

REDUCED WORKING TIME IN THE EUROPEAN UNION

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EXECUTIVE SUMMARY

1. REDUCING THE WORKING TIME IN THE EUROPEAN UNION

Working time is a central issue in understanding the development of labour and social relations in the European Union. The advances that the normative and legal regulations of this working condition underwent in the long economic and political cycle in the transition from the 20th to the 21st century, in terms of reducing working time and improving work-life balance, have been threatened in the last two decades. The trend towards shorter working time came to a virtual halt in the 1990s, after which it was passed over on political agendas as the economic and financial crises followed one after the other. This trend became evident during the austerity crisis.

This trend coincided with the business strategies of businesses based on pressure on this working condition. The goal was to use flexibility to achieve greater control over working time, with relevant initiatives at the national level and attempts at European level to revise the Working Time Directive.

The European Commission decided not to pursue the revision of the Working Time Directive, putting an end to years of speculation about the repeal or drastic amendment of this key piece of social legislation. This decision by the Commission means that emphasis must now continue to focus on the area of its most effective implementation. The aim must be to balance the rights and interests of the parties to the employment contract. In this regard, a process that significantly affects the issue of working time has been emerging, the digitalization of the productive economy, and has already transformed many sectors, including public services. Digitalization must be redirected in such a way as to generate massive increases in productivity while controlling its potential and dramatic impact on both the quantity and quality of employment.

The current reality shows how many working people's working conditions consist of long working hours with anti-social schedules, which inevitably generate stress, fatigue, and exhaustion. The opposite situation is found in the emergence of so-called zero hours

contracts, which ultimately pose a threat to the health of these workers. In addition, they make it very difficult for them to plan their lives in terms of both time and income, given the unpredictability of these new forms of employment.

The current challenge in terms of working time, generally, is to move from a defensive position, particularly due to the austerity crisis, to an offensive one and reduce working time and reappropriate working time for workers in a balanced and healthy way.

2. KEY DATA TO UNDERSTAND THE LENGTH OF THE WORKING DAY IN THE EUROPEAN UNION

The standard working week in the European Union ranges from 35 hours in France to 40 hours in most Central and Eastern European countries, with exceptions such as Luxembourg, with a working week of close to 40 hours, and the Czech Republic, with a working week of 38 hours or less. For these purposes, speaking in terms of normal working time is most relevant, which includes overtime. Normal working time is significantly higher than that stipulated in collective bargaining agreements. For example, in France the normal working time for a full-time employee is around 40 hours per week. Very similar experiences are found in countries such as Austria and Greece.

2.1. FULL-TIME AND PART-TIME WORK IN UNDERSTANDING THE LENGTH OF THE WORKING DAY

The ordinary working hours established by collective agreement normally refer to workers with full-time employment contracts. However, part-time work is a reality whose analysis cannot be ignored when studying the current situation of working time in the European Union. The percentage of workers with part-time contracts has been gradually increasing and now stands at more than 20%. In addition, part-time work has a very important distinguishing feature, namely that this type of employment is mainly occupied by women. Despite certain downward trend

since 2013, in 2022, almost 28% of all working women still worked under part-time employment contracts. In other words, part-time work in the European Union is a women's issue and shows disparate behaviours among the Member States.

Weekly working hours in part-time jobs are significantly lower than in full-time jobs. Consequently, a higher proportion of part-time work reduces the average usual weekly working hours at the national level. The average usual weekly working hours for all working people in the European Union is considerably lower. The high proportion of part-time work in the Netherlands translates into an average working week of around 30 hours. In Denmark, Norway, Germany, Ireland and Sweden, the average number of working hours per week is lower than the EU 15 average of about 36.5 hours per week. Only in a few countries does the average number of usual working hours per week exceed 40 hours (Czech Republic, Poland, Bulgaria, and Greece).

2.2. LENGTH OF THE WORKING DAY AFTER THE AUSTERITY CRISIS

The number of employed decreased less than the total volume of work measured in number of hours. This means that those people who remained in the labour market work, on average, fewer hours than at the beginning of the century. Similarly, it is important to note that employment levels also recovered much faster than working time, in contrast to the period between 2002 and 2006, when employment growth was proportional to the increase in total hours worked.

Working time in the EU-27 has decreased, on average, by about 0.8 hours per week. Employment initially declined after the crisis, but has now recovered to pre-crisis levels. Since 2007, employment in Europe is about 1% higher than pre-crisis levels. However, the total number of hours worked is still more than 1% below pre-crisis levels. In other words, employment has been redistributed.

2.3. THE LENGTH OF THE WORKING DAY ALSO DEPENDS ON THE HOUSEHOLD COMPOSITION

The number of households where all adults held paying jobs increased in the EU-28 by 16.1%. During the same period, households with no working adults also increased by 15.2%, mainly due to the ageing of the population, with a strong increase in households composed only of inactive adults aged 65 and over.

When looking only at couple households with children, the trend is very similar. There has been an

increase in dual income households, where both partners work full-time (12.1%), and in one-and-a-half income households, where one partner works full-time and the other part-time (11.2%). Therefore, at EU level, it cannot be said that there is an increase in part-time work as a strategy for families to reconcile childcare responsibilities with paid employment.

What we do observe, on the contrary, is a strong increase in households with one and a half incomes among couples with no children. This figure increased 30.7% between 2005 and 2015. This suggests that there are other factors driving the recent increase in the share of part-time work in the EU, in particular, increased concern and care for dependents.

2.4. REDUCTION IN WORKING TIME DURING THE COVID-19 HEALTH CRISIS

Data on the use of this reduction in working time are not easily comparable because working time is measured differently from one country to another. With this clarification, the number of workers who have participated in this type of working time reductions across Europe amounted to more than 50 million working people at the end of April 2020: 11.3 million, France having the highest number (Ministère du Travail 2020); followed by Germany with 10.1 million (Bundesagentur für Arbeit 2020); Italy with 8.3 million (Istituto Nazionale Previdenza Sociale 2020); and the UK with 6.3 million (Financial Times 2020). In the EU-27, there were more than 42 million working people in this situation. The reduction in working time has contributed significantly to maintaining employment, at least in the immediate term.

There are large differences in the proportion of working people with reduced working hours across Europe. Almost half of all workers who have undergone such reductions in working time are in Switzerland (48.1%) and France (47.8%), followed by Italy with 46.6% and Luxembourg with 44.5%. There are five countries, Slovenia, Croatia, Austria, Belgium, and Ireland, where around one third of all workers have at some point undergone reductions in working time, and four other countries, Germany, Spain, the United Kingdom, and the Netherlands, where this proportion was around one quarter. A relatively low proportion, around or even below 10%, were in the Nordic countries, Denmark, Finland, and Sweden, as well as many Central and Eastern European countries, such as Bulgaria, the Czech Republic, Poland, and Slovakia. Across the EU-27, more than a quarter of the approximately 160 million working persons have experienced reductions in working time.

3. IMPACTS OF REDUCED WORKING TIME

3.1. REDUCING WORKING TIME, IMPROVING PHYSICAL AND MENTAL HEALTH

One of the main arguments justifying the reduction of working time relates to the negative health impact of long working hours. The onset of fatigue increases the likelihood that workers will suffer an accident at work or that they will suffer from illnesses, especially mental illnesses. Multiple studies have demonstrated the close relationship between work, time, and health. In particular, working long hours is directly related to cardiovascular diseases, depression, anxiety and, just to mention a few, reduced sleep quality. In addition, it has been found that longer working hours are linked to an unhealthy lifestyle, including, inter alia, smoking, alcohol consumption and weight gain.

While the link between long working hours and the negative impact on workers' health and safety is clear, no such automatic direct link can be established in the case of shorter working hours. In this respect, it is worth noting the importance of both the quantitative reduction of working time and its qualitative regulation. The improvement in health and safety at work is not the same when the reduction in working time consists of a reduction from 50 to 40 hours per week as when it is a matter of moving from a 40-hour working week to a 30-hour working week. On the other hand, the qualitative factor of working time regulation is proving to be very relevant for these purposes in relation to the greater or lesser intensity of working rhythms, the unpredictability of working hours and the flexibility with which the working week is carried out. In many cases, the exchange of shorter working hours for flexibility in their regulation has a more negative impact on the health and safety of workers than longer but less intensive working hours.

3.2. REDUCING WORKING HOURS AND IMPROVING GENDER EQUALITY

The current division of labour and working time comprises a slight modification of the traditional Fordist model (male, industrial worker, and head of household) in the sense that women now combine paid and unpaid work more assiduously. In this sense, the present time is characterised by the fact that, although women have massively entered the labour market, the social gender norms have not evolved so much as to find a scenario in which men are equally involved in unpaid work.

Consequently, women face the so-called triple burden: i) they are responsible for most of the

domestic and care work, ii) they increasingly combine unpaid work while participating in the labour market iii) this market is dominated by the Fordist male model, head of the household and main source of household income.

A study on the time use of workers in the EU-27 is quite telling. Among workers living with at least one child, more women than men are involved in care activities on a daily basis. Interestingly, men working less than 35 hours per week are even less likely to spend their daily time on care activities than those working 35-40 hours. For women, the picture is different: those working part-time are involved in care activities more frequently compared to full-time workers. In fact, the gender gap in care work participation is larger for individuals working less than 19 hours and more than 41 hours per week.

3.3. LESS AND BETTER WORKING TIME, MORE PERSONAL AND FAMILY LIFE

Reducing working time can help achieve a better balance between paid work and private life, meaning more than just family life. Working full-time for 40 or more hours a week and balancing this with unpaid domestic work, the need for social activities and the desire to enjoy leisure time and to participate in the community is a challenge that affects men as well as women.

In this respect, and with regard to the balance between work and family life, the difficulties are not only present in households with traditional family models, but also, and sometimes more acutely, in single-parent families. According to EU statistics, single-parent households accounted for almost 14% of all households with children in the EU in 2022, knowing that most single parents are women, as reported by the European Working Conditions Survey.

3.4. THE COMPLEX RELATIONSHIP BETWEEN WORKING TIME REDUCTION AND EMPLOYMENT

One of the most attractive and complex aspects of working time reduction has been expressed in the slogan "working less means work for all". The basic idea seems simple. The redistribution of working hours would help overcome the current coexistence of unemployment, underemployment and overexploitation being experienced in many countries.

However, given the unemployment situation, there is considerable resistance to exploring working time reduction as a way of improving working time levels.

There is a school of thought that insists that shorter working time could be counterproductive by offering fewer working hours for all. The reasons given are mainly to do with fixed labour costs, since a reduction in working time does not lead to a proportional reduction in fixed labour costs. In other words, this school of economic thought argues that labour costs are higher for employers in work schemes where there are more workers working weeks of less than 40 hours per week.

On the other hand, the reduction of working time must be accompanied by a revision of the regulatory systems for intensifying working rhythms, mainly through the legal institute of (irregular) distribution of working time. The aim there is to avoid the positive effects of reduced working time by preventing the non-distribution of employment through the intensification of working rhythms.

3.5. WORKING TIME AND A SUSTAINABLE ECONOMY

The objective of moving towards a productive model that lays out a horizon of sustainable economies also appears to be linked to the reduction of working time. There are several reasons why a reduction in working time can contribute to the creation of a sustainable economy, if that work has a negative impact on the environment. This is a working assumption that seems irrefutable in the aftermath of the COVID-19 pandemic, but it is worth examining this assertion in a little more detail.

Some studies have made a direct link between longer working time and an increase in the environmental footprint. In households characterised by intensive working hours, where a higher working time burden is concentrated, consumption tends to be more environmentally degrading, because of the time spent on prepared meals on a regular basis, household furnishings or, to mention yet another factor, the type of holidays these households take. Reduced working time could therefore change the composition of consumption towards more environmentally friendly alternatives as there will be time, among other things, for healthier and more environmentally friendly food.

4. REDISTRIBUTING WORKING TIME IN THE DIGITAL ERA

Just-in-time contracting, typical in these business environments, immediately results in uncertainty as to the working time, as well as the worker's hyper-availability. This exacerbates their subordination to economic and business demands.

According to the COLLEEM II Report, in its conclusions of February 2022, working on platforms leads to longer working hours than in the organised economy without digital platforms. Their timetable is configured in time slots during the day such that social relations are not possible for these people, given that they work at night and in weekend shifts. This is a consequence of at least two factors. Firstly, work on digital platforms maintains a complementary relationship with other employment that takes place in classic forms of economic and business organisation. Secondly, the algorithm-based organisation rewards people who work longer hours at times that are clearly anti-social.

Another of the factors that make up the precariousness of work on digital platforms relates to the absence of guarantees of a minimum working time that would ensure that these workers receive a sufficient salary. The consideration of available working time as unpaid time allows digital platforms to sustain the organisation of their business model, without this being reflected in workers' pay. The very configuration of the productive organisation of these business models means that one of the most sensitive rights for workers, the right to limit working time, does not apply to labour relations on digital platforms.

5. COORDINATES OF THE EUROPEAN REGULATION TO ADDRESS THE REDUCTION IN WORKING TIME

The European Union's regulation of working time has been a very important legal-political event in the construction of the European project, despite the resistance from the very beginning from the United Kingdom, since it dealt in a more comprehensive and complete way with the regulation of such an important legal institute, relating it exclusively to the protection of workers' health and safety. The intervention of Community legislation as an incentive for the protection of workers' health brought with it, together with Directive 89/391/EEC, a commitment on the part of the different Member States to ensure a certain level of labour rights. The supranational protection of workers' health and safety was given a kind of immunity from the market and the dynamics of business competitiveness, orienting the rules of competition towards the necessary respect for labour rights that have an impact on occupational health.

To the set of rights aimed at ensuring a cohesive harmonisation of workers' health, there was a further set of legislative provisions that provided scope for adaptation by each Member State as part of the convergence plan to achieve this objective. From the point of view of legal technique, the European



regulations provided for a first mandatory section that laid down the most effective principles for the protection of workers' health and safety and a second part that, on the other hand, introduced important possibilities of flexibility for companies as a counterpart. Ultimately, each Member State was allowed its own regulations to strengthen and even weaken the standards provided for by the former.

