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Dear Commissioner Schmit,

I hope this email finds you well.

Following our meeting last year we began a data-gathering exercise with our member organisations on the implementation and application of the European Health and Safety legislative pieces. As of yet, we have received two responses to our enquiry, both focused on the Working Time Directive, and we have summarised the issues in question below:

1. Sweden/Norway:

The Working Time Directive clearly sets out a distinction between working time and rest time. The issue in the countries in question is on the distinction between travel time and working time. Police officers in many situations have to travel distances to reach the destination in which they will complete their job, and these distances are part of the job. Where a police officer is called to a scene, the travel time from the police station to the scene and back makes up this travel time being referred to. This should be acknowledged as part of the police officers' working time, yet this has been challenged. An EFTA judicial determination (*attached*) has clarified that this is indeed the case, yet the interpretation of the judgment is also being challenged, and employers in the countries in question are diverging from this reading of the rules. Therefore, this is definitely an instance where the Directive in question has divergent applications across Member States and therefore needs clarification at the European level.

2. Lithuania:

The Statute for the Internal Service of the Republic of Lithuania does not currently include any measures with regards to the length of night work for employees. Article 57 within the Statute references the Labour Code of Lithuania, yet there is no direct measure for the time spent working at night time in the text, and thus police officers are left without protection. In the domestic implementation of the Directive police officers are also excluded from night-time working rules including guarantees around night-time working (Article 10 in the WTD) and health assessments and transfer of night workers to day work (Article 9 in the WTD).



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Hope the above helps in your ongoing work and we would be happy to discuss any of these issues further.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Calum Steele", with a long horizontal stroke extending to the right.

Calum Steele

EuroCOP President