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Lithuania: Working time flexibility

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Lithuania

Phase:

Management

Type:

Working time flexibility

Last modified: 23 October, 2019

Native name: **Darbo kodeksas Nr. XII-2603**

English name: **Labour code No XII-2603**

Article

Labour code (113, 114, 115, 116)

Description

According to the labour code, apart from fixed working time, the employer can establish the following flexible working time arrangements (article 113):

1. annualised hours – standard working hours for the entire reference period are fulfilled during the reference period;
2. flexible work schedule – requirement for the employee to be present at the workplace for certain hours of the workday and flexibility for the remaining hours;
3. split shift working time arrangements – work is done on the same day/shift with a longer break to rest and eat than the established maximum length of breaks to rest and eat;
4. individualised working time arrangements.

The labour code stipulates as well that flexible working time arrangements may not violate the maximum working time limits, as mentioned below (article 114):

1. average working time, including overtime but excluding work done according to an agreement on additional work, may not exceed 48 hours per week;
2. working time, including overtime and work done according to an agreement on additional work, may not exceed 12 hours per workday/shift and 60 hours per week;
3. the law on safety and health at work includes specific provisions on working time arrangements for night workers, minors and employees who are pregnant, who recently gave birth or who are breast feeding;
4. working time cannot extend for more than six days over seven consecutive days.

In the case of annualised hours, work/shift schedules must be drawn up in such a way that they do not violate the maximum working time of 52 hours per week (article 115).

Where a flexible work schedule is in place (for all or just a few days of the working week), the beginning and the end of the workday is set by the employee according to the following rules. The employer establishes the fixed hours of the workday during which the employee must work at the workplace. This working time may only be changed upon notifying the employee at least two working days in advance. The flexible hours of the workday can be carried out at the discretion of the employee, before or after the fixed schedule. With the employer's consent, any flexible hours of the workday that were not carried out may be transferred to another working day, provided that the maximum working time and minimum rest period requirements are not infringed upon (article 116).

Comments

Article 51 of the labour code specifies that changes affecting the ownership of a company - changes in subordination, shareholder or name; merger; subdivision; division or merger of an employer into another company, institution or organization; or restructuring do not alter the terms of employment for employees, including working time arrangements.

Cost covered by

Not applicable

Involved actors other than national government

Trade union
Works council

Thresholds

No, applicable in all circumstances

Sources

 [Labour code No XII-2603](#)

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