

# **Amendment Memorandum of the Hours of Work & Rest Law**

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## **Abstract**

Statistical data indicate that the ratio of Israeli employees that work 60 hours or more per week (over 12 hours a day) is higher than that in most OECD countries. Medical research indicates that long work hours might have severe implications to the employee's physical and mental health, and that there is a link between long work hours and mortality rate. It was also found that overtime work is harmful to the family unit and has negative economic effects, because it decreases productivity and increases work-related accidents.

Legally, the Hours of Work & Rest Law (1951) states that "a work day shall not exceed eight hours" and that "a work week shall not exceed forty-five hours". However, paragraph 30(a)(5) excludes employees in management positions or personal trust positions, so that they can allegedly work with no time limit.

Based on these findings, it is realistic to assume that employing senior executives without limiting their work hours is harmful to their basic rights for fair work conditions, a reasonable degree of health, equality, rest, leisure time, and freedom. It is even damaging to market productivity in general.

Seemingly, a senior employee who receives a global salary has consented to work overtime without additional remuneration. However, it is generally doubtful if this consent is legally binding, because it is unclear whether the consent is informed and free due to the inequality inherent in employer-employee relationships; a lack of employment alternatives; and the work pressures imposed on the employee.

Therefore, it is suggested to cancel paragraph 30(a)(5) of the Hours of Work & Rest Law, and thus to include employees in management or trust positions within the confines of the law. According to this approach, the workday in all sectors will not exceed 8 hours per day (in a six-day week) also for employees in management or special trust positions.