

Question for written answer E-002349/2019
to the Commission
Rule 138
Sylvie Guillaume (S&D)

Subject: Working hours on call for France's professional firefighters working 24-hour shifts

Directive 2003/88/EC of the European Parliament and of the Council concerning certain aspects of the organisation of working time stipulates, in Article 3, that every worker is entitled to a minimum daily rest period of 11 consecutive hours per 24-hour period.

The Commission has already broached the subject, on 19 October 2007 in its response to Petition 0005/2007 from an association of firefighters' wives in Hamburg. The Court of Justice of the EU, meanwhile, has ruled that 24-hour shifts on call are inadmissible, in case C-180/14, concerning the working hours of doctors in Greece.¹ The Court grants exemptions under Article 17(2) of Directive 2003/88/EC under certain conditions only (compensatory rest periods).

After a 24-hour shift on call, what is the statutory minimum rest period under the totality of exemptions granted under Article 3 ('Daily rest'), Article 4 ('Breaks') and Article 8 ('Length of night work')?

Are the compensatory rest periods under Articles 3, 4 and 8 to be taken cumulatively?

How should compensatory rest periods taken after a 24-hour shift on call be counted?

¹ Judgment of 23 December 2015 – European Commission v Hellenic Republic, C-180/14, EU:C:2015:840.