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TimeCamp statement regarding EU time tracking regulations

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Recently, the European Court of Justice (ECJ) ruled, that all the member countries of the European Union should provide “an objective, reliable and accessible system” that allows the companies to track their employees’ working hours. However, what was the reason for such a ruling, how are the countries supposed to fill the requirements, and finally, is the regular “punch clock” sufficient when it comes to effective time tracking? Let’s see.

The flaw in the law

Everything began in Spain, as a conflict between Spanish labor unions and the local subsidiary of Deutsche Bank. The CCOO (Confederación Sindical de Comisiones Obreras), which is the largest trade union in the country, pushed the Spanish Court to lawfully oblige Deutsche Bank to introduce a clear and reliable system for time tracking the employees’ daily working hours. CCOO stated that such a system is required not only by the country’s law but also by the EU Charter of Fundamental Rights, and 2003/88/WE directive concerning working time, and any employer has to inform the representatives of the trade union about both the regular working hours and the extra ones.

Deutsche Bank, on the other hand, claimed that the Spanish law does not obligate employers to monitor and register their employees’ working time in order to tell the difference between regular working hours and overtime and inform the CCOO about such. What’s even more interesting, the Deutsche Bank was right! That’s when the Spanish Court started questioning their own law and decided to ask the ECJ for an opinion.

Justice for all

The EU’s directive states that employers not only have to ensure that their employees working time is being effectively tracked, but also that they are performing their jobs in a healthy environment, so they can rest

properly. At least 11 uninterrupted off-work hours per day and 24 hours per week. Also, while at work, a break every six hours. The data presented by the Spanish court before the ECJ in Luxemburg presented time tracking in a bad light. Turns out that almost 60 percent of workers in Spain don't receive any financial remuneration for working extra hours, which practically means that those hours aren't being registered as overtime.

As a result, it's been decided that the absence of a regulation obliging employers to establish a system for measuring the daily working time of each worker is contrary to EU directives and it has to be changed. Which is great news for the employees' rights! Even better considering the fact, that it is possible to opt-out of this directive in order to work more hours, one can always opt back in without consequences.

Back to Punch Clock?

The aforementioned "objective, reliable and accessible system" for time tracking is a bit tricky, as the EU doesn't state the exact rules for such. Thus, the directive has been widely discussed and also criticized by a number of employers' associations, who compared it to the 21st-century punch clock – unable to effectively keep track of the working hours in an ever-changing global working environment.

That's right, a punch clock doesn't make an effective time-tracking device, especially in the modern office. However, that's where technological advance comes in handy. There is plenty of options that can collect information, gather it, and turn it into valuable data. Time-tracking software is probably one of the most popular. Every week hundreds of companies decide to implement it in their offices, especially now in Europe since the ruling delivered by the EU's top court on the 14th of May. Given the technology we have today, one can safely assume that the punch clock will become a thing of the past.

Is Time Tracking a solution?

The EU's directive may bring some chaos to companies in Europe but in the long term, it can actually bring them profits. The automated, reliable time tracking of employees' work not only ensures that their rights are not violated (every extra hour is marked and must be paid for) but provide valuable information to them, as well as to the company's managers and directors.

First of all, if we keep track of our work, we can monitor our productivity, better organize our tasks, control our budget, and even improve our health. What's more, managers and directors can compare the data gathered from all their employees with other indicators, and come up with solutions that would change the company's workflow for the better. Not to mention the economic value of such data in the scale of the country.

So, do not be surprised when your government comes to your company to check whether the EU's directive is being upheld. After the court's ruling, it may become more frequent. If your company does not keep track of employees' working time, it's high time it started! Now the benefits from it may double, as not only will it increase productivity in the office, but it will also prevent a potential fine for not abiding by the EU's rule!