

# Driving and resting periods

## Daily rest

There are two options for enjoying your daily rest:

- **Regular rest:**  
A minimum of 11 hours consecutive hours of rest.  
  
May be split up into 2 periods:
  - 1st period consisting of a minimum of 2 consecutive hours.
  - 2nd period consisting of a minimum of 9 consecutive hours.
- **Shortened rest:**  
A minimum of 9 hours but less than 11 hours.  
  
Allowed a maximum of 3x per week (between 2 weekly rests).
- **Exception:**  
Rest on a ferry or train.

For embarking and disembarking a ferry or train, the daily rest may be interrupted by a maximum of 1 hour; split into a maximum of 2 interruptions. This is not allowed during a shortened daily rest.

Both the shift and the minimum resting period (11 or 9 hours) must be completed within 24 hours of starting the shift.

**Example:** the driver starts on Monday 07:00h and stops at 20:10h = 13 hour and 10-minute shift. Driver starts on Tuesday at 9:00h, giving them a 12 hour and 50-minute rest.

Monday															Tuesday												
7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	0	1	2	3	4	5	6	7	8		
13 uur en 10 minuten shift														10 uur				en 50 minuten rust								X	
24 uur																											

This counts as a shortened rest! The time is only counted until Tuesday 07:00h (24 hours later than Monday 07:00h). This means only 10 hours and 50 minutes of the rest is counted.

Every minute over a 15-hour shift is always a violation because this means a 9-hour resting period within 24 hours is no longer possible.

Monday																							Tuesday																					
7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14													
15 uren 1 minuut shift																8 uur		en 59 minuten rust								X				X				X				X						
24 uur																							Bovenstaande uren rust tellen niet mee!!																					

Bovenstaande uren rust tellen niet mee!!

## Weekly rest

After a maximum of 144 hours (6x 24h) after starting their first shift, the driver must take their weekly rest regardless of which day they started. If you start on Monday 06:00h it means your weekly rest starts on Sunday at 06:00h at the latest.

There are two options for enjoying your weekly rest:

- **Normal weekly rest:**  
A minimum of 45 hours of consecutive rest. These may not be spent in the truck!
- **Shortened weekly rest:**  
A minimum of 24 hours consecutive rest.

Any shortened rest must be compensated, no later than the 3<sup>rd</sup> week after the shortened rest (like in week 4 in the example below).

Week 1						Week 2						Week 3						Week 4									
Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo
						Rust 24							Rust 45							Rust 24							Rust 21 (w1) + 45

The shortened rest in week 3 is permitted despite the shortened rest in week 1 not being compensated. This compensation may also be added to a daily rest of at least 9 hours, which means it does not have to be added to a weekly rest.

Week 1							Week 2							Week 3							Week 4											
Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo					
					Rust 40							Rust 45							Rust 24													Rust 45

5 hours to be compensated from week 1 + daily rest (>9 hours)

## Location weekly rest

To start their weekly rest, a driver must find a suitable location:

- Parking spot in case of a shortened weekly rest (between 24 and 45 hours).
- hotel, or place of employment or residence (>45 hours).

The planning must ensure this always falls within driving and working times.

- After 4 weeks of working, the driver must return home or the place of employment for a minimum rest of 45 hours.
- If an international driver has had a shortened weekly rest 2x in a row, the next rest should be at home or at a place of employment.

## Embarkation points vs. Place of business

If the point of embarking and the place of business (offices) differ, the commuting time from home to the embarkation point and vice versa counts as working time:

- Given that the point of embarkation is further away from their home than the place of business.

*See the next page for an example.*



- Residence (Arnhem)
- Offices (Erp)
- Embarkation point (Rotterdam)

Example: A driver lives in Arnhem and their place of business (offices) is Erp. If their truck was stationed in Erp, the commute from his home to the truck in Erp (and vice versa) would not count as working time. In this case their truck is in in Rotterdam, and the point of embarkation and place of business differ. His commute from Arnhem to Rotterdam (and vice versa), of +/- 1.5 hours must be considered working time. These 1,5 hours at the start and/or end of the week count as work time and should be justified by the driver in his tachograph.