This regulatory complexity has given special importance to the interpretative work of the Court of Justice in the construction and development of the rights regulating working time in the supranational area, with a very positive effect on the different domestic legal systems. Aspects as crucial as the concept of working time in relation to the length of the working week, the right to paid annual leave, the calculation of the working day for mobile workers, and so many other matters, have made it possible to further protect workers' health and safety through a uniform interpretation. Such interpretation has sought to strike a balance between workers' rights to a working time regulation that effectively protects their health and safety and employers' needs for flexibility.

However, this regulatory conception of the matter was insufficient for the main European employers' associations. Through the European Commission and from early on these bodies have called for urgent reform to allow business to introduce more flexibility unilaterally, warning that otherwise business competitiveness and the effective delivery of public services would be negatively affected. In this respect, it is worth highlighting the proposals to amend Directive 2003/88/EC promoted by the European Commission, the declared aim of which is to allow employers to introduce greater flexibility in terms of the concept of working time, the working week and, therefore, in the setting of the weekly rest period. Initially (2004), the controversies between the Commission and the Parliament focused on whether it was appropriate to comply with the provisions of Directive 93/104/EC in relation to the disappearance of the opt-out clause, which allowed the weekly working time provided for in Article 6 of the Directive to be exceeded. Subsequently, in close relation to the first amendment proposal, the possibility of working weeks of up to 60 hours, 65 hours in the health sector, was suggested as a mechanism that would allow for a family-friendly policy, by opening up, according to the proposal, more time for reconciling work and family life.

The Commission has again generally raised the need for such legislation to include a greater degree of flexibility, going so far as to propose the repeal of a

qualitatively important part of the case law of the Court of Justice, mainly as regards the concept of working time in the field of the provision of public services, as well as the weekly working time.

This is the situation that must frame the problem discussed in this study. Ultimately, it is worth highlighting the Commission's concern about unifying the meaning of Directive 2003/88/EC in all the national legal systems that make up the European Union, recalling in Spain's case that we are dealing with an autonomous concept of Union Law upon which Member States can only develop more protective regulations so as not to reduce the effectiveness of the regulations on working time. The European Commission, in carrying out such a laudable task, introduces a large part of the proposals to amend Directive 2003/88/EC by assuring that it is the current law on working time. In our opinion, many paragraphs of the Interpretative Communication do not correspond to the law in force but to the wishes of a European Commission that seems determined to storm the Court of Justice in order to impose its demands and at the same time validate a method of creating/amending the law that does not respect the procedures laid down for this purpose.

6. DIVERSITY OF EXPERIENCES IN REDUCING THE WORKING TIME IN EU

6.1. VOLUNTARY SYSTEMS OF REDUCED WORKING TIME: THE CASE OF THE NETHERLANDS

The Dutch 30-hour week, the so-called "part-time economy", introduced in 1980, enabled the Dutch labour market to have high levels of part-time employment, where the reduction in working time was accompanied by a proportional reduction in pay.

With 76% of women working part-time, the Netherlands is the atypical case and a good example of large-scale reduction of working time decided individually by each worker. The large proportion of part-time workers explains why there is an average working week, considering full-time and part-time workers, of less than 30 hours. In other words, the Netherlands has moved towards a four-day working week through individual rather than collective initiatives to reduce working time.

6.2. THE COMPULSORY REDUCTION OF WORKING TIME IN FRANCE

The 35-hour working week system in France was progressively introduced between 1998 and 2008 in all companies on a mandatory basis, but with public incentives. In 1998, the French government put

forward a proposal that weekly working hours be reduced from 39 to 35. This reduction in working time was introduced in two stages.

First, in 1998 through the Aubry I Law and then in 2000 through the adoption of the Aubry II Law. Aubry I announced the 35-hour week for large companies with more than 20 employees willing to reduce working hours through the introduction of tax measures as a kind of incentive to job creation. Aubry II reaffirmed the 35-hour working week, opening the way for the social partners to negotiate both the length and the distribution of the working day, based on the possibility of calculating the working time on an annual basis.

6.3. REDUCED WORKING TIME, WELFARE OF WORKERS AND QUALITY OF PUBLIC SERVICES: THE EXPERIENCE IN SWEDEN

The Swedish example of working time reduction was implemented through the experience carried out in the Svartedalen old people's homes between 2014 and 2016, introducing a working week of 30 hours at six hours per day. This is a working time reduction initiative developed at company level and is compulsory for all employees, with the financial cost of its implementation being borne by the municipality of Gothenburg.

For 23 months, nurses in these nursing homes worked six hours a day instead of eight. In April 2014, the Gothenburg city authorities decided to carry out another similar experiment in 2015 and 2016.

In both cases, the reduction in working time did not affect wages, and additional staff had to be recruited to cover service needs. The salaries of the new employees were paid through public investment.

6.4. REDUCED WORKING TIME AND MAINTAINING EMPLOYMENT: THE VOLKSWAGEN CASE

The working time reduction at Volkswagen in the years 1993 to 1999 consisted in the introduction of a company-wide working week of 28.8 hours in order to cope with a crisis and avoid mass redundancies. The cost of the reduction in working time was borne both by the employer and the employees.

In 1993, the German works council of Volkswagen was informed of the economic problems the company was facing, which affected a third of the 100,000 jobs in the company. As a result, IG Metall reached an unprecedented agreement with the company's management that no redundancies would be made in exchange for a 20% reduction in working hours,

from 36 to 28.8 per week. The reduction in working time was accompanied by an annual wage reduction of around 16%, although it was agreed that the monthly wage would be stable to ensure workers' purchasing power.

7. FINAL THOUGHTS ON HOW TO IMPLEMENT A REDUCTION IN WORKING TIME

The analysis of the case studies on working time reduction shows the plurality of formulas for adopting such a change. However, it can be argued that it is necessary to make progress in building a generally more egalitarian European society. The examples described in this report indicate the multiple motivations for reducing working time and, therefore, the different choices to be made when implementing this reduction. The organisation of working time reductions will be determined by the objectives, and will therefore take different forms depending on the aims pursued.

Some key aspects to be considered in the implementation of policies to reduce the working time are provided below:

- 1.** Any reduction in working time reductions should be preceded by a definition of the objectives pursued. Depending on the size of the reduction, the expected effects in each of the impact areas will differ.
- 2.** Along with the amount of working time to be reduced, thought must be given to the strategy or method of introducing this reduction. That is, whether the reduction should be introduced all at once or progressively. It should be noted that a one-off reduction in working time has certain advantages in terms of changes in company and family culture.
- 3.** The reduction of working time may operate in different time modules, for example on a weekly, monthly, or yearly basis. Depending on the approach to implementing a reduction in working time, the effects on gender equality, employment, sustainability, and other issues may differ substantially. It could be argued that a six-hour working day or a four-day week could be beneficial for work-life balance.
- 4.** One of the most controversial aspects of working time reduction is whether it should be introduced by national legislation or through collective bargaining. The way in which working time is set varies considerably from country to country. At EU level, the Working Time Directive sets the maximum working time at 48 hours per day per week,



including overtime. In many countries, national legislation or a national collective agreement reduces the maximum working time to around 40 hours.

5. Reduced working time can be considered on a compulsory or voluntary basis. In compulsory systems, all workers, companies, and sectors are obliged to reduce working time to a similar level. There are several arguments in favour of individual working time reduction schemes. However, a closer examination of these arguments casts doubt on this voluntary system of reduced working time, since, first of all, it is not entirely clear that the choice of part-time work is freely made. This is the explanation behind men who opt for part-time work do so: they have not found another full-time job. On the other hand, almost 40% of women choose part-time work because of family obligations.



INTRODUCTION

Working time is a central issue in understanding the development of labour and social relations in the European Union. The advances that the normative and legal regulations of this working condition underwent in the long economic and political cycle in the transition from the 20th to the 21st century, in terms of reducing working time and improving work-life balance, have been threatened in the last two decades. The trend towards shorter working time came to a virtual halt in the 1990s, after which it was passed over on political agendas as the economic and financial crises followed one after the other. This trend became evident during the austerity crisis, most intensely in public employment in countries such as Spain, Ireland, and Portugal, where working time was increased without compensation of any kind.

Moreover, this trend coincided with the business strategies of businesses based on pressure on this working condition. The goal was to use flexibility to achieve greater control over working time, with relevant initiatives at the national level and attempts at European level to revise the Working Time Directive. This was despite the fact that with its many derogations and exclusions, it was already a flexible European regulation. However, there are signs that this inertia is beginning to change, firstly through collective bargaining where working time is seeing progress; secondly, through the legislative proposals that are now appearing on the reduction of working time in different Member States.

The European Commission decided not to pursue the revision of the Working Time Directive, putting an end to years of speculation about the repeal or drastic amendment of this key piece of social legislation. Although the European Directive is not a perfect standard—none is—this decision by the Commission means that emphasis must now continue to focus on the area of its most effective implementation. The aim must be to balance the rights and interests of the parties to the employment contract. In this regard, a process that significantly affects the issue of working time has been emerging, the digitalization of the productive economy, and has already transformed many sectors, including

public services. Digitalization must be redirected in such a way as to generate massive increases in productivity while controlling its potential and dramatic impact on both the quantity and quality of employment.

The current reality shows how many working people's working conditions consist of long working hours with anti-social schedules, which inevitably generate stress, fatigue, and exhaustion. The opposite situation is found in the emergence of so-called zero hours contracts, which ultimately pose a threat to the health of these workers. In addition, they make it very difficult for them to plan their lives in terms of both time and income, given the unpredictability of these new forms of employment. While the adoption of the proposal for a Directive on digital platforms workers is a very positive development, it does not answer any questions regarding the realization of this working condition.

The current challenge in terms of working time, generally, is to move from a defensive position, particularly due to the austerity crisis, to an offensive one and reduce working time and reappropriate working time for workers in a balanced and healthy way.

The persistence of the legal culture of maintaining long working hours, spurred on by the economic and business culture, not only proposes a sick and unbalanced working society, but also has a very negative impact on gender equality and other less common aspects, such as the environment.

This report aims to bring together the main arguments in favor of a shorter working day, as well as the different ways in which it can be implemented, whether at the local, sectoral, or national level. Another of the objectives of this report is to point out which aspects of the European legal regulation on working time should be further developed to reduce working hours in a satisfactory and balanced fashion that suits the interests of workers and employers. Lastly, it reviews the experience gained on reducing working time.

CHAPTER I

**DATA AND IMPACTS
OF THE WORKING TIME IN THE
EUROPEAN UNION**

DATA AND CRITERIA FOR UNDERSTANDING THE LENGTH OF THE WORKING DAY IN THE EUROPEAN UNION

Historically, working people have been spending less and less time working. This trend is seen at several levels. Working time has been progressively reduced. In most cases, the working week has been reduced from six days to five or five and a half days. There has also been an increase in paid vacation periods during the working year, and working biographies have been reduced due to greater time devoted to education and to the strengthening of social retirement systems that have allowed for a shortened working life.

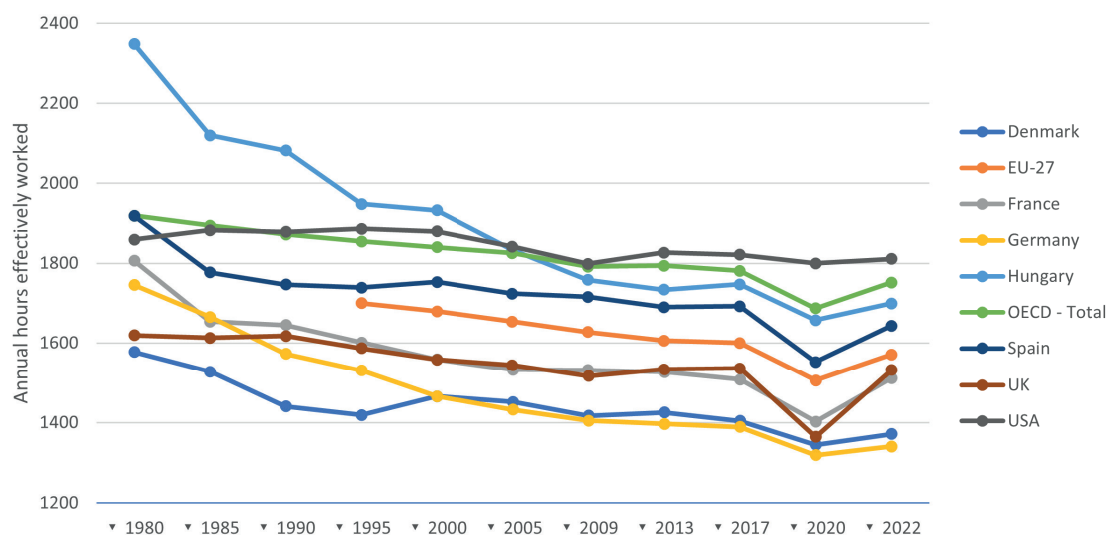
However, the latest analysis of the evolution of the length of working time in recent decades shows how the historical trend towards its reduction has changed. In most countries, the decline in working time has slowed down and, in some countries, has even been reversed. Notably, in the U.S., annual working time has not declined significantly since the mid-1960s. Looking at weekly working time at the full-time employment level, very similar behaviours are

detected, with an increase in the global average over the last decades.

The number of hours worked per person in each country depends not only on how working time has evolved throughout history, but especially on the regulation and culture of working time in that geopolitical space. This regulation is not always elaborated through national laws. In many countries, social partners decide on working time rules through national bodies, sectoral or even individual agreements. This diversity in institutional frameworks makes comparing experiences quite complex.

