



**Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna**

Feidhmeannacht na Seirbhísí Sláinte

Ospidéal Dr. Steevens'

Baile Átha Cliath 8

**Office of the National Director of Human Resources**

Health Service Executive

Dr. Steevens' Hospital

Dublin 8

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David Cullinane T.D.

11<sup>th</sup> May, 2022

**PQ 19346/22 To ask the Minister for Health the level of European Working Time Directive compliance for each model 2, 3 and 4 hospital by staff grade and category in tabular form; and if he will make a statement on the matter. -David Cullinane**

Dear Deputy,

I refer to your recent parliamentary question above which was sent to the HSE for reply.

Please find attached the level of NCHD European Working Time Directive compliance for each hospital in tabular form. The data is visible by hospital and by NCHD grade. The data attached is for February 2022 as this is the most recent data set available.

During the COVID 19 Pandemic, under Section 5 of the Organisation of Working Time Act 1997 (which transposed EWTD into Irish law), the Employer is relieved from complying with certain provisions in certain circumstances: "Without prejudice to *section 6*, an employer shall not be obliged to comply with *section 11*, *12*, *13*, *16* or *17* where due to exceptional circumstances or an emergency (including an accident or the imminent risk of an accident), the consequences of which could not have been avoided despite the exercise of all due care, or otherwise to the occurrence of unusual and unforeseeable circumstances beyond the employer's control, it would not be practicable for the employer to comply with the section concerned."

These sections relate to rest, working hours and provision of information in relation to working time.

The full text of the act may be found here: <http://www.irishstatutebook.ie/eli/1997/act/20/enacted/en/pdf>

Yours sincerely,

A handwritten signature in cursive script that reads "Marie O'Sullivan".

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**Marie O'Sullivan**  
**National HR**