

Statement of interpretation on Article 4§2

The principle established in this paragraph is based on the assumption that work performed in special circumstances and outside normal working hours requires increased effort on the part of the worker.

Not only must the worker receive payment for overtime, therefore, but also the rate of such payment must be higher than the normal wage rate. The Committee noted that Paragraph 2 allows for exceptions and that in some countries overtime may be compensated by the granting of additional leave, in particular for domestic staff.

The term "overtime" is generally taken to include work thus performed outside or in addition to normal working hours.

The Committee found that normal night work as well as shift work at night is sometimes regarded as overtime. Finally, the Committee noted that the precise definition of what is understood by overtime differs slightly from one country to another.