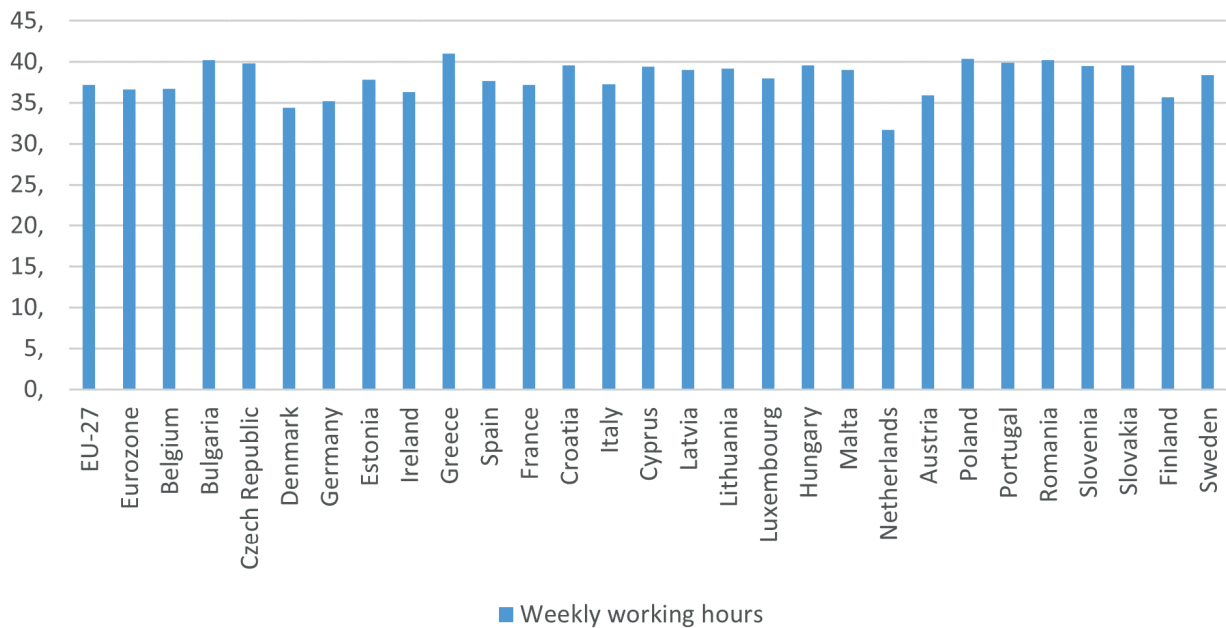
Excluding overtime, the standard working week in the European Union ranges from 35 hours in France to 40 hours in most Central and Eastern European countries, with exceptions such as Luxembourg, with a working week of close to 40 hours, and the Czech Republic, with a working week of 38 hours or less. For these purposes, speaking in terms of normal

Average evolution of hours worked



Source: Prepared by the author based on data provided by the OECD (2024) Hours worked (indicator). doi: 10.1787/47be1c78-en (Accessed on 15 April 2024)

Average duration of ordinary working time in EU-27 (2022)



Source: Prepared by the author based on data from Eurostat. Statistics are available at: https://doi.org/10.2908/LFSA_EWHUN2

working time is most relevant, which includes overtime. Normal working time is significantly higher than that stipulated in collective bargaining agreements. For example, in France the normal working time for a full-time employee is around 40 hours per week. Very similar experiences are found in countries such as Austria and Greece.

Conventional and usual working time normally refer to workers with full-time employment contracts. However, part-time work is a reality whose analysis cannot be ignored when studying the current situation of working time in the European Union. The percentage of workers with part-time contracts has been gradually increasing and now stands at more than 20%. In addition, part-time work has a very important distinguishing feature, namely that this type of employment is mainly occupied by women. Despite certain downward trend since 2013, in 2022, almost 28% of all working women still worked under part-time employment contracts. In other words, part-time work in the European Union is a women's issue and shows disparate behaviours among the Member States.

In most Central and Eastern European countries, Greece, Portugal and Finland, the overall proportion of part-time workers is relatively small, while European Union countries have equal or higher proportions, with about one in three employed women in part-time jobs. In contrast, the proportion of men with part-time jobs is barely one in ten. The exception to this rule is the Netherlands, where more than 70% of employed women hold part-time jobs. In this case men also

tend to have part-time jobs more often than their counterparts in other EU countries (more than one in four employed men in the Netherlands are employed under a part-time contract).

Worth noting is the incidence of part-time work in relation to the average level of usual working hours per week, since weekly working hours in part-time jobs are significantly lower than in full-time jobs. Consequently, a higher proportion of part-time work reduces the average usual weekly working hours at the national level. The average usual weekly working hours for all working people in the European Union is considerably lower. Moreover, as expected, the high proportion of part-time work in the Netherlands translates into an average working week of around 30 hours. In Denmark, Norway, Germany, Ireland and Sweden, the average number of working hours per week is lower than the EU 15 average of about 36.5 hours per week. Only in a few countries does the average number of usual working hours per week exceed 40 hours (Czech Republic, Poland, Bulgaria, and Greece).

It can therefore be said that the differences between countries in the length of the working week are related to the extent of part-time employment, as well as to the strength of collective bargaining in each sector of activity and company. These factors cannot be disconnected from cultural norms and social organization.

TIME	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
GEO (Labels)												
EU-27	19,0	19,6	19,6	19,6	19,6	19,5	19,3	19,3	17,8	17,7	17,6	17,8
Eurozone	21,9	22,7	22,8	22,9	22,9	22,8	22,6	22,7	20,8	20,7	20,5	20,7
Belgium	24,7	24,2	23,6	24,2	24,6	24,5	24,5	24,8	24,4	24,1	23,8	23,7
Bulgaria	2,2	2,4	2,4	2,2	2,0	2,2	1,8	1,9	1,8	1,6	1,6	1,4
Czech Republic	5,0	5,8	5,5	5,3	5,7	6,2	6,3	6,3	5,7	5,7	6,0	6,9
Denmark	24,1	24,0	23,9	23,8	25,0	24,7	23,9	24,2	23,4	23,9	24,2	25,2
Germany	32,3	33,3	33,2	33,5	33,4	33,7	33,6	34,1	27,9	27,8	28,0	28,8
Estonia	9,1	8,8	8,3	9,3	9,7	9,5	10,9	11,2	12,1	12,2	13,2	13,5
Ireland	23,6	23,7	22,9	22,2	21,9	20,1	19,5	19,6	17,8	19,8	20,1	20,4
Greece	7,9	8,6	9,5	9,6	10,0	10,0	9,3	9,3	8,8	8,2	8,0	7,3
Spain	14,4	15,7	15,8	15,6	15,1	14,9	14,5	14,5	13,9	13,7	13,3	13,2
France	18,4	18,8	19,2	19,0	18,9	18,9	18,6	18,1	17,6	17,3	16,5	16,6
Croatia	5,6	5,4	5,3	6,0	5,6	4,8	5,2	4,8	4,5	4,7	4,7	3,7
Italy	16,9	17,8	18,3	18,4	18,7	18,7	18,5	18,9	18,3	18,2	17,9	17,6
Cyprus	9,7	11,9	13,5	13,0	13,4	12,2	10,8	10,2	10,0	10,1	9,3	8,0
Latvia	7,6	6,4	5,8	6,1	7,2	6,5	6,1	7,1	7,6	7,8	6,6	6,8
Lithuania	8,9	8,4	8,6	7,6	7,1	7,6	7,1	6,4	6,1	6,0	5,7	5,9
Luxembourg	18,5	18,7	18,4	18,4	19,2	19,5	17,7	16,9	18,0	18,0	18,2	18,2
Hungary	6,5	6,2	5,8	5,5	4,7	4,2	4,1	4,3	4,7	4,6	4,2	4,0
Malta	13,2	14,0	15,3	14,3	13,9	13,7	13,1	12,1	11,1	10,7	10,8	10,7
Netherlands	39,3	40,0	39,7	40,2	40,0	40,4	40,8	41,1	41,6	42,2	42,2	42,4
Austria	26,1	26,9	27,9	28,3	28,8	28,9	28,3	28,2	28,1	28,7	29,7	30,1
Poland	7,2	7,1	7,1	6,8	6,4	6,6	6,5	6,1	5,9	5,2	5,4	5,7
Portugal	9,2	9,4	8,7	8,8	8,5	8,1	7,5	7,6	7,1	6,9	6,8	7,2
Romania	6,0	5,9	5,7	5,7	4,8	4,3	4,1	3,8	3,7	3,7	3,3	3,4
Slovenia	10,0	10,2	11,0	11,1	10,2	11,3	10,7	9,3	9,1	9,2	8,7	8,5
Slovakia	2,8	3,2	3,6	4,1	4,1	4,2	3,5	3,2	3,2	3,1	3,1	3,3
Finland	14,9	14,8	14,9	14,9	15,8	15,9	16,0	16,4	15,6	16,9	16,9	16,8
Sweden	22,9	22,6	22,5	22,2	21,8	21,3	20,6	20,5	20,3	20,3	20,2	19,9

% part-time employment over total employment

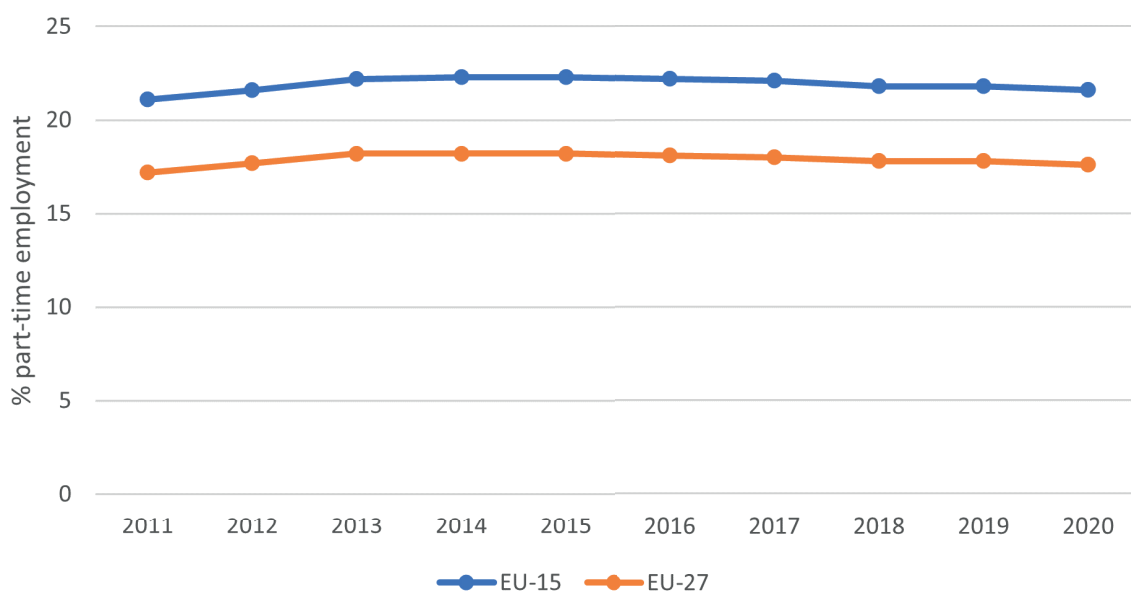
Source: Prepared by the author based on data from Eurostat. Statistics are available at: <https://doi.org/10.2908/TPS00159>

1. PART-TIME WORK: GENDER AND OCCUPATIONAL DISTRIBUTION

Part-time work is predominantly concentrated among female workers, routine tasks, and low-skilled service jobs. A similar distribution, although to a lesser extent, is observed in the case of part-time work performed by men.

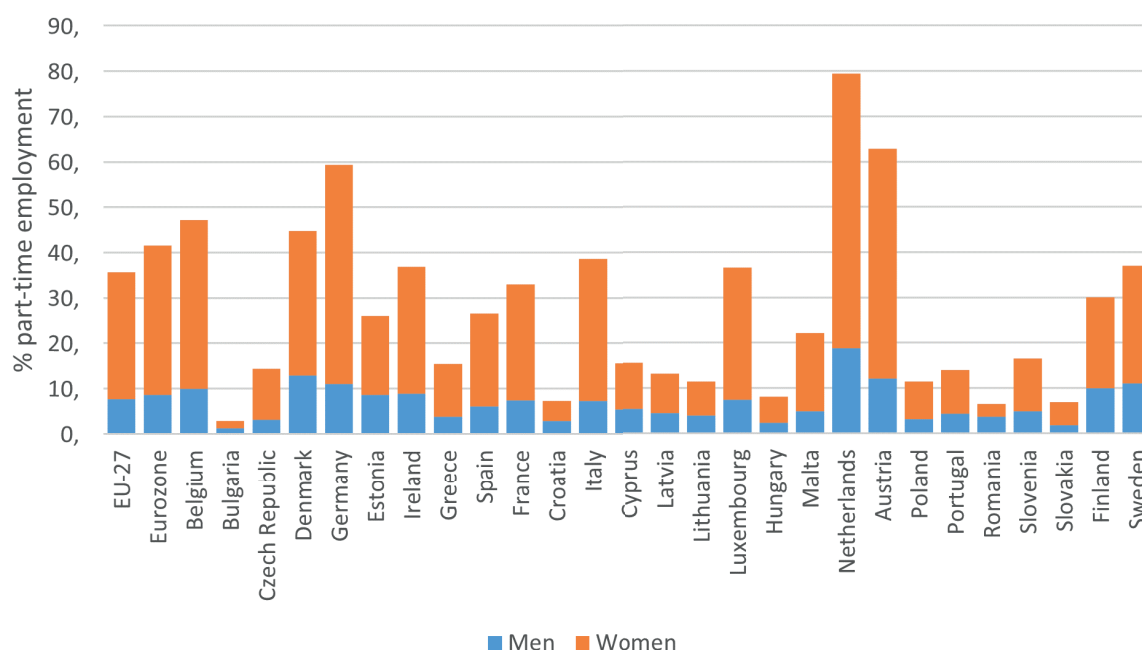
Between the years 2008 and 2015, a period attributed to the most intense development of the austerity crisis in the European Union, the share of part-time jobs in all elementary occupations grew by more than five percentage points for both men and women, while the overall share of part-time jobs in all other

Evolution of part-time work in the European Union



Source: Prepared by the author based on data from Eurostat (Part-time employment (1993-2020) annual data).

Part-time work in the EU (2023)



Source: Prepared by the author based on data from Eurostat. Statistics are available at: <https://doi.org/10.2908/TPS00159>

occupations grew by only about two percentage points in the same period.

If we compare the career prospects of part-time jobs with those of full-time jobs, we reach a very similar conclusion. Part-time jobs show a clear tendency to have far fewer career opportunities than full-time jobs. Approximately half of all respondents in the European Union who were employed in a part-time job disagreed or strongly disagreed with the statement “my job offers good prospects for career advancement”. Among working people with a full-time employment contract, only 35.4% disagreed or strongly disagreed with the same statement.

