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Hours of work of a full-time employee

Verified 30 octobre 2020 - Directorate for Legal and Administrative Information (Prime Minister)

Additional cases ? [Working hours in the State Public Service \(MER\)](https://www.service-public.fr/particuliers/vosdroits/F471) (<https://www.service-public.fr/particuliers/vosdroits/F471>) / [Working hours in the Territorial Public Service \(FPT\)](https://www.service-public.fr/particuliers/vosdroits/F571) (<https://www.service-public.fr/particuliers/vosdroits/F571>) / [Hours of work in the hospital public service \(DPF\)](https://www.service-public.fr/particuliers/vosdroits/F573) (<https://www.service-public.fr/particuliers/vosdroits/F573>)

i Coronavirus: adaptation of labor law

[Ordinance No. 2020-323 of 25 March 2020 on emergency measures relating to paid leave, working hours and rest days](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000041755940) [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000041755940) (<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000041755940>) provides for the possibility of temporarily and exceptionally derogating from the maximum daily and weekly working time.

This derogation may not extend beyond 31 December 2020.

The employee is subject to a legal working time of 35 hours per week. Maximum working hours, daily and weekly are also imposed. The employee must not work beyond the maximum periods provided for, except treaty provisions planned.

Legal working time

General case

The legal duration of work for a full period shall be:

- **35 hours** by week
- **151.67 hours** per month
- **1,607 hours** per year

However, treaty provisions or collective working hours may provide for a weekly working time of more than or less than 35 hours.

Hours beyond the legal (or conventional) duration are considered to be [overtime](https://www.service-public.fr/particuliers/vosdroits/F2391?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F2391?lang=en>).

If the working time is less than the legal (or conventional) duration, the employee works at [part time](https://www.service-public.fr/particuliers/vosdroits/F32428?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F32428?lang=en>).

Executive Officer

The executive employee shall not be subject to any minimum or maximum working hours.

In order to be considered a senior executive, the employee must have the following 3 criteria:

- To be entrusted with responsibilities whose importance implies a great independence in the organization of its schedule
- Be empowered to make decisions in a largely autonomous manner
- Receive remuneration at the highest levels of remuneration systems in the undertaking or establishment

Employee or apprentice under 18

An employee or apprentice under 18 years of age is subject to [reduced working hours](https://www.service-public.fr/particuliers/vosdroits/F2216?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F2216?lang=en>).

Maximum working hours

Maximum daily duration

The duration actual work must not exceed the maximum duration of **10 hours** per day, except for derogations. These are granted in the following cases:

- At the request of the employer, subject to the agreement of the labor inspector
- In the event of an emergency linked to a temporary increase in activity
- If an enterprise or establishment agreement or agreement (or an industry agreement or agreement) provides for the overrun of 10 hours of daily work. In the event of increased activity or for reasons relating to the organization of the undertaking, the maximum daily working time shall be limited to 12 hours per working day.

Maximum Weekly Durations

The duration actual work weekly shall not exceed the following 2 limits:

- **48 hours** on the same week
- **44 hours** per week on average over a period of 12 consecutive weeks.

Example :

If an employee is required to work 48 hours a week for 6 consecutive weeks, then 40 hours the following 6 weeks, he will have worked an average of 44 hours a week over the 12 consecutive weeks. It therefore does not exceed the maximum weekly working time allowed.

By way of derogation, the maximum duration over a week may be increased, in exceptional circumstances, to a maximum of 60 hours (subject to the agreement of the labor inspectorate).

The average duration of 44 hours may be exceeded, within the limit of 46 hours over a period of 12 consecutive weeks, in any of the following cases:

- An enterprise or establishment agreement or agreement (or a branch agreement or agreement) provides for this
- Absence of agreement or agreement, after authorization of the labor inspection

Break time

At least one break time **20 minutes** shall be granted to the employee as soon as he has worked 6 consecutive hours.

The break shall be granted either immediately after 6 hours of work or before the 6-hour period has fully expired.

A higher break time may be fixed by agreement or agreement of undertaking or establishment (or by agreement or branch agreement).



