

Broken turnaround: know your rights

Bectu is calling for action on 'broken turnaround', after <u>new research</u> by the union reveals how widespread it is – and the severe physical and mental health impact it has on film and TV workers.

A worker is considered to have 'broken turnaround' when they are required by their employer to return to work within less than 11 consecutive hours in each 24-hour period. This is in breach of workplace rights set out in Regulation 10 of the Working Time Regulations 1998 – UK laws that regulate working hours, breaks, and holiday entitlement.

A 48-hour working time directive waiver is very common in workers' contracts. However, an employer must give the worker enough rest to make sure their health and safety is not at risk. Therefore, an employer cannot force workers to waive their rest breaks, and any agreement must be voluntary and mutually agreed.

What does the law say on broken turnaround?

Under UK law, you have the right to 11 hours uninterrupted rest in a 24-hour period. Most film and TV workers will take this as an overnight break between their working days. It allows for a rest period between finishing one day of work and starting the next one.

In special cases, a worker may be required to work during an 11-hour rest period. When this is the case, by law they are entitled to an equivalent period of compensatory rest instead. If compensatory rest cannot be provided, then the worker must be given appropriate protection to safeguard their health and safety. Working on film and TV productions is not classed as a special case (like the armed forces or medical personnel).

Breaks are critical to avoid health and safety risks

Under the **Working Time Regulations 1998**, employers have a responsibility to provide workers with sufficient breaks between calls to ensure their health and safety is not at risk.

Rest breaks between calls are integral to maintaining a healthy work/life balance, not only to ensure you are well rested and ready to complete your work, but to protect your health and wellbeing too.

How does this impact me?

<u>We recently surveyed workers on the impact of breaking turnaround</u>. Across the industry, workers told us that on many jobs workers lack adequate 'turnaround time'; this puts health and wellbeing of our members at risk, especially when it happens regularly.

Provisions in the collective agreements provide for 11 hours off the clock. However, this is often encroached upon and when you account for travel time to and from the studio or location, this exacerbates the problem.

What protection do I have under Bectu's collective agreements?

Under the freelance collective agreements, there are provisions for rest periods between finishing work and starting again. Both the <u>Pact/Bectu TV Drama Agreement</u> and <u>Major Motion Picture</u> <u>Agreement</u> outline what you should receive in time and compensation.

However, we know that productions frequently ask workers to encroach on their turnaround and pay them compensation instead. Under the TV Drama Agreement, the penalty is currently minimal and therefore is not acting as a strong financial deterrent for employers to avoid scheduling long and unsociable hours. Bectu is working to resolve this issue with Pact, broadcasters and streamers.

WHAT CAN I DO IF I AM ASKED TO BREAK TURNAROUND?

You have a few options:

- Bectu recommends you should be seeking 'compensatory rest' in its place. A compensatory rest break should be the same length of time as the one missed, or production should move the call time. Importantly, compensatory rest should be taken as soon as possible. The key objective of compensatory rest is to ensure that workers receive adequate rest, which should be taken straight away so fatigue is reduced.
- 2. Remember you have a legal right to not have your turnaround period encroached upon. Engagers should not knowingly allow or encourage workers to regularly forgo their rest periods or rest breaks. For this reason, to safeguard your health and safety you can say no. If you suffer any detriment as a result of seeking to enforce your rights, you are protected under law. Contact Bectu immediately if that happens.
- 3. If giving the time back is not possible and no other solution can be found, then you should ask for a minimum penalty payment of 1.5T on top of the daily hourly rate.
- 4. Bectu is here to help you. If you need help with any of the above, please contact your branch or **lpd@bectu.org.uk**

Share your experiences of broken turnaround

Have you got experiences of the detrimental impact of working broken turnaround you'd like to share? Are you working on a production that is pressuring workers to accept broken turnaround? Let us know so we can better understand the scale of the problem and campaign on this issue.

We also want to hear stories of where productions have avoided broken turnaround.

The more people we have highlighting the detrimental impact of broken turnaround, the stronger our collective voice. If you would like to get involved in campaigning on this important health and safety issue to help drive change, get in touch with <u>lpd@bectu.org.uk</u>

Make your voice heard

Being part of a union is one of the best ways to ensure you have a voice at work. If you're not a Bectu member, join today.