



**Fédération Européenne
des Médecins Salariés**
European Federation
of Salaried Doctors

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March infringements

In its monthly package of infringement decisions, the European Commission is pursuing legal action against Member States for failing to comply properly with their obligations under EU law. These decisions covering many sectors aim to ensure proper application of EU law for the benefit of citizens and businesses.

- **Working Time: Commission requests FRANCE to respect rights of doctors in training to maximum working hours and minimum rest periods**

The European Commission has requested **France** to respect the rights of doctors in training to minimum rest periods and limits to their working hours as required by the Working Time Directive ([2003/88/EC](#)). Currently French law fails to guarantee several key rights contained in this Directive, such as the 48-hour limit to average weekly working time, to doctors in training. French law does not take into account all the hours actually worked by doctors in training when applying the 48-hour limit set by the Working Time Directive. Supplementary on-call periods and training hours at university are not covered whereas the Directive requires them to be considered as working time. In addition, French law does not ensure proper monitoring of working hours and makes it difficult to verify whether hospitals abide by the rules as provided for in the Directive. As a result, doctors in training often work excessive hours in public hospitals in France. The request to France takes the form of a 'reasoned opinion' under EU infringement procedures. France now has two months to notify the Commission of the measures taken to bring national legislation in line with EU law. Otherwise, the Commission may decide to refer France to the EU's Court of Justice.

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