first table gives an overview of the importance of the study's impact and the range of changes initiated by the 2003 directive.

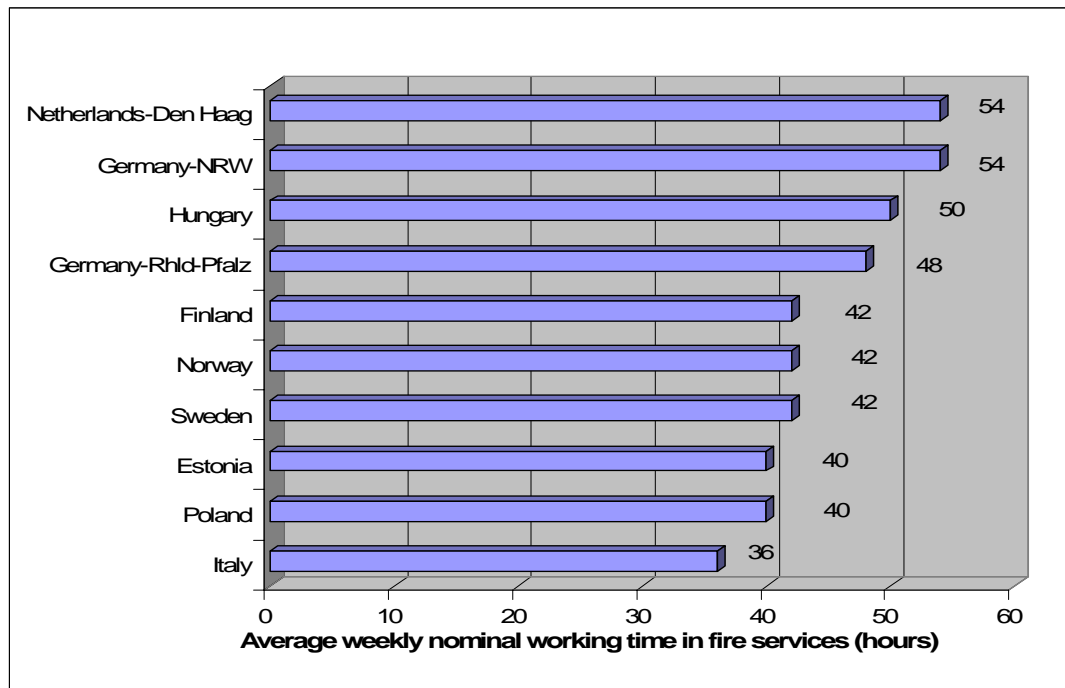
Nine of the countries have national working time regulations, two have regional and one has municipal regulations on working time. These latter three countries may have greater difficulties than others in implementing the European regulations.

It is interesting to note that 6 of 11 states have already modified their working time regulations because of the EU directive. Only three of them have used the 'opt out' facility. In 2007 three of twelve participants in the study consider that their working time is not in line with the directive.

The most important result of the study is that the only true comparator is the 'net annual working time' in hours. The average weekly working time or the annual working time (before deducting annual leave or compensatory hours) were found to be inexact ways of establishing and comparing the fire fighters' workload.



Other studies on working time tend not to take account of the wide range of shift work definitions of a fire fighter and variations in methods of calculating annual leave, compensatory hours and holidays. For example in Italy and Spain where annual leave is not clearly defined, or The Hague (Netherlands) and Aachen (Germany) where the weekly average hours are apparently equal, but the annual working hours are different due to differences in Holidays and compensations.



Limited interpretation of the results

The study was limited to certain aspects of working time as they exist in 2007. It does not take into account some evolving solutions e.g. in Hungary where a phased reduction of working time is underway.

The study did not focus on the question of how the various shifts and rosters were arranged or executed. The discussion among the FEU experts demonstrated that both the relationship between 'active' and 'non active' periods of a shift and the number and type of interventions, disallow drawing conclusions only from the annual number of working hours to what were 'good' or 'bad' working conditions of a fire fighter.