Regarding the duration of the employment contract, most workers in the European Union work for an indefinite period. In this sense, there is a relationship between full-time employment and indefinite duration of the contract. While 85.5% of full-time jobs are indefinite, only 67.9% of part-time workers have an indefinite contract. In other words, part-time workers tend to have fixed-term, temporary contracts, whether they are hired directly or indirectly (through temporary employment agencies or placement agencies).

2. REDISTRIBUTION OF WORK AFTER THE 2008 CRISIS

A key factor in understanding the behaviour of European workers’ working time over the last two decades has been the economic recession that began in 2008 and the subsequent unemployment crisis.

In general, the number of employed decreased less than the total volume of work measured in number of hours. To summarize, this means that those people who remained in the labour market work, on average, fewer hours than at the beginning of the century. Similarly, it is important to note that employment levels also recovered much faster than working time, in contrast to the period between 2002 and 2006, when employment growth was proportional to the increase in total hours worked. However, at the height of the labour crisis in 2013, employment fell to levels below those of 2006, while total hours worked fell to levels not seen since 2007.

This process led to a redistribution of work in which the total number of working hours decreased more than the number of workers working them. Working time in the EU-27 has decreased, on average, by about 0.8 hours per week. Employment initially declined after the crisis, but has now recovered to pre-crisis levels. Since 2007, employment in Europe is about 1% higher than pre-crisis levels. However, the total number of hours worked is still more than

1% below pre-crisis levels. In other words, employment has been redistributed.

According to some estimates, this was the case for more than 4.5 million jobs in the European Union, meaning that all jobs were reduced by one hour and new jobs were created for the remaining hours. Many of the changes have to do with composition effects.

The change in the number of weekly working hours during the crisis also impacted other aspects of the organization of working time at EU level. For example, between 2005 and 2010, there was a decrease in the number of overtime and long working hours, working days of more than ten hours, as well as work during unsocial hours, such as weekends and evenings. However, from 2015 onwards, working people in the EU reported working on Sundays, Saturdays, and evenings more frequently than in 2010.

3. HOUSEHOLD COMPOSITION AND LENGTH OF THE WORKING DAY

Historical figures on working time show that working time has decreased over the years. However, all these figures focus on an individual analysis, giving an inaccurate picture of the collective reality, of what has happened in society. For one, these figures ignore the fact that women did not previously have a significant presence in the labour market. During the decade from 2005 to 2015, the number of households where all adults held paying jobs increased in the EU-28 by 16.1%. During the same period, households with no working adults also increased by 15.2%, mainly due to the ageing of the population, with a strong increase in households composed only of inactive adults aged 65 and over.

Among working-age adults, households where all adults work have become the common social pattern. This may suggest that work intensity, as measured by participation in paid employment, has increased at the household level.

When looking only at couple households with children, the trend is very similar. There has been an increase in dual income households, where both partners work full-time (12.1%), and in one-and-a-half income households, where one partner works full-time and the other part-time (11.2%). Therefore, at EU level, it cannot be said that there is an increase in part-time work as a strategy for families to reconcile childcare responsibilities with paid employment.

Working time according to household composition. EU-28 (2005-2015).

		2005-2015 (in thousands)
	%	
All adults working	16,1	21.901,1
All adults not working	15,2	15.584,4
All adults not working (excluding households composed solely of students or solely inactive aged 65 and over)	5,4	2.555,4
All adults working full time in households with dependent children	12,1	3.555,6
All adults working full time in households without dependent children	13,7	2.825,2
At least one adult working part time and one working full time in households with dependent children	11,2	2.301,1
At least one adult working part time and one working full time in households without dependent children	30,7	2.624,3

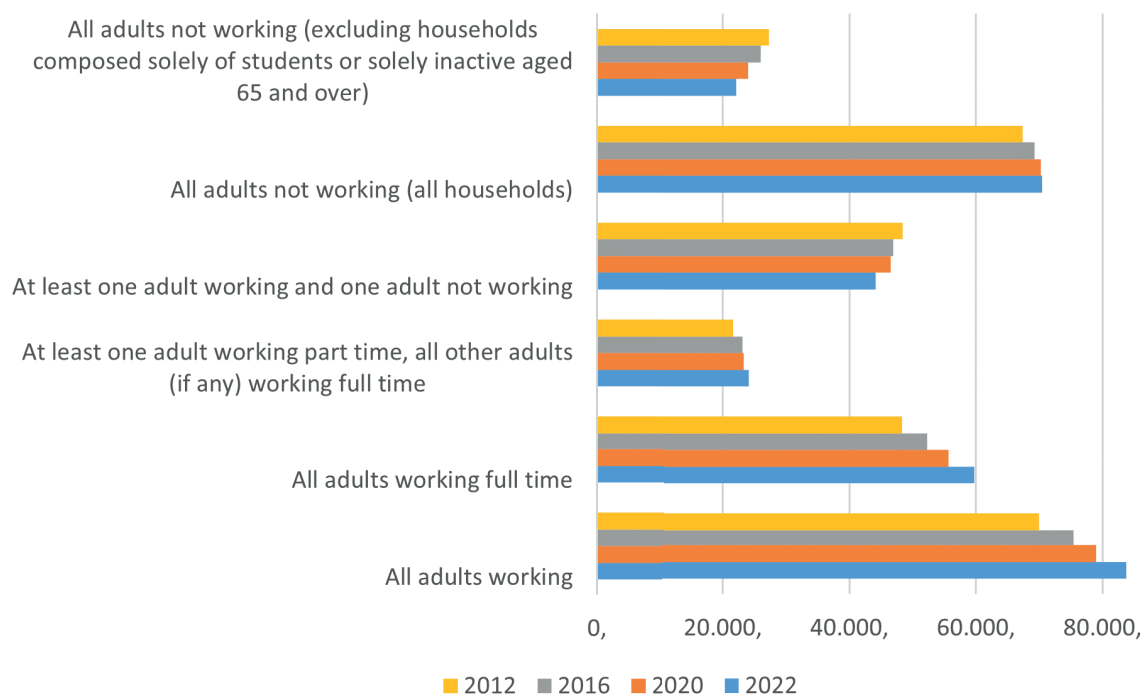
Source: Prepared by the author based on data from Eurostat

What we do observe, on the contrary, is a strong increase in households with one and a half incomes among couples with no children. This figure increased 30.7% between 2005 and 2015. This suggests that there are other factors driving the recent increase in the share of part-time work in the EU, in particular, increased concern and care for dependents.

In relation to households with children, it is typically working women who reduce their working time by an average of three hours, while men increase their working time by an average of one hour.

What has been stated so far leads us to argue that the debate on working time lacks an analysis at a collective and social level, due to the impact that reconciling personal, family and working life has on equality between men and women.

Working time by household composition



Source: Prepared by the author based on data from Eurostat. Statistics are available at: https://doi.org/10.2908/LFST_HHNNHWHTC

4. WORKING TIME IN THE COVID-19 HEALTH CRISIS

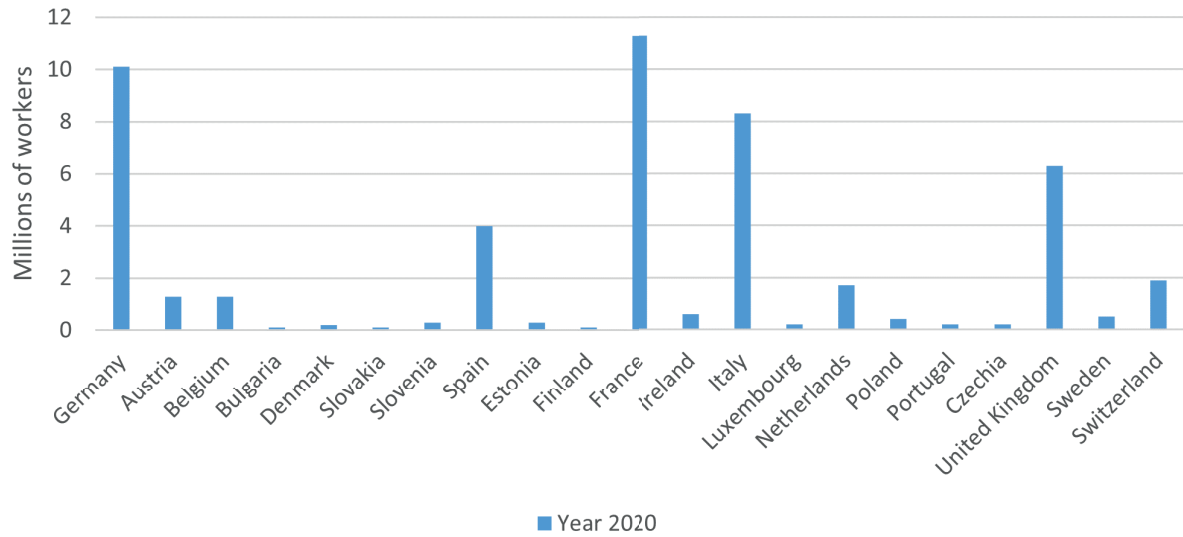
Having analysed the impact of the economic-financial crisis of 2008 in terms of working time, we will do the same in relation to the socio-economic crisis caused by the emergence of COVID-19. It is worth noting from the outset that, while that crisis led to an increase in working time, the solution offered in the recent crisis of 2020 has, on the contrary, involved formulas for reducing working time as a mechanism to avoid job losses. The number of workers affected by reduced working time formulas during the COVID-19 crisis in Europe has far exceeded the number of workers who received benefits for the same reason during the 2008 austerity crisis.

Data on the use of this reduction in working time are not easily comparable because working time is measured differently from one country to another. With this clarification, the number of workers who have participated in this type of working time reductions across Europe amounted to more than 50 million working people at the end of April 2020: 11.3 million, France having the highest number (Ministère du Travail 2020); followed by Germany with 10.1 million (Bundesagentur für Arbeit 2020); Italy with 8.3 million (Istituto Nazionale Previdenza Sociale 2020); and the UK with 6.3 million (Financial

Times 2020). In the EU-27, there were more than 42 million working people in this situation. The reduction in working time has contributed significantly to maintaining employment, at least in the immediate term.

There are large differences in the proportion of working people with reduced working hours across Europe. Almost half of all workers who have undergone such reductions in working time are in Switzerland (48.1%) and France (47.8%), followed by Italy with 46.6% and Luxembourg with 44.5%. There are five countries, Slovenia, Croatia, Austria, Belgium, and Ireland, where around one third of all workers have at some point undergone reductions in working time, and four other countries, Germany, Spain, the United Kingdom, and the Netherlands, where this proportion was around one quarter. A relatively low proportion, around or even below 10%, were in the Nordic countries, Denmark, Finland, and Sweden, as well as many Central and Eastern European countries, such as Bulgaria, the Czech Republic, Poland, and Slovakia. Across the EU-27, more than a quarter of the approximately 160 million working persons have experienced reductions in working time.

Number of workers participating in short-time work and similar schemes



Source: Prepared by the author based on data from ETUI. Available at: <https://www.etui.org/about-etui/news/42-million-applications-for-short-time-work>

IMPACTS OF REDUCED WORKING TIME

1. REDUCING WORKING TIME, IMPROVING PHYSICAL AND MENTAL HEALTH

One of the main arguments justifying the reduction of working time relates to the negative health impact of long working hours. The onset of fatigue increases the likelihood that workers will suffer an accident at work or that they will suffer from illnesses, especially mental illnesses.

Multiple studies have demonstrated the close relationship between work, time, and health. In particular, working long hours is directly related to cardiovascular diseases, depression, anxiety and, just to mention a few, reduced sleep quality. In addition, it has been found that longer working hours are linked to an unhealthy lifestyle, including, inter alia, smoking, alcohol consumption and weight gain.

For this reason, Directive 2003/88/EC has as its legal basis the organisation of certain aspects of working time in relation to the protection of workers' health and safety. Similarly, the European Charter of Fundamental Rights invokes the right to effective limitation of working time, to annual leave and guarantees rest periods, in order to respect workers' health, safety and dignity.

While the link between long working hours and the negative impact on workers' health and safety is clear, no such automatic direct link can be established in the case of shorter working hours. In this respect, it is worth noting the importance of both the quantitative reduction of working time and its qualitative regulation. The improvement in health and safety at work is not the same when the reduction in working time consists of a reduction from 50 to 40 hours per week as when it is a matter of moving from a 40-hour working week to a 30-hour working week. On the other hand, the qualitative factor of working time regulation is proving to be very relevant for these purposes in relation to the greater or lesser intensity of working rhythms, the unpredictability of working hours and the flexibility with which the working week is carried out. In many cases, the exchange of shorter working hours for flexibility in

their regulation has a more negative impact on the health and safety of workers than longer but less intensive working hours.

Reference to the relationship between work and mental health is becoming more and more common and obligatory. In general terms, without naming any specific mental illness, we are witnessing a time when more and more workers are affected by burnout and depression. Studies by the European Agency for Safety and Health at Work report a direct link between stress and burnout and long working hours.

Time spent at work is, among others, a determining factor for stress and burnout, especially when there is not enough time for recovery. These situations are becoming more and more common as a result of the introduction of a high degree of flexibility in the organisation of working time, which makes it possible to work weeks of more than 60 hours at times. In other words, the length of working time is not the only factor triggering burnout, but also the work pressure to which workers are subjected because of the intensification of work rhythms. Said new intensity is due to certain business uses and behaviours regarding the flexibility of this working condition.

Unfortunately, some experiences show that frequent decreases in working time go hand in hand with increases in work intensity. This is true for the two case studies in France and Volkswagen. This working hypothesis was also confirmed in a study of working people in 22 European countries, in which the reduction of working time combined with employer control over the scheduling of these hours produced very high levels of work intensity. Only when the reduction in working time is fully compensated by additional employment or when workers can organise their working hours, is there a reduction in stress and burnout.

2. WORKING TIME AND GENDER EQUALITY

The current division of labour and working time comprises a slight modification of the traditional Fordist model (male, industrial worker, and head of household) in the sense that women now combine paid and unpaid work more assiduously. In this sense, the present time is characterised by the fact that, although women have massively entered the labour market, the social gender norms have not evolved so much as to find a scenario in which men are equally involved in unpaid work.

Consequently, women face the so-called triple burden: i) they are responsible for most of the domestic and care work, ii) they increasingly combine unpaid work while participating in the labour market iii) this market is dominated by the Fordist male model, head of the household and main source of household income. This is particularly evident in the high drop-out rates of women in the labour market. This happens more frequently in countries with a low rate of part-time work.