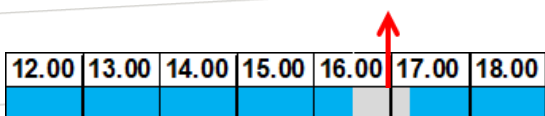
## Driving and resting periods

### Daily driving time:

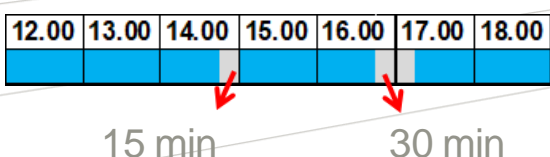
- Regular 9 hours.
- Exception 10 hours (2x per week maximum).

### Breaks in driving time:

- 45 min rest after 4.5 hours of driving



After 4.5 hours of driving, a break of 45 minutes must be taken. Alternatively, a >15-minute break (before the 4.5hour mark is reached) followed by a >30-minute break at 4.5 hours.



## Weekly driving time:

- Per week: maximum of 56 hours.
- Per every 2 weeks: a total maximum of 90 hours.

Week 1							Week 2							Week 3						
Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo	Ma	Di	Wo	Do	Vr	Za	Zo
40 Rij uren							50 rij uren							40 Rij uren						

Weekly driving times are calculated per legal week (Monday 00:00h to Sunday 24:00h). So, this is different than working 6x24 hours and thereby not to be calculated between two weekly rest periods.

## An extra driving-hour?

In exceptional cases, one could make use of one extra driving-hour, or 2 extra driving hours if a 30-minute break is taken before these commence. This is not a flexibilization of the law; it already existed but has now been clarified.

## Never plan with this in mind!

Only the Operations Director of the division, together with the person responsible for this entity may decide this! For example, in case of a major traffic accident or unscheduled road closure. Rush hour, traffic jams, or problems at the customer are not valid reasons.

Driver must go directly to the stopping point, and upon arrival clock out and justify. Driving extension must be compensated as resting time 'en bloc' together with a daily or weekly rest time in the 3<sup>rd</sup> week after extension.

## Example

Start – 24 hours – 45 hours – 24 hours—end. The shortened weekly rest (21 hours) must be compensated 'en bloc' before the end. This may be compensated together with a 9-hour rest.

1														2														3														4													
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S																												
						24							45							24							21+9							45																					

Start – 45 hours – 24 hours – 24 hours – end. The shortened weekly rest in week 2 and 3 must be compensated 'en bloc' (i.e., 42 hours), combined, before the weekly rest at the end is taken.



1							2							3							4						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
					45							24							24							21 + 21 + 45	

Start – 24 hours – 24 hours – end. The shortened weekly rest in the 1<sup>st</sup> and 2<sup>nd</sup> weekend must be compensated “en bloc” (i.e., 42 hours), combined, before the weekly rest at the end is taken.

1							2							3							4						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
						24							24						21 + 21 +	45							45

## Working hours

Driving and resting times are equal everywhere in Europe. Working hours can differ per country:

- European guidelines only provide minimal requirements.
- Many countries stick to these minimal requirements.

Maximum working hours for all Van den Bosch drivers:

- One may work a maximum of 60 hours a week (Monday 00:00h to Sunday 24:00h).
- One may work an average of 48 hours a week over a period of 16 weeks.

Mandatory break:

- After 6 hours of work, breaks of at least 30 minutes or 2 x 15 minutes must be taken.
- Anything else, such as 3x 10 minutes, is a violation.
- Work for longer than 9 hours > another 1x 15 minutes must be taken.
- All rest of less than 15 minutes does not count as rest, but as working time.

*Example for work between 6 and 9 hours:*

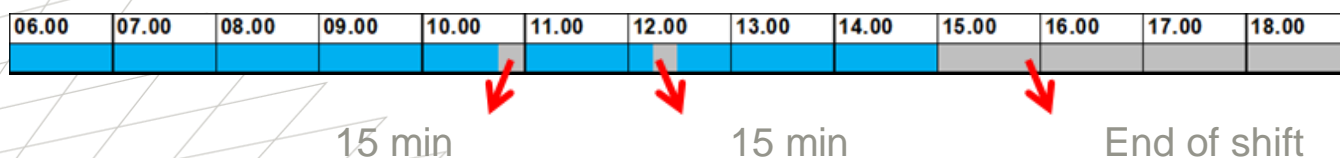
**Situation 1:** Here rest is enjoyed after exactly 6 hours of work.

