

The EU Young Workers Directive 94/33/EC

Costs - £543m per year ([Open Europe](#))

Talking Points

Unfair to young people

To limit 16 and 17 year olds to a 40 hour working week puts them at a disadvantage in the workplace compared to adults who, under the working time directive, are put on a 48 hour working week. Employers will opt for the worker who can work the longer so that further employees do not have to be taken on at a cost to the company.

Trainees not taken on into full time employment

In its [impact assessment](#), the government feared that trainees would not be taken on as full time workers because of the restrictions on working time.

What is it?

A [Directive](#) to limit the number of hours 16 and 17 year olds can work across the European Union. The UK government opt out from the working time restrictions in this directive expired in 2003.

As per the [Directive](#), young people aged 16 and 17 are restricted to working a 40 hour week or more than 8 hours a day. The Directive also prohibits some young workers from working at night between 10pm and 6am or between 11pm and 7am.

The Directive does not apply to workers in hospital, care homes, or cultural, artistic and sports activities, which may involve night work. Those involved in catering, retailing and hotels are not allowed to work between midnight and 4am but may be allowed to work part of the night.

Longer hours may be worked if certain [criteria](#) are met. These are:

- To maintain production or social care
- To respond to immediate demand of a service or product
- To respond when an adult is unable to perform a task

Young workers are entitled to a break of 30 minutes every four-and-a-half hours.

The military and seafaring industries are exempt.

Third Party opinions:

“One risk of ending the opt out are that some employers who currently employ 16 and 17 year olds in a training capacity may not wish to employ them under the new regulations, thus removing a training and development opportunity for some young people.” [UK Government Impact Assessment](#)