For women seeking to remain active in the labour market, the burden of care and domestic work makes it difficult to devote as much time as their male counterparts to paid work, which puts them at a disadvantage in terms of career opportunities.

In this sense, the reduction of the working time has the potential, in the first place, to allow more women to enter the labour market. These would be women who cannot currently combine care and housework with paid work but who would be able to do so if the working week were shorter.

Secondly, a shorter working week would help women to achieve greater equality in the labour market. Their current responsibility for care and housework limits their ability to invest time at work. Men tend to be more available for overtime, to have fewer career breaks, and are thus more likely to be able to take up the flexibility proposed by employers. A shorter working week would ultimately allow more women to work full-time and could enable them to respond to accepted working time norms.

Thirdly, if men reduce their working time through a shorter working week, this could encourage them to take on more domestic and caring tasks, which could rebalance the burden of domestic tasks. This would alleviate some of the burden of work, paid and unpaid, on women and could further boost their labour market participation.

Note that in the absence of a collective reduction in working time at EU level, the challenge will still be to promote women's participation in the labour market, with the risk of furthering the fact that women are increasingly working part-time.

A study on the time use of workers in the EU-27 is quite telling. Among workers living with at least one child, more women than men are involved in care activities on a daily basis. Interestingly, men working less than 35 hours per week are even less likely to spend their daily time on care activities than those working 35-40 hours. For women, the picture is different: those working part-time are involved in care activities more frequently compared to full-time workers. In fact, the gender gap in care work participation is larger for individuals working less than 19 hours and more than 41 hours per week.

3. LESS AND BETTER WORKING TIME, MORE PERSONAL AND FAMILY LIFE

Reducing working time can help achieve a better balance between paid work and private life, meaning more than just family life. Working full-time for 40 or more hours a week and balancing this with unpaid domestic work, the need for social activities and the desire to enjoy leisure time and to participate in the community is a challenge that affects men as well as women.

In this respect, and with regard to the balance between work and family life, the difficulties are not only present in households with traditional family models, but also, and sometimes more acutely, in single-parent families. According to EU statistics, single-parent households accounted for almost 14% of all households with children in the EU in 2022, knowing that most single parents are women, as reported by the European Working Conditions Survey.

According to the survey, around 18% of working people expressed noticeable difficulties in balancing their work and non-work life in 2021. In 2015, this figure was 19%. There is an unquestionable direct link between longer working hours and greater difficulties in balancing work and family life, and these problems are more disadvantageous for women than for men.

In the EU-28 in 2015, 33.3% of working people with a working week of more than 41 hours reported serious problems in reconciling paid work and other spheres of life, compared to 15.6% of those working between 35 and 40 hours per week and 11.2% with

a working week of between 30 and 34 hours per week.

In addition to the length of the normal working week, there are other determining factors in finding a certain work/life balance, such as overtime and predictability of work (the time at which the working time is performed).

Reducing only the volume of working time would therefore have some beneficial effects, but would not solve all of them. For example, if the reduction of working time is agreed so as to introduce more flexibility and intensification, the overall result could even be negative from this point of view.

4. THE COMPLEX RELATIONSHIP BETWEEN WORKING TIME REDUCTION AND EMPLOYMENT

One of the most attractive and complex aspects of working time reduction has been expressed in the slogan “working less means work for all”. The basic idea seems simple. The redistribution of working hours would help overcome the current coexistence of unemployment, underemployment and overexploitation being experienced in many countries.

The claim, as we argue, is attractive, given that the reality of unemployment levels is worrying in many EU countries. In December 2016, the unemployment rate stood at around 10% on average in the EU, but with large differences across Member States. While the employment rate recovered after the austerity crisis, since the onset of the COVID-19 crisis, unemployment has risen significantly, with the recovery of unemployment varying from country to country.

However, given the unemployment situation, there is considerable resistance to exploring working time reduction as a way of improving working time levels. There is a school of thought that insists that shorter working time could be counterproductive by offering fewer working hours for all. The reasons given are mainly to do with fixed labour costs, since a reduction in working time does not lead to a proportional reduction in fixed labour costs. In other words, this school of economic thought argues that labour costs are higher for employers in work schemes where there are more workers working weeks of less than 40 hours per week. In addition, there is the possibility that employers may hire the same number of workers, even if they have reduced working time, and use overtime to meet the productive need for working hours.

On the other hand, the reduction of working time must be accompanied by a revision of the regulatory systems for intensifying working rhythms, mainly through the legal institute of (irregular) distribution of working time. The aim there is to avoid the positive effects of reduced working time by preventing the non-distribution of employment through the intensification of working rhythms.

However, there is unanimous agreement that the reduction of working time is a very appropriate tool for reducing unemployment levels. In other words, the reduction of working time would lead to an imperfect redistribution of employment, depending on how it is implemented.

The most interesting studies in this respect offer valuable information on how to operate a working time reduction that effectively creates jobs. It is worth noting significant reductions in working time must be implemented alongside the reorganisation of working time in order to extend hours of operation, adjust working hours to reduce costs and increase productivity. Similarly, emphasis must be placed on the fact that to implement reductions in working time that are effective in terms of employment, it is absolutely necessary to articulate overtime regulations to prevent such reductions in working time from being neutralised through overtime.

5. AN UNDERANALYZED VARIABLE: WORKING TIME AND A SUSTAINABLE ECONOMY

The objective of moving towards a productive model that lays out a horizon of sustainable economies also appears to be linked to the reduction of working time. There are several reasons why a reduction in working time can contribute to the creation of a sustainable economy, if that work has a negative impact on the environment. This is a working assumption that seems irrefutable in the aftermath of the COVID-19 pandemic, but it is worth examining this assertion in a little more detail.

Some studies have made a direct link between longer working time and an increase in the environmental footprint. In households characterised by intensive working hours, where a higher working time burden is concentrated, consumption tends to be more environmentally degrading, because of the time spent on prepared meals on a regular basis, household furnishings or, to mention yet another factor, the type of holidays these households take. Reduced working time could therefore change the composition of consumption towards more environmentally friendly

alternatives as there will be time, among other things, for healthier and more environmentally friendly food.

Similarly, it should be noted that the current distribution of earnings between capital and labour income promotes higher consumption of goods and services. Therefore, if productivity increases result in freeing up working time in favour of leisure time, this would reduce negative effects on the environment.

Some studies show a direct link between shorter working hours and smaller ecological and carbon footprints. In the same vein, a study on working time and greenhouse gas emissions indicates that a 1% decrease in working hours could be accompanied, on average, by a 0.8% decrease in greenhouse gas emissions.

6. REDUCING WORKING TIME AND INCREASING PRODUCTIVITY

The relationship between working time and productivity in the European Union presents very positive aspects, where reduced working time could increase said productivity. Indeed, the reduction of working time has a positive relationship with increased labour productivity, as reported by the ILO since 2004, through improved physiological, motivational, and organisational effects.

Firstly, it is worth highlighting how the reduction in working time promotes greater productivity in work performance because of worker's greater engagement in shorter working hours. Shorter hours also allow for longer rest periods, so workers can physically recover more completely.

In terms of motivation, the idea of shorter working hours has a positive effect on work performance, making it more effective.

The third improvement could be due to better work organisation, as the reduction of working time must go hand in hand with a review of work organisation. This should streamline the work process and enable employees to do more in less time.

Studies on the relationship between working time and productivity generally confirm that shorter working time is accompanied by more productive employees. Many studies compare part-time with full-time, although such a comparison is not as indicative of how a collective reduction in working time might affect labour productivity. One study investigated the effect of long working hours on cognitive ability, concluding that "longer working hours result in lower cognitive performance scores.

In other words, you are literally making your employees stupid". Similarly, some interesting research showed a clear decrease in productivity as the number of hours worked per week increased. In addition, there is a large body of research showing that in the long term irregular working time leads to a variety of physical and mental health problems and injury risks that limit the ability to remain productive at work.

Reduced working time can also affect productivity in other ways. By combining reduced working time with extended operating times, capital productivity may increase. Indeed, when machines or offices are in operation for, say, 14 hours per day instead of ten, the costs of those machines are spread over more output, increasing the productivity of capital. This is an increase in the productivity of capital through a more intensive use of the means of production and the labour force, which, on the contrary, could have negative effects on the health and well-being of workers.

In short, if the reduction of working time leads to an increase in hourly productivity, this immediately helps to solve the problem of who is financially responsible for the reduction of working time. If workers perform the same amount of work in fewer hours, they can earn the same wage while the firm continues to produce at the same cost. If reduced working time does increase productivity, its financing seems to be only a matter of time.

The problem with this approach is that this relationship between reduced working time and increased productivity has a very limited, even negative impact in terms of employment. If the same number of workers do the same amount of work in less time, there is no need to employ more workers at a later stage.

In addition, the increase in productivity raises a problem related to the intensification of working rhythms and health risks for workers. If employers implement working time reduction as a productivity-enhancing measure aimed at reducing costs and better aligning staffing levels with workloads, it is very likely to lead to an intensification of work that is unhealthy for workers. It is therefore crucial, when reducing working time, to balance the power to set working rhythms and working hours between employers and workers.

REDISTRIBUTING WORKING TIME IN THE DIGITAL ERA

One of the most recent and controversial aspects of working time regulation relates to the work taking place in the so-called digital age, both within the business models of digital platforms and remote working. The digital technologies surrounding these manifestations of paid work are clearly disruptive, especially when determining working time, working hours and rest periods, as well as the effective protection of workers' health and safety.

The intensity of this disruption has caused an upheaval in the legal systems of the European Union, calling into question traditional legal concepts such as effective working time, periods of availability, and the recording of working hours. This situation has made it necessary to review working time regulations to adapt them to this era of digital organisation of capitalist production. As shown by the introduction in the Spanish labour legal system of Law 12/2021, of 28 September, which amends the revised text of the Workers' Statute Law, approved by Royal Legislative Decree 2/2015, of 23 October, to guarantee the labour rights of people dedicated to delivery in the field of digital platforms, it is not sufficient for the purposes of establishing a working time regime to resolve the most conflictive aspect of these employment relationships, such as their legal qualification.

The organisation of work on digital platforms decisively generates a high rate of job insecurity, a consequence of its configuration as a flexible job where the worker has the apparent ability to determine the time and volume of work. However, the reality of these employment relationships has clearly shown the negative effects of working time flexibility.

Just-in-time contracting, typical in these business environments, immediately results in uncertainty as to the working time, as well as the worker's hyper-availability. This exacerbates their subordination to economic and business demands. According to the COLLEEM II Report, in its conclusions of February 2022, working on platforms leads to longer working hours than in the organised economy without digital platforms. Their timetable is configured in time slots during the day such that social relations are not

possible for these people, given that they work at night and in weekend shifts. This is a consequence of at least two factors. Firstly, work on digital platforms maintains a complementary relationship with other employment that takes place in classic forms of economic and business organisation. Secondly, the algorithm-based organisation rewards people who work longer hours at times that are clearly anti-social.

Another of the factors that make up the precariousness of work on digital platforms relates to the absence of guarantees of a minimum working time that would ensure that these workers receive a sufficient salary. The consideration of available working time as unpaid time allows digital platforms to sustain the organisation of their business model, without this being reflected in workers' pay. The very configuration of the productive organisation of these business models means that one of the most sensitive rights for workers, the right to limit working time, does not apply to labour relations on digital platforms.

The way business powers are articulated in these business models, based on gamification and the distribution of tasks through algorithmic criteria, workers are obliged to connect to the platform for a certain amount of time in time slots when there is a high demand for service. They must also accept a minimum number of orders so as not to be disconnected from the platform and to be able to access a higher number of orders in time slots where the remuneration is higher. This relational dynamic imposed by the managerial and organisational power of the digital platform businesses severely restricts the possibilities of workers to integrate their personal and/or family lives into the work lives, creating a contractual legal relationship in which workers adhere to an organisational proposal characteristically lacking foresight and transparency in the working conditions.

The other area in which the reordering of working time represents a challenge for digital labour law is telecommuting and teleworking. This area may threaten the advances made in relation to working time and equality between women and men, as it has been noted how teleworking in particular can



perpetuate undesirable traditional gender roles by increasing the amount of women teleworking.

This contractual modality has introduced new occupational, physical, and psychosocial risks that are only now becoming known and appreciated. The labour conflict in this area justifies a regulatory reconsideration to reform working time in line with collectively negotiated systems of control and working time supervision. This reform should take a stance and state that power and internet cuts in workplaces chosen by workers other than company premises should be classified as working time and breaks or absences needed to go to the bathroom should be considered as such and not be computed as rest time (the reform does not need to clarify how to calculate these times in this case), or, conversely, it is appropriate to classify breakfast and coffee breaks recorded by the counting system as rest time and legal for the counting system to be controlled by the worker, in partnership with the company, or autonomously.



DATA AND IMPACTS OF THE WORKING TIME IN THE EUROPEAN UNION

CAPÍTULO II

REDUCED WORKING TIME IN EUROPEAN UNION REGULATIONS

COORDINATES OF THE EUROPEAN REGULATION ON WORKING TIME

The Treaty of Lisbon has ushered in a new political and social scenario for the European Union. The legal effectiveness of the Charter of Fundamental Rights has become part of the Union's primary law, which has led to a review of European legislation. The examination of this legislation is essential to ensure that European citizens are protected by the rights that society has granted itself in order to be able to function and develop.

This is the case of Directive 2003/88/EC concerning certain aspects of the organisation of working time. Working time constitutes an essential pillar in labour relations and its analysis must be carried out, from this point onwards, from the perspective of Fundamental Rights. The daily exercise of Fundamental Rights undoubtedly promotes the establishment of the European Union's system of values based on a more social understanding of the Union.

Community regulation of working time has gone through various stages from the 1970s to the present day. Each of these regulatory periods has presented different approaches to the subject, and the most notable evolution of European legislation on working time has consisted in that it has become progressively less imperative. With this development, the existence of different standards of protection according to the convenience or necessity of the different Member States has been allowed and even encouraged. This means that in the European supranational legal space, we are now witnessing a diversity of regulations on the subject which, under the political-legislative acceptance of labour flexibility, has caused and continues to cause European labour relations to be marked by the idea of social dumping and also of business dumping.

