

You work overtime? The CNE supports you

YOU WORK A LOT? YOU ARE WONDERING IF YOU ARE EXCEEDING THE DAILY AND WEEKLY WORK LIMITS? YOU ARE NOT GETTING BACK ALL THE OVERTIME YOU WORK? THERE ARE MANY GUIDELINES, BUT THEY ARE OFTEN MISUNDERSTOOD AND NOT RESPECTED. THE CNE GUIDES YOU THROUGH THE MAZE OF WORKING TIME RULES.

ARE YOU CONCERNED?

The rules on working time apply to workmen, employees and managers. However, they do not apply to sales representatives or to management and confidential staff. Your status can be found in your employment contract.

DURATION OF WORK

You can be at your employer's disposal for up to 8 hours a day and 38 hours a week. The daily limit is increased to 9 hours if you work a maximum of 5.5 days a week. A collective agreement, work regulations or your contract can always reduce your working time below the legal maximums.

OVERTIME

In certain situations (e.g. work in successive shifts, work carried out in order to deal with an accident that has occurred or is imminent), the daily limit is increased to 11 hours and the weekly limit to 50 hours. It is then possible that you will have to work overtime. The use of overtime is regulated by law: your employer cannot impose it on you as he sees fit. If you exceed these limits, you will be given time off in lieu of overtime and you will be paid 50% of your hourly pay (100% if it was a Sunday or a public holiday). In some flexible working arrangements (called "small flexibility"), the weekly limit of 38 hours can be exceeded as long as you work 38 hours per week on average. The worker can therefore be occupied for more than 38 hours one week if he works less than 38 hours another week (e.g. 40 hours one week and 36 hours the next). This average of 38 hours must be respected over a reference period of one year, unless there are exceptions. For more information on the scheme applicable to you, contact your company's CNE team or the CNE secretariat in your region.



MR and Enfagés' Arizona has introduced the option to work 360 hours of "voluntary" overtime per year (instead of the current 100 hours). This is a disguised extension of working hours, since it amounts to an additional 47 workdays—nearly 10 weeks. Behind the "voluntary" nature of these overtime hours often lies pressure exerted by the employer. In addition to reducing worker protections, this measure contributes to fatigue and burnout and prevents the available work from being distributed among all workers. In the face of all the attacks by Arizona against the working class, it is more necessary than ever to organize a response to shift the balance of power and enforce real protections against work that exhausts and makes people sick!

But to do so, we must organize, fight, and defend a more just and united society together. To learn more and join the fight: click [here](#) or scan this QR code.



CALCULATION OF THE EXTRA SALARY

When you are paid by the month, your hourly wage is obtained by multiplying your pay (gross + fixed and variable benefits) by three, then dividing it by thirteen and dividing the result by the number of hours to be worked under your contract. Overtime pay cannot be replaced by other benefits.

OTHER LIMITATIONS

The minimum daily working time is 3 hours, with some exceptions. Between two working days, you have a continuous rest period of at least 11 hours. Work on Sundays and work on public holidays are prohibited, with some exceptions. No work may be performed outside the hours specified in the work regulations.



Arizona has removed the requirement to include schedules in work rules.

Need to mail us ? Please write to : cne.advice@acv-csc.be (English only!)

Need to contact us ? Please call 067 88 91 00 on Mondays, Tuesdays and Wednesdays from 9AM to 12PM and Tuesdays from 1.30PM to 4.30PM (French).

Need to meet us ? Our offices are open on Mondays, Tuesdays and Wednesdays from 1.30PM to 4.30PM and Tuesdays from 9AM to 12PM (French).