FYI : lunch time, which is interspersed between two periods of actual work, is considered a break time.

Work hour count

The employer may establish collective working hours for all employees of the undertaking.

An individualized schedule may also be offered to the employee, subject to conditions.

Group hours

In the case of collective hours, the employer shall display the hours at which work begins and ends, the hours and the duration of rest.

If the employer changes the hours of work, the employer displays the changes in hours or hours of work at least 7 days before they are implemented.

Individual hours

One individualized schedule arrangement (<https://www.service-public.fr/particuliers/vosdroits/F74?lang=en>) allows the employee who benefits from it to choose his working hours. Employees are then not required to arrive and leave their positions at the same time. However, a fixed range may be provided, during which each employee must be present in the company.

For example, a variable schedule may define an arrival time range between 7:30 a.m. and 10 a.m. and a departure time range between 3 p.m. and 7 p.m.

Any employee can request to benefit from individualized schedules. The employer may oppose the employee's request.

If the employer agrees to the introduction of an individualized timetable system, it shall consult the Social and Economic Committee (<https://www.service-public.fr/particuliers/vosdroits/F34474?lang=en>). In the absence of staff representatives (<https://www.service-public.fr/particuliers/vosdroits/N518?lang=en>), labor inspection (<https://www.service-public.fr/particuliers/vosdroits/F107?lang=en>) must authorize the installation of the device, within 2 months of the filing of the application by the employer.

An exact count of the working time each day is then done by each employee using a scoring system (manual, automatic or computer).

Statute and miscellaneous references

- Labor Code: Article L3121-27 [↗](https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000033020376&cidTexte=LEGITEXT000006072050) (<https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000033020376&cidTexte=LEGITEXT000006072050>)
Legal working time (full time)
- Labor Code: Article L3111-2 [↗](https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000006902439&cidTexte=LEGITEXT000006072050) (<https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000006902439&cidTexte=LEGITEXT000006072050>)
Executive Officer
- Labor Code: Article L3121-18 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001718&cidTexte=LEGITEXT000006072050) (<https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001718&cidTexte=LEGITEXT000006072050>)
Maximum daily duration (public policy)
- Labor Code: Article L3121-19 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001751&cidTexte=LEGITEXT000006072050) (<https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001751&cidTexte=LEGITEXT000006072050>)
Maximum daily duration (collective bargaining field)

- Labor Code: Articles L3121-20 to L3121-22 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020418&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020418&cidTexte=LEGITEXT000006072050)
Maximum weekly duration (public policy)
- Labor Code: Article L3121-23 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020400&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020400&cidTexte=LEGITEXT000006072050)
Maximum weekly duration (collective bargaining field)
- Labor Code: Articles L3121-24 to L3121-26 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020395&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020395&cidTexte=LEGITEXT000006072050)
Maximum weekly duration (additional provisions)
- Labor Code: Article L3121-16 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001664&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001664&cidTexte=LEGITEXT000006072050)
Public order break time
- Labor Code: Article L3121-17 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001680&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033001680&cidTexte=LEGITEXT000006072050)
Break time (collective bargaining field)
- Labor Code: Articles D3121-4 to D3121-7 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033509274&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033509274&cidTexte=LEGITEXT000006072050)
Derogations from the maximum daily duration (public policy)
- Labor Code: Articles R3121-8 and R3121-9 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443057&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443057&cidTexte=LEGITEXT000006072050)
Derogations from maximum weekly periods (public policy)
- Labor Code: R3121-10 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443380&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443380&cidTexte=LEGITEXT000006072050)
Derogations from the maximum weekly duration over the same week (public policy)
- Labor Code: R3121-11 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443385&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033443385&cidTexte=LEGITEXT000006072050)
Derogations from the maximum weekly duration over 12 consecutive weeks (additional provisions)
- Labor Code: Articles L3121-48 and L3121-49 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020273&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020273&cidTexte=LEGITEXT000006072050)
Individual hours
- Labor Code: Articles L3121-45 to L3121-47 [↗](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020293&cidTexte=LEGITEXT000006072050) (https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033020293&cidTexte=LEGITEXT000006072050)
Organization of collective hours