Thus, while the first Community regulations were dominated by the idea of protecting workers' interests, fundamentally linked to the protection of health and safety, the most recent regulations, including the draft amendment of the Working Time Directive, have placed the company and the market at the centre of European regulations.

This process, beyond the criticisms that the fact of redirecting the objectives of working time regulation at the European level may entail, is one of the most evident manifestations of the change in the European productive and social model. Until a certain point in time, European labour regulations—including those on working time—maintained a balanced relationship with economic freedoms. In other words, the exercise of freedom of enterprise, through free competition between the different national markets, was based on respect for a minimum level of rights common to all European workers. The production model that held this vision of labour standards promoted, during the period between the 1970s and the 1980s, an economic development in which business surpluses were not strictly dependent on prices and the cost of labour. Therefore, business competitiveness and fair competition were based on compliance with the same minimum standards for all Member States, on the understanding that the European business pole could not—and cannot—compete on labour costs with other areas of the capitalist world.

GUARANTEES AND FLEXIBILITY IN DIRECTIVE 2003/88/EC

The European Union's regulation of working time has been a very important legal-political event in the construction of the European project, despite the resistance from the very beginning from the United Kingdom, since it dealt in a more comprehensive and complete way with the regulation of such an important legal institute, relating it exclusively to the protection of workers' health and safety. The intervention of Community legislation as an incentive for the protection of workers' health brought with it, together with Directive 89/391/EEC, a commitment on the part of the different Member States to ensure a certain level of labour rights. The supranational protection of workers' health and safety was given a kind of immunity from the market and the dynamics of business competitiveness, orienting the rules of competition towards the necessary respect for labour rights that have an impact on occupational health.

In addition to the set of rights aimed at ensuring a cohesive harmonisation of workers' health, there was a further set of legislative provisions that provided scope for adaptation by each Member State as part of the convergence plan to achieve this objective. From the point of view of legal technique, the European regulations provided for a first mandatory section that laid down the most effective principles for the protection of workers' health and safety and a second part that, on the other hand, introduced important possibilities of flexibility for companies as a counterpart. Ultimately, each Member State was allowed its own regulations to strengthen and even weaken the standards provided for by the former.

This regulatory complexity has given special importance to the interpretative work of the Court of Justice in the construction and development of the rights regulating working time in the supranational area, with a very positive effect on the different domestic legal systems. Aspects as crucial as the concept of working time in relation to the length of the working week, the right to paid annual leave, the calculation of the working day for mobile workers, and so many other matters, have made it possible to further protect workers' health and safety through a uniform interpretation. Such interpretation has sought to strike a balance between workers' rights

to a working time regulation that effectively protects their health and safety and employers' needs for flexibility, despite the fact that, as was indirectly indicated above, the latter falls outside the purpose of the Directive.

However, this regulatory conception of the matter was insufficient for the main European employers' associations. Through the European Commission and from early on these bodies have called for urgent reform to allow business to introduce more flexibility unilaterally, warning that otherwise business competitiveness and the effective delivery of public services would be negatively affected.

In this respect, it is worth highlighting the proposals to amend Directive 2003/88/EC promoted by the European Commission, the declared aim of which is to allow employers to introduce greater flexibility in terms of the concept of working time, the working week and, therefore, in the setting of the weekly rest period. Initially (2004), the controversies between the Commission and the Parliament focused on whether it was appropriate to comply with the provisions of Directive 93/104/EC in relation to the disappearance of the opt-out clause, which allowed the weekly working time provided for in Article 6 of the Directive to be exceeded. Subsequently, in close relation to the first amendment proposal, the possibility of working weeks of up to 60 hours, 65 hours in the health sector, was suggested as a mechanism that would allow for a family-friendly policy, by opening up, according to the proposal, more time for reconciling work and family life.

The Commission has again generally raised the need for such legislation to include a greater degree of flexibility, going so far as to propose the repeal of a qualitatively important part of the case law of the Court of Justice, mainly as regards the concept of working time in the field of the provision of public services, as well as the weekly working time.

This is the situation that must frame the problem discussed in this study. Ultimately, it is worth highlighting the Commission's concern about unifying the meaning of Directive 2003/88/EC in all the

national legal systems that make up the European Union, recalling in Spain's case that we are dealing with an autonomous concept of Union Law upon which Member States can only develop more protective regulations so as not to reduce the effectiveness of the regulations on working time. The European Commission, in carrying out such a laudable task, introduces a large part of the proposals to amend Directive 2003/88/EC by assuring that it is

the current law on working time. In our opinion, many paragraphs of the Interpretative Communication do not correspond to the law in force but to the wishes of a European Commission that seems determined to storm the Court of Justice in order to impose its demands and at the same time validate a method of creating/amending the law that does not respect the procedures laid down for this purpose.

Limits to ordinary and overtime work EU-27

Country	Usual full-time hours per week	Daily limit	Weekly limit of hours/reference period/ Maximum working day with irregular distribution
Germany	35.6	10	48
Austria	38.75	12	48/17 weeks; 60
Belgium	37.8	9-12	50
Bulgaria	40	10	48
Croatia	40	12	50
Cyprus	38	13	48
Czech Rep.	38	13	48
Denmark	37	13	48/4 months; 60
Slovakia	39	9-12	48/4 months
Slovenia	40	10	48
Spain	38.4	12	Not specified
Estonia	40	13	48/4 months
Finland	37.5	13	48/4 months
France	35.6	10-12	48
Greek	40	12	45
Hungary	40	12	48/4 months
Ireland	39	13	48/4 months
Italy	38	13	48/4 months
Latvia	40	13	48/4 months
Luxembourg	39.8	10	48/3 months; 60
Malta	40	12.5	48/17 weeks
Netherlands	38	12	48/16 weeks and 55/4 weeks
Poland	40	13	48
Portugal	39.4	10	48
Romania	40	12	48/3 months
Sweden	39.8	13	48/4 months

Sources: Working time in 2019–2020, Publications Office of the European Union, Luxembourg y Red de corresponsales de Eurofound.

THE IMPACT OF THE COURT OF JUSTICE'S CASE LAW ON WORKING TIME: THE SPANISH CASE

This section will discuss the impact of the work of the Court of Justice on concepts and interpretations that are key to the implementation of a working time reduction policy. To this end, the Spanish experience in this area will be used as a case study.

1. WORKING TIME AND NON-WORKING TIME: SPECIAL CONSIDERATION OF SITUATIONS OF AVAILABILITY

The timescales through which working time passes are full of nuances in a legal system such as the Spanish one, which is lacking a definition in this respect. The statutory regulations on working time, Art. 34.5 of the Workers' Statute, only offer an (outdated) rule on what is to be understood by working time for the purposes of its calculation: "working time shall be calculated in such a way that both at the beginning and at the end of the daily working day the worker is at their workplace". On the other hand, the definition contained in Article 2 of Directive 2003/88/EC, and subsequent interpretation by the CJEU, is much improved: "any period during which the worker remains at work, at the employer's disposal and in the course of carrying out their activity or duties, in accordance with national legislation and/or practice". In contrast to the exclusively spatial criterion contained in Spanish legislation, European legislation also includes authoritative and professional criteria ("at the employer's disposal and in the course of carrying out their activity or duties"). The CJEU has declared since the early CJEU Ruling of 3 October, Simap (Case 528/2000) and of 9 September 2003, Jaeger (Case 2003/437) that the decisive criterion is the spatial criterion together with one of the other two, being at the disposal of the employer or in the exercise of their professional activity.

These definitions of working time have led to a series of judicial interpretations within the Spanish legal

system on the legal qualification of certain periods of time in which, although workers are relating to aspects directly linked to work, they do not fit neatly into the definition provided both at supranational or national level. For example, the Supreme Court Ruling of 7 July 2020 analyses the case of a company dedicated to the installation, maintenance, and repair of lifts in which the workers do not go to the workplace to receive the orders that make up their work, but travel to the company's first client from the worker's home. Following the doctrine of the CJEU, the Supreme Court has qualified as working time the journeys made by workers from their homes, when they use company vehicles to go directly to the client's home. However, the Supreme Court Ruling of 19 November 2019 (Appeal 1249/2017) qualified as non-working time the time spent by airport firefighters travelling from the service building (Technical Block) to the Fire Department where they are being relieved. The Supreme Court argued that, based on the collective agreement, they are not at the employer's disposal or in a position to perform their duties.

However, the Supreme Court Ruling of 4 December 2018 (Appeal 188/2017) held that, in the context of work in the home help sector, the time spent by the worker travelling from their home to the first client and from the last client to their home cannot be classified as working time.

In other cases, such as the contents of the Supreme Court Ruling of 7 May 2020 (Appeal 200/2018), the Supreme Court has held that time spent on training in financial consultancy carried out by the employee as part of a programme designed by the employer to obtain the professional accreditation required by EU regulations in the sector must be considered as working time. The inseparable link between the accreditation and the performance of the worker's professional activity is, as per the Supreme Court, the basis for considering this training activity paid working time.



In the Spanish legal system, it is worth highlighting how important the collective agreement is for the definition of working time. In this regard, the Supreme Court Ruling of 19 March 2019 (Appeal 30/2018) classified voluntary participation in special commercial events outside the working day as paid working time because the activity was considered working time under the collective agreement. Therefore, a compensation system with equivalent rest times was established. In a very similar sense, the Supreme Court Ruling of 15 April 2010 (Appeal 52/2009) stated that the snack break was considered effective working time, for the purposes of setting the necessary breaks from the point of view of occupational health and safety protection for operations personnel who work mainly with data display screens, since the applicable collective agreement provided for this break to be considered effective working time. This doctrine was taken up by the National Court Ruling of 10 October 2019 (Appeal 175/2019), on the understanding that “all workers are entitled to one data display screen break for each hour of effective work performed during their daily working time, regardless of whether the day is continuous or split. Consequently, the period worked prior to the interruption of the working time in cases of a split working day must be considered for the purposes of generating the first break to be enjoyed once the working time has been resumed after the interruption”.

Bigger interpretative questions arise with regard to availability time, where, following the CJEU of 21 February 2018 (C-518/15) Matzak, the criterion that such time may—or may not—be used to attend to social, family and/or personal needs seems to have slipped in. When, as in the case of the Supreme Court Ruling of 2 December 2020, the collective agreement has provided that such availability time requires that from the time the call is received, the worker must be properly equipped and go to the place or meeting point within the following 30 minutes. This is an unambiguous reinterpretation of the doctrine contained in the Jaeger case, the CJEU Ruling of 9 September 2003, which considers that availability entails a restriction for the worker in relation to their personal, family and/or social sphere. This is despite the fact that the worker may—or may not—live close to the workplace and is not obliged to be located in a specific place.

Judicial doctrine is full of examples in which it denies the qualification of working time to periods in which workers are available. For example, the Ruling of the Supreme Court of Justice of the Balearic Islands of

24 May 2019 (Appeal 9/2019) argues to that end that “telephone availability is not equivalent to working time, nor does the fact that guards are provided with a suitable place to stay while on the island of Cabrera mean that all the time spent on the island must be regarded as working time (...) the stay on the island is not imposed by the company but by the nature of the work carried out, since it is an island whose remoteness from the worker’s residence means that the breaks must be taken on the island itself. In such circumstances, it is impossible for the worker to rest in their own home, as they would hardly have time to rest if they had to go home at the end of the working day and return to the island the following day at the start of the working day. However, the rest does not have to take place at home to be considered as such”. A doctrine that, in a way, is also expressed in the Ruling of the Supreme Court of Justice of Galicia of 27 April 2018 (Appeal 662/2018) and 8 May 2018 (Appeal 678/2018), if there is no evidence that the worker is obliged to remain at a place determined by the employer on their located watch.

One case that deserves special attention is the Ruling of the Supreme Court of Justice of Madrid of 14 September 2018 (Appeal 225/2018). The legal dispute analysed in this ruling takes as a reference the fact that during the 30 to 45 minute midday break, the worker is free to use their time, and is not obliged to remain at their workstation, the passenger transport vehicle, and is not at the disposal of the company. Furthermore, if during the rest time the worker received a call with an urgent incident, they could refuse to attend to the request as long as they had finished their rest time.

Lastly, it is appropriate to highlight the CJEU’s doctrine on the qualification as affective working time of those periods of availability which, in extreme synthesis, understands that: i) it is not the intensity of the activity or its productive nature that determines the nature of the time in question; ii) when the person is not free to choose their location or activity, but is at the disposal of the company, there is a strong presumption that working time is involved; iii) presence on company premises is a factor in favour of the working nature of the time; iv) travelling under the employer’s control may be working time; v) it is admissible to establish remuneration different from the normal rate for time that is working time but is not directly productive.

2. IRREGULAR DISTRIBUTION OF WORKING TIME

The irregular distribution of working time has certainly been the most relevant instrument in the evolution of the legal and contractual regulation of working time. Its relevance, for the purposes of understanding the transformations that the use of working time has undergone, does not find the place it deserves in case law and judicial doctrine. Not even at the quantitative level is there a large body of decisions on this important subject. The most recurrent issues relate to the percentage that can be established through collective bargaining, the notice period, and the establishment of pools of hours.

With regard to the limit on the percentage of working time that can be agreed in collective agreements, the Supreme Court Ruling of 11 December 2019 (Appeal 147/2018), ruled that “Art. 34.2 of the Workers’ Statute allows for the irregular distribution of working time agreed in the collective agreement or company agreement, without any limitation; the 10% limit only operates in the absence of an agreement and, therefore, any percentage of hours or days of irregular distribution could have been agreed in the agreement”.

However, this power of the collective agreement does not extend to other aspects of the regulation of irregular working time, such as the notice period. In effect, the Supreme Court Ruling of 16 April 2014 (Appeal 183/2013) states that, in relation to the period of notice, the collective agreement does not have the possibility to dispose of the period of notice set by the standard, since the duration of the notice period is a guarantee which the collective agreement cannot repeal in peius. This is the situation which arises in the regulation of the collective agreement, which had fixed the duration of the notice period at 48 hours. The legal provision constitutes a provision of relative necessity. Moreover, this requirement applies to any form of irregular distribution, irrespective of the source of its regulation. In short, the current regulation expresses the possibility that “collective autonomy establishes a system of irregular distribution of working time, provided that the applicable annual working time, the minimum weekly and daily rest periods are respected and the worker is given five days’ notice of the day and time of the working day and hour resulting from the irregular distribution”.

