Does waiting for an order count as working time?

For: Platform worker employed by a company

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Applicability: Special provisions for platform work from 1 January 2024; application depends on the type of contract.

The answer depends on the contract and the circumstances of availability for work. It is not correct to automatically calculate for all workers only the time from taking on an order to its delivery.

The starting point is the contract, not just the status label in the application.

MROSP distinguishes between a classic platform work contract and a call-in work contract. In the official interpretation of the classic model, sign-in and sign-out in the application are examined, whereas for call-in work the individual task is considered from acceptance to completion. The prescribed definition of working time and the right to rest periods also apply to platform work.

Therefore, gather your rota, the employer's request for your availability and your own time records. Mark when you accepted the task, set off to collect it, waited, made the delivery and finished your shift. These records serve to clarify the calculation and do not in themselves replace a legal assessment.

How to ask for an explanation

Instead of a general objection, provide a specific date and time period and ask under which contractual provision part of the time is excluded. Compare the response with the contract and the employer's records. If they differ, seek written confirmation and, if necessary, professional assistance in protecting your rights, bearing in mind that deadlines may be short.

Waiting before downloading

The worker records acceptance of the delivery at 6:00 pm, arrival at the restaurant at 6:10 pm and collection at 6:25 pm. He does not accept it without checking the shift which only starts at 6:25 pm; first he compares the type of contract and the interpretation of working hours.

Specific next steps

1. Determine whether this is a standard contract or work on call.
2. Save the schedule and keep your own time records.
3. Compare the recorded hours with the calculation.
4. Request a written explanation of the specific difference.

Most common mistakes

• Use the same time formula for every form of engagement.

• Omit the waiting from the personal records, and later have no basis for the question.

Limits of application

It does not automatically calculate the status of all entries in the application. It refers to an employment relationship; a self-employed business is not the same category.

Sources

MROSP · The employment relationship in platform work and workers' working time

https://uznr.mrms.hr/radni-odnos-u-platformskom-radu-i-radno-vrijeme-radnika/

Original page

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