

Definitions

- "The Company" Means T.G Recruitment Ltd is a Recruitment Business located at 25 Pitcairn Park, Leuchars, Fife, Scotland KY16 0HA
- "The Mobile Worker" Means the temporary workers engaged on contracts for services by the company
- "The Representatives" Means the duly elected representatives of the group
- "The Regulations" Mans the Road Transport Working Time Regulations 2005

Recitals

1. The Working Time Road Transport Regulations that came into force 4th April 2005.
2. The Company and the Representatives of the workforce in a workforce agreement have on behalf of the workforce to adopt the flexibility provided by the regulations in respect of the night-work limit and reference periods for calculating the 48 hour average working time.

Provisions

1. Scope Of Agreement
2. Term of the Agreement

This agreement shall remain in force for a period of 5 years from date of signature

3. Operative Provision

3.1 The parties acknowledge and agree that for reasons concerning the organisation of work they wish to extend the night working limits and reference period in line with clauses 3.2 and 3.3 below. The parties believe it is in the benefit and interests of both the Company and mobile workers to amend such provisions as set out herein below.

3.2 Night Work Limit

The worker will work beyond the 10 hour night work limit stated in the regulations but only to the extent where this would not be in breach of other provisions of the regulation or EU Driver's Hours Regulations 3820/85

3.3 Reference Period

3.3.1 For the purpose of calculation of the 48 hour average the first reference period shall run from the first week in May of each year and will be calculated over successive 26 week periods

3.3.2 The first day of the successive 26 week reference period will be calculated from a Monday to a Sunday. This pattern of fixed calendar reference periods will continue until this agreement is terminated.

4. Avoidance of Doubt

For the avoidance of doubt the parties acknowledge and agree that save as specifically set out above the provisions of the regulations shall be of full force and effect. In order to adopt the flexibility of the Road Transport (Working Time) Regulations 2005 ("The Regulations") a Workforce agreement may be agreed between the temporary workers and T.G Recruitment Ltd, Whereby T.G Recruitment Ltd may make use of the flexibility contained within the regulations. T.G Recruitment Ltd has agreed a workforce agreement with its temporary workers as detailed above. Below is an explanation as to the flexibility adopted by T.G Recruitment Ltd and its Temporary Workers:-

Flexibility

1. Average Working Limit

1.1 A mobile worker subject to "Tachograph rules" is limited to a Working time average of 48 hours over a 17 week reference period. Regulation 4(4) permits T.G Recruitment Ltd to increase the reference period to 26 weeks and use a fixed reference period.

2. Night - time Working

2.1 A mobile worker subject to "Tachograph rules" is limited to a Working time of 10 hours in any 24 hr period, if the working hours fall between 00.00 and 04.00. Regulations 9(2) permits T.G Recruitment Ltd to extend the night working beyond the 10 hours limit. However, the total number of hours night work performed safely is effectively restricted by the operation of the EU driver's hours rules.

Newly Joined Temporary Workers

You may wish to adopt the terms of the Workforce agreement in order to make use of the flexibility of the Regulations, which benefit both you and T.G Recruitment Ltd. The terms of the workforce agreement forms an amendment to your contract for services.

I (print name) _____

understand and accept the terms of the workforce agreement.

Signature: _____ Date: _____