In this regard, the establishment of a time pool in the collective agreement, “regardless of the name given by the negotiators of the agreement, the ‘time pool’ regulated in Article 99 of the applicable collective agreement is merely a specification of the irregular distribution of the working time throughout the year, which is regulated in Article 34.2 of the Workers’ Statute”. Hence, the Supreme Court Ruling of 25 May 2019 (Appeal 80/2018), understood that, on the basis of this legal nature and taking into account the content of Art. 34.2 of the Workers’ Statute, the communication of the partial execution of the time agreed in that pool of hours being made “as soon as possible after the moment the need (unforeseeable variation in the workload), is identified, even with less than 24 hours’ notice in the unforeseen cases mentioned, for example” contradicts the precept, since “an unforeseeable variation in the workload does not mean that we are dealing with a situation that requires immediate intervention by the workers, that requires an urgent response to guarantee the safety of air traffic, since we are dealing with a usual activity”.

On the other hand, the Supreme Court Ruling of 23 May 2006 (Appeal 78/2005) set forth, in the context of the time pool provided for in the Renault collective agreement as an alternative to the possibility of the suspension of employment contracts, that “in view of this regulation which, in any event, appears to require the company to give at least twenty-four hours’ notice, what the company maintains is that it cannot be required to give this advance notice in cases of force majeure, in accordance with the provisions of Art. 1105 of the collective agreement. Renault argues that no one can be required to comply with an obligation when it has been breached due to unforeseeable and unavoidable events (in this case a snowfall). In accordance with the application of this premise to the specific case, it considers that the snowfall that fell on 26 January and which made it impossible for supplies to arrive in order to continue working normally is what made it impossible to comply with the established deadline”. This unforeseeable event does not occur in the case of not respecting the advance notice for the irregular distribution of the working time in the event of a strike as per the Supreme Court Ruling of 27 December 2001 (Appeal 1193/2001).

3. MODIFICATION OF WORKING TIME

Modifying working time is more complex when it is reduced because of a company decision, where such a reduction has the capacity to transform the full-time contract into a part-time one. The Supreme Court has held since the Supreme Court Ruling of 14 May 2007, Appeal 85/2006 that the employer could unilaterally modify the duration of the working day without the consent of the worker being necessary in relation to the provisions of Art. 12 of the Workers' Statute on the voluntary nature of the part-time contract. This jurisprudential doctrine contrasts sharply with that contained in the CJEU Ruling of 15 October (C-221/13), *Mascellani*, where the possibility of unilaterally converting a full-time employment contract to a part-time contract is rejected.

Without referring to the aforementioned CJEU ruling, there have been a number of rulings limiting the employer's ability to unilaterally convert a full-time contract into a part-time contract. Thus ruled the Supreme Court Ruling of 12 May 2015 (Appeal 153/2014) and the Ruling of the Supreme Court of Justice of Extremadura of 10 December 2015 (Appeal 531/2015).

4. WEEKLY REST

The right to weekly rest has been subject to considerable legal tension following the appearance of the Interpretative Communication on Directive 2003/88/EC of the European Parliament and of the Council concerning certain aspects of the organisation of working time. In the scope of this right, the CJEU Ruling of 9 November 2017 ruled that it was in line with EU law for an employer to unilaterally fix the time of weekly rest beyond the sixth consecutive day of work. This is a situation that the courts have not had the opportunity to deal with in the Spanish legal system, although there are various rulings that place limits on employer interventions that limit or reduce weekly rest in relation to other rights such as daily rest or paid annual leave.

The Supreme Court has had occasion to state that "omitting the rest of the half day in addition to the full rest day, by means of the artifice of calculating the weekly rest day and half day by hours, so that, according to its criteria, by resting on Saturday night and Sunday, the worker would have to start work on Monday morning, since 36 hours would have elapsed from the end of the working day on Saturday until the start of Monday morning" is not in line with the legal provisions stipulated in the statutory legislation ex Art. 37.1 of the Workers' Statute, (Supreme Court Ruling of 20 September 2010, Appeal 220/2009). The consolidated case law in this respect consists of understanding that "daily rest time cannot overlap with weekly rest time", since "the weekly and daily rest periods regulated in the aforementioned statutory precepts constitute minimum necessary rights, which must be taken separately, due to their different purpose, and independently of each other, in such a way that the enjoyment of weekly rest does not constitute a reduction, under any circumstances, of the daily rest period".

In addition to the legal consequences of the independent recognition of both rights to rest, the Supreme Court has admitted the possibility of compensating for damages for the overlap between weekly and daily rest. In this regard, it is worth mentioning the content of the Supreme Court Ruling of 14 April 2014 (Appeal 1667/2013), in which the causal link between the damage caused and the actions of the employer was recognised.

In relation to the remuneration for annual public holidays ex Art. 37.2 of the Workers' Statute, the proportional discounts for exercising the right to strike are only applicable if they coincide in the same week as the strike (Supreme Court Ruling of 18 April 1994). It is therefore impossible to proportionally reduce pay for public holidays that fall outside the week in which the strike took place. However, if the strike coincides with a midweek rest day other than Sunday, the worker is not entitled to remuneration (Supreme Court Ruling of 13 March 2001).

5. PAID ANNUAL LEAVE

In the judicial interpretation of the right to paid annual leave, it is worth noting the importance of the dialogue between the CJEU and the Supreme Court. The correct determination of this right in accordance with the provisions contained in Directive 2003/88/EC led to the correction of the latter's doctrine on the use of paid annual leave when the worker was temporarily incapacitated in 2008. As is well known, this led to the reform of Art. 38 of the Workers' Statute. This dialogue has continued over time, as will be seen below.

It is worth noting how the Supreme Court Ruling of 21 December 2017 (Appeal 276/2016) established that "the right of every worker to paid annual leave must be regarded as a principle of EU social law of particular importance, from which no derogation may be made and the application of which by the competent national authorities may be effected only within the limits expressly laid down by Directive 93/104 itself, that directive having been codified by Directive 2003/88 (See Section 23 of the KHS ruling, C-214/10, and the case-law cited). Moreover, that right is expressly recognised in Article 31(2) of the Charter of Fundamental Rights of the European Union, to which Article 6(1) TEU recognises the same legal value as the Treaties. In this regard, it should be noted that the CJEU Ruling of 19 November 2019, (C-609/17 y 610/17), *Fimlab/Kemi*, clarified that in cases where the regulation of a Member State exceeds the provisions contained in Article 7. 1 Directive 2003/88/EC, containing for example more than the four weeks' worth of days off, the Member States retain the competence to settle a possible postponement of that part of the annual leave in case the worker falls ill during this period.

This does not prevent, as recognised in the CJEU Ruling of 29 November 2017 (C-214/16), the employer's not allowing a worker to exercise their right to paid annual leave, postponing its enjoyment until the time of termination of their employment relationship, from being contrary to the legal system.

The CJEU Ruling of 4 October 2018, C-12/17, *Dicu*, in contrast to the decision in cases of temporary incapacity or maternity, held that Article 7 of Directive 2003/88/EC does not preclude a national provision which, for the purposes of determining entitlement to paid annual leave, excludes the period of actual work during the parental leave taken by the worker.

On another issue, the CJEU has ruled on the number of days of paid annual leave to which a worker is entitled when their contract is changed from a full-time to a part-time contract. Indeed, in the *Hein* case, the CJEU ruling of 13 December 2018, (C-385/17), it was stated that, in the event of a reduction in working time, by virtue of the principle of effective work, the period of leave must be adjusted to the work actually carried out; and that, therefore, when determining the remuneration for this period, one is entitled to receive the average ordinary remuneration, despite having undergone this reduction. In this regard, the CJEU, on 22 April 2010 (C 486/08), held that for a period of part-time work a reduction in the entitlement to annual leave in relation to that granted for a period of full-time work is justified on objective grounds. However, this interpretation "cannot be applied ex post to an annual leave entitlement acquired for a period of full-time work". Hence, the CJEU, on 11 November 2015, (C-219/14), stated that "as regards the accrual of entitlement to paid annual leave, a distinction must be drawn between periods in which the employee worked at a different rate, since the number of annual rest units accrued in relation to the number of working units worked must be calculated separately for each period".

Lastly, reference should be made to the right to paid annual leave during the suspension of the employment contract because of the application of a furlough (ERTE). In this regard, the CJEU has stated, in a different context to that of the pandemic triggered by COVID-19, that no leave is accrued during this period (CJEU 8 November 2012 (C 229/11 y C 230/11)). However, the most recent judicial pronouncements are recognizing the right to take annual leave at a different time when it coincides with periods of confinement (*SJS/3 of Santander* of 16 September 2020).

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CHAPTER III

**EXAMPLES AND IMPLEMENTATION
OF REDUCED WORKING TIME IN
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EXAMPLES OF REDUCED WORKING TIME IN THE EUROPEAN UNION

1. REDUCED WORKING TIME AND PART-TIME WORK: THE CASE OF THE NETHERLANDS

The Dutch 30-hour week, the so-called “part-time economy”, introduced in 1980, enabled the Dutch labour market to have high levels of part-time employment, where the reduction in working time was accompanied by a proportional reduction in pay.

With 76% of women working part-time, the Netherlands is the atypical case and a good example of large-scale reduction of working time decided individually by each worker. The large proportion of part-time workers explains why there is an average working week, considering full-time and part-time workers, of less than 30 hours. In other words, the Netherlands has moved towards a four-day working week through individual rather than collective initiatives to reduce working time.

The beginning of this development dates to the Wassenaar Agreement of 1982. Faced with persistently high unemployment figures, Dutch trade unions accepted wage moderation in exchange for a modest reduction in working time. This reduction in working time, however, did not materialise. The official development from 40 to 38 hours a week was never fully implemented. However, the 1982 agreement gave way to long-term wage moderation, which was accompanied by a significant and progressive increase in the number of part-time workers during the period from the 1980s to the 1990s.

The Dutch labour market thus became the world's leading part-time economy. The rise of part-time work in the Netherlands is difficult to explain and is most likely the consequence of an interaction between public policy and politics. Some of the factors that explain this reality are: on the one hand, i) women's access to the labour market was massively delayed in relation to the experience in other EU countries. The housewife model was deeply rooted, preventing women from actively participating in the labour market. The cultural change brought about by the incorporation of women into the labour market

contributed to this situation, as it mainly took the form of part-time employment; ii) on the other hand, employers participated in this situation by accepting the massive part-time hiring of women in a difficult economic context, which made it possible to deal with economic difficulties instead of resorting to more traumatic methods such as dismissals.

It was from the 1990s onwards that public policies began to promote the use of part-time work. In this sense, the anti-discrimination legislation adopted in 1996 was crucial, which prohibited employers from discriminating between workers based on differences in working hours unless there was an objective justification, thus preventing part-time employment from becoming a way of improving productivity through the intensification and increased precariousness of this type of employment.

Similarly, it is worth highlighting the 2000 working time adjustment regulation, which gives workers the right, under certain circumstances, to unilaterally modify their working hours in order to balance their personal life with their work life.

The Dutch example of reduced working time shows very clearly that employment can be redistributed, contrary to what some neo-liberal currents of economic thought maintain. The rise of part-time work contributed greatly to the “Dutch miracle”, as it saw the number of jobs increase at a much faster rate than the EU average. Three quarters of the jobs created were part-time jobs and many of these jobs were filled by women.

However, within the “Dutch miracle”, while the Netherlands managed to create an exceptional amount of employment, the amount of additional hours worked by women was consistently below average. The activity rate of women in the Netherlands is particularly high, but when looking at working hours or activity in full-time equivalents, it is lower than the EU average. The Dutch example shows that redistribution of work is feasible, that companies can adapt to people working part-time and that it can be part of a successful employment policy.

Another important lesson from this experience is that a reduction in collective working time did not lead to an increase in employment, mainly because of the distortion caused by the extensive use of overtime. This may explain why the shortening of the working week had only a limited effect on employment.

Ultimately, a reduction of the working week adopted on an individual and voluntary basis led to employment patterns based on gender. Women have been predominantly responsible for domestic work, which leads them to work part-time. As a result, they have lower wages and lower career prospects.

2. THE LEGAL REDUCTION OF WORKING TIME IN FRANCE

The 35-hour working week system in France was progressively introduced between 1998 and 2008 in all companies on a mandatory basis, but with public incentives. In 1998, the French government put forward a proposal that weekly working hours be reduced from 39 to 35. This reduction in working time was introduced in two stages.

First, in 1998 through the Aubry I Law and then in 2000 through the adoption of the Aubry II Law. Aubry I announced the 35-hour week for large companies with more than 20 employees willing to reduce working hours through the introduction of tax measures as a kind of incentive to job creation. Aubry II reaffirmed the 35-hour working week, opening the way for the social partners to negotiate both the length and the distribution of the working day, based on the possibility of calculating the working time on an annual basis.

All in all, the reduction of working time in the French experience has been characterised by: i) the intense reduction of the maximum legal working time; ii) the important role granted to the social partners; iii) the parallel reduction of tax contributions, especially for those earning the least; and iv) greater flexibility for companies to organise production according to their productive needs. These features point to how the reduction of working time in France was mainly taken up by both the government and the workers, who came to experience a wage freeze lasting eighteen months.

An evaluation report by the French National Assembly provided extensive information on the effectiveness of the reduction of working time. The first relevant aspect examined related to job creation through the reduction of working time, acknowledging its positive effect in quantitative terms (job creation estimated at between 350,000 and 500,000 jobs), but indicating

some relevant doubts about its quality and dependence on the more favourable tax treatment of businesses.

A second interesting aspect relates to the reduction in the proportion of part-time workers, especially female workers. In addition, men who started working a shorter working week reported being significantly more involved in care and chores, indicating a change in gender roles.

Third, an increase in the employment rate of older workers was observed. In a shorter working week, older workers seem to remain active for longer. In the current EU context of progressive ageing, this could be a very positive sign. However, the activity rate of older workers was very low in France. In other words, the increase in the employment rate only meant that France caught up with other countries.

The evaluation of the 35-hour week on work-life balance showed very mixed results. Although most respondents considered the 35-hour week to be positive for the improved work-life balance, the report noted how this reduction in working time was accompanied by the introduction of atypical working hours. This progressively led to an increase in work intensification.