06.00	07.00	08.00	09.00	10.00	11.00	12.00	13.00	14.00	15.00	16.00	17.00	18.00

30 min rest

end of shift (8.5 hours of work)

**Situation 2:** Here the rest is split into 2x 15 minutes.



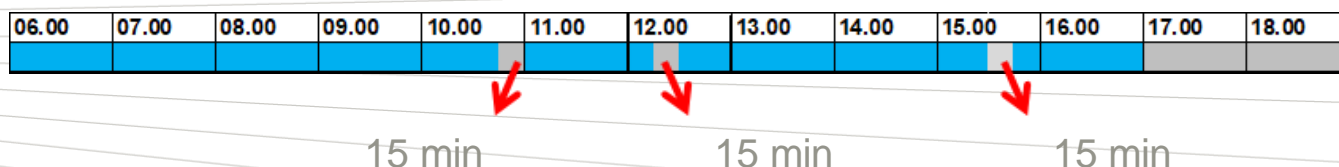
In this situation the second 15 minutes of rest should be taken no later than 12:15h. Otherwise the driver will exceed 6 hours of working without having had 30 minutes break.

*Examples for a working duration of more than 9 hours in one day:*

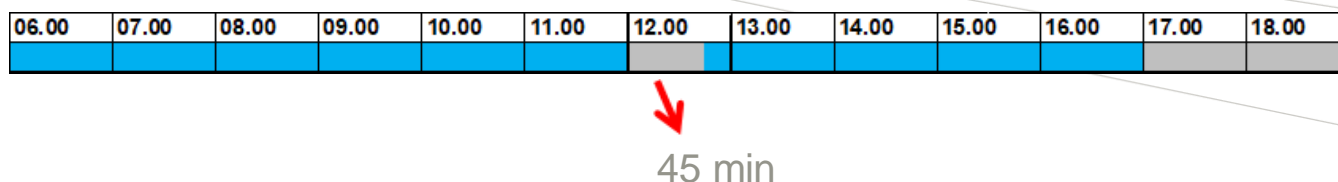
**Situation 1:** Mandatory 30-minute break after 6 hours of work. Later, the driver realises they will go over a working time of 9 hours, so before 9 hours have passed, they take another 15-minute break.



**Situation 2:** The total of 45 minutes break may be split up into 3 x 15 minutes. Note: the first 30 minutes must be taken before the 6 hours of work have passed. The total of 45 minutes break must be taken before 9 hours work have passed.



**Situation 3:** The entire 45 minutes of break may also be taken in one go as long as the driver never exceeds 6 consecutive hours of working.



# Accounting for worktime in Tachograph

Worktime is calculated differently than shift hours for driving and resting periods. With driving and resting periods, the 15 or 13 hours is everything between the start and end of a shift, regardless of what happened in this time.

The tachograph has four settings:



Driving



Labour



Availability



Rest

Usually: 12 hours of work a day, but Germany adheres to 10 hours of work a day. Only “driving” and “Labour” fall under “work”, “availability” does not. With good use of the tachograph, a 15-hour shift can be accomplished.

## Availability

What is “availability”?

- When a driver does not have to complete any work and must stay at their workplace.
- They must remain available for completing any work.
- The duration of this period must be known beforehand.

When do you use ‘availability’?

- Waiting time where the duration of the wait is known beforehand.
- During the cleaning process, if no action is needed from the driver. Preparing for cleaning and sealing afterwards does not count for ‘availability’.
- During the loading process, when this is done by a third party:
  - \* And it is noted on the consignment note that loading was completed by a third party.
  - \* The assembly and disassembly must be accounted for as labour.

**The hours in the digitach are binding in case of audits. Therefore, working time should be retrieved from the digitach, not the on-board computer!**



## Night work

Night work is all work that is done at night:

- Night in the Netherlands is between 00:00h and 06:00h. Night work applies to all work done between 01:00h and 05:00h.
- In Germany night is between 23:00h and 06:00h. Night work applies to any minimum of 2 hours of work between those hours.
- In Hungary: Night is between 00:00h and 04:00h. night work applies to any work done between these hours.

Night work rules:

- When night work is involved, no more than 10 hours of work may be carried out.
- This applies to every country.
  - \* Availability does not count as work time.
  - \* A maximum of 43 nights per 16 weeks or 20 hours (between 00.00 and 06.00) per 2 weeks.