Other important data corresponded to the significant emergence of wages close to the minimum wage, because the reduction in working time was articulated through a prolonged wage freeze. In terms of costs, the 35-hour working week in France entailed considerable cuts in social security contributions. The cost to public finances was significant, with this National Assembly report estimating a reduction in tax revenues of between EUR 11 to 13 billion in 2006, at a cost of approximately EUR 8 thousand per job.

3. WELFARE OF WORKERS AND QUALITY OF PUBLIC SERVICES: THE EXPERIENCE OF REDUCED WORKING TIME IN SWEDEN

The Swedish example of working time reduction was implemented through the experience carried out in the Svartedalen old people's homes between 2014 and 2016, introducing a working week of 30 hours at six hours per day. This is a working time reduction initiative developed at company level and is compulsory for all employees, with the financial cost of its implementation being borne by the municipality of Gothenburg.

For 23 months, nurses in these nursing homes worked six hours a day instead of eight. In April 2014, the

Gothenburg city authorities decided to carry out another similar experiment in 2015 and 2016.

In both cases, the reduction in working time did not affect wages, and additional staff had to be recruited to cover service needs. The salaries of the new employees were paid through public investment.

The final development report focused on analysing the effects of the reduction in working time on the health of workers and the quality of the service provided, as well as on the economic impact of the reduction in working time.

Regarding workers' health, the report indicated a considerable improvement in their health, especially in the health of nurses over 50 years of age. In this respect, it is worth noting how this measure contributed significantly to the lack of stress, the promotion of an active lifestyle (physical exercise for at least half an hour every day), a considerable improvement in sleep, as well as lower blood pressure parameters. All this contributed to a significant reduction in sick leave.

Despite the difficulties in objectively assessing the quality of the public service because of the reduction in working time, the report highlighted the greater number of activities that the workers carried out during this experience with the residents.

Lastly, as far as the economic impact is concerned, there was an increase in labour costs to hire new staff to cover the 24-hour service and to maintain salaries. This increase in labour costs was tempered by a significant decrease in sick leave during the reduced working time. The reduced working time had a total cost of around SEK 12.5 million. However, the report indicated that, because of savings in unemployment benefits, the cost was reduced to around SEK 6.5 million.

This experience attracted worldwide attention and led to another similar initiative in Mölndal, in a surgical clinic near Göteborg during 2017, as well as in several start-up companies.

4. REDUCED WORKING TIME AND MAINTAINING EMPLOYMENT: THE VOLKSWAGEN CASE

The working time reduction at Volkswagen in the years 1993 to 1999 consisted in the introduction of a company-wide working week of 28.8 hours in order to cope with a crisis and avoid mass redundancies. The cost of the reduction in working time was borne both by the employer and the employees.

In 1993, the German works council of Volkswagen was informed of the economic problems the company was facing, which affected a third of the 100,000 jobs in the company. As a result, IG Metall reached an unprecedented agreement with the company's management that no redundancies would be made in exchange for a 20% reduction in working hours, from 36 to 28.8 per week. The reduction in working time was accompanied by an annual wage reduction of around 16%, although it was agreed that the monthly wage would be stable to ensure workers' purchasing power.


The agreement provided for an initial duration of the reduction in working time of two years, to allow the economic problems to dissipate. Although the economic situation of the company improved during these two initial years, it was agreed to continue the 28.8-hour working week. Employees bore more of the costs in this extension, which resulted in the loss of overtime pay and work on Saturdays and/or public holidays. In addition, a very flexible organisation of working time was introduced, in that working time was calculated on an annual basis.

Labour flexibility was extended to new hires at the company through the temporary hiring of new workers, who were also paid less than those previously hired, introducing a sort of double salary scale.

In 1999, the problem of overcapacity was solved and the company returned to traditional activity. The 28.8-hour week was maintained in accounting terms, in reality, however, most employees returned to working longer weeks. In 2006, the company officially returned to a 33-hour week for manual workers and a 34-hour week for white-collar employees.

Volkswagen and IG Metall managed to drastically reduce working time over a period of several years in exchange for job security, without any intervention by the State and with a reduction in wages. However, it should be noted that this wage reduction took place in a specific context in which wages at Volkswagen were well above the average and the sectoral minimum.

The evaluation of this experience, in terms of employment, was positive in that a massive wave of redundancies was avoided. In the years following the reduction in working time, though, jobs were eliminated from the company as employees who left the company for various reasons (mainly retirements) were not replaced. The introduction of a two-tier salary system meant that newly hired employees received significantly worse working conditions



which, in a way, shaped the future of wages in the company.

In addition, three out of four workers reported that their workload was higher in a 28.8-hour week, especially among white collar workers.

The social impact is also unclear. According to some, the reduction of working hours caused a real cultural revolution in Wolfsburg. For years, the town had lived to the rhythm of a two-shift system, with little time for family, culture, friends, or hobbies. The transition to a four-day week was, for many, the discovery of the other things life has to offer. In contrast, the more flexible systems introduced after 1995 seem to have led to general confusion. At one point, there were

more than 150 different working schedules and everyone began to live and work under very different conditions. This was probably at least partly responsible for many social problems, such as higher divorce rates.

In terms of gender equality, this experience showed that the four-day week at Volkswagen did not coincide with a drastic change in the roles of men and women in the household. However, the gender effect of reduced working time is not only related to gender roles. The idea is also to put women on an equal footing with men in their professional careers. Unfortunately, there is no data available to evaluate the effectiveness of Volkswagen's experiment on this issue.

LESSONS LEARNED FROM THE CASE STUDIES

The analysis of the case studies on working time reduction shows the plurality of formulas for adopting such a change. However, it can be argued that it is necessary to make progress in building a generally more egalitarian European society. The examples described in this report indicate the multiple motivations for reducing working time and, therefore, the different choices to be made when implementing this reduction. The organisation of working time reductions will be determined by the objectives, and will therefore take different forms depending on the aims pursued.

However, one of the ideas that is particularly interesting to note is that the reduction of working time is not a policy that has been confined to the past. Its objectives are still valid, despite the fact that, since the 2000s, there has been almost no action in this area. This is most probably because the negotiating strategies of the negotiating partners have found ways of satisfying the need for flexibility in working time without reducing working time in return. In particular, part-time work may be fulfilling the expectations of reduced working time. Namely being at work to earn an income, develop work skills, generate social contact, and thus allow integration into society, while avoiding the risks of overwork, such as stress, burnout, and the difficulty of reconciling work and private life.

Part-time work does, however, have some externalities that should be kept in mind. On the one hand, since the economic crisis of austerity, but also subsequently with the emergence of the so-called “platform economy”, we are witnessing a phenomenon of feminisation of this type of contract. Here, the reduction in working time is economically assumed by the worker, and the intensification of work is exacerbated. In many cases, part-time work is more of a business-driven resource than a work-life balance option for workers. This means that the current model of reduced working time, in addition to being gender-biased, manifests poor remuneration as its main characteristic, contributing to exacerbate social inequalities and the phenomenon of working poors. These certainties lead to the rejection of a laissez-faire organisation of working time reduction.

Determining the objectives to be achieved by the reduction of working time is crucial, since, as the case studies have shown, pursuing all objectives is not plausible

In this context, the importance of the cultural aspect must be emphasised. Without the necessary culture regarding the most valuable uses of time, other than for capitalist production, the reduction of working time risks not producing any significant benefit among the desired objectives.

DATA AND IMPACTS
OF THE WORKING TIME IN THE
EUROPEAN UNION

REDUCED WORKING
TIME IN EUROPEAN UNION
REGULATIONS

EXAMPLES AND IMPLEMENTATION
OF REDUCED WORKING TIME IN
THE EUROPEAN UNION

CHAPTER IV

**FINAL THOUGHTS
ON REDUCED WORKING TIME**

FINAL THOUGHTS ON REDUCED WORKING TIME

By way of conclusion to this report, the following considerations are included on aspects to be considered in the implementation of policies aimed at reducing working time:

First of all, the question of how much working time reduction is intended should be raised, since, depending on the size of the reduction, the expected effects in each of the areas will differ.

In terms of employment redistribution, the employment effects of working time reduction depend on the decision of the businesses to proceed to recruit new workers or to intensify the pace by requiring the same work to be done in fewer hours. From this perspective, a considerable reduction is needed to push organisations to rethink their work organisation and to employ additional workers.

From a gender equality perspective, the number of hours reduced per week would significantly influence the achievement of this goal. A small reduction in working hours would not be sufficient to encourage women to work full-time rather than part-time, nor would it be sufficient to change the distribution of roles in the family, although it could help women workers to better combine the burdens of paid and unpaid work.

The most profound examples of reductions in working time have been introduced at the level of company collective bargaining (Volkswagen, Kellogg's, etc.). It should be noted that small reductions in working time have been introduced by collective bargaining at sectoral or national level, with the disadvantage that they have little impact and can be absorbed through flexible working time instruments.

Secondly, once the amount of working time to be reduced has been decided, thought must be given to the strategy or method of introducing this reduction. That is, whether the reduction should be introduced all at once or progressively. It should be noted that a one-off reduction in working time has certain advantages in terms of changes in company and family culture. On the one hand, employers would have to reorganise their production, which

could lead to a more efficient organisation of work and could limit work intensification. On the other hand, families would immediately have additional leisure time which could lead men and women to reconsider their roles in the household. The same applies at the societal level, where a substantial amount of additional leisure time could act as an incentive to reconsider consumption patterns, with positive effects from a sustainability point of view.

Thirdly, the reduction of working time may operate in different time modules, for example on a weekly, monthly, or yearly basis. Depending on the approach to implementing a reduction in working time, the effects on gender equality, employment, sustainability, and other issues may differ substantially. It could be argued that a six-hour working day or a four-day week could be beneficial for work-life balance.

In terms of employment, it could be argued that a six-hour working day is more likely to lead to an intensification of work than, for example, a system with weeks of leave during which employees must be replaced.

Similarly, if the aim is to prolong working life, working time should not be reduced by installing early pension schemes. However, it might make more sense to provide career breaks or extended parental leave schemes that could allow people to remain active in the workforce for longer.

In the case of the 35-hour week in France, a pragmatic way out of this problem was chosen. The law installed the principle of the 35-hour week, but opened the space for negotiation on how to organise the reduction of working time. Several studies and examples show that compressing working time in this way is not beneficial for workers in general and for women specifically.

One way to try to combine a reduction of working time with stable salaries and costs for the businesses is to simultaneously extend companies' production hours. In industrial companies, introducing systems where machines can be used more intensively could potentially lower unit costs of production.

Consequently, extending operating hours would lead to an overall increase in productivity that could finance higher hourly wages while keeping costs under control.

Operating hours can also be extended in less industrial settings. In this case, services could be provided over a longer period of the day. However, being able to finance reduced working time, such as longer working days, should lead to a proportionally higher demand for services. This might be more difficult to realise in the service sectors.

In the analysis of working time reduction schemes in the 1980s and 1990s, the parallel extension of working time was identified as a bargaining chip in discussions on working time reductions. Furthermore, in France, many working time reductions were established at the request of managements wishing to extend operating hours in an industry. In some public services, the demand to provide services in the evening or at the weekend often had to be combined with a general reduction in working time.

While extending working days might offer a solution for businesses, this issue could have some negative side effects on the overall quality of employment in companies. Shift work, night work and weekend work are working hours with marked social consequences and effects on employees' health.

One of the most controversial aspects of working time reduction is whether it should be introduced by national legislation or through collective bargaining. The way in which working time is set varies considerably from country to country. At EU level, the working time directive sets the maximum working time at 48 hours per day per week, including overtime. In many countries, national legislation or a national collective agreement reduces the maximum working time to around 40 hours. In some countries, regional legislation may implement different rules. Sectoral agreements may further reduce working time in certain sectors of activity. In addition, individual companies may decide, through collective agreements, to establish a different working time regime. At the individual level, workers also have the possibility to agree on certain aspects of working time through the individual employment contract.

It should be noted that the way in which working time limits are set by labour law, as well as the source of regulation that sets them, determines how working time may be reduced. Thus, in countries where sectoral agreements on working time are preponderant, a general reduction in working time might start at this level and then be taken over by

heteronomous or statutory legislation. However, in countries where sectoral social dialogue is absent or weak, devising such a working time reduction strategy is nearly impossible.

In general, one can distinguish up to six levels at which the reduction of working time could take place: European, national, regional, sectoral, company and individual.

The success of a staggered working time reduction strategy depends essentially on whether other companies, sectors or countries follow suit. There are many secondary examples at the same level (between sectors) or within a single country (from company to sectoral level). However, in the European context, secondary effects should not only be limited to the national level but extended to the European level.

Reduced working time can be considered on a compulsory or voluntary basis. In compulsory systems, all workers, companies, and sectors are obliged to reduce working time to a similar level. In voluntary systems, the reduction depends on voluntary acceptance. At the company level, workers can choose to use a job-sharing system or companies can voluntarily use a tax-relief system to compensate for the reduction in working time.

The choice of a voluntary or compulsory system has a direct impact on the effects of working time reduction. For example, in a voluntary system, only a fraction of companies and employees will actually be able to reduce their working time, which could reduce the employment effects of the measure. Moreover, it could reaffirm gender roles rather than weaken them. In these systems, women may be the first to choose to reduce their working time.

Probably one of the most relevant aspects in developing a policy to reduce work is the choice between collective and individual systems. In collective systems, the choice to reduce hours is made at company, sector, country, or higher level. In individual systems, the choice to work less is made at the individual level. The individual worker chooses to work fewer hours and work part-time, or the company also decides to offer some jobs for fewer hours compared to full-time work. The main form of reduction of individual working time is part-time work.

There are several arguments in favour of individual working time reduction schemes, the most compelling of which is the worker's ability to choose the number of hours worked according to their family and income situation. However, a closer examination of these

arguments casts doubt on this voluntary system of reduced working time, since, first of all, it is not entirely clear that the choice of part-time work is freely made. This is the explanation behind men who opt for part-time work do so: they have not found another full-time job. On the other hand, almost 40% of women choose part-time work because of family obligations. These include caring for children and/or elderly relatives.

Last but not least, sectors prone to part-time work often coincide with those where wages are lower, diminishing women's economic independence and reducing their chances of advancement and indirect benefits. For these reasons, many feminist organisations are more in favour of collective reductions in working time.

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