Reconciliation of work and family life and collective bargaining in the European Union

An analysis of EIRO articles

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This report is available in electronic format only.
Introduction

Initiatives promoting reconciliation of work and family life have become popular across Europe as part of employment policies as well as social policies dealing, among other things, with the challenges of competitiveness, the renewed Lisbon targets for increased participation in the labour market, and an ageing population. This working paper is based on national reports and an analysis of EIRO articles on the subject. It examines the current position in the 25 EU Member States, Norway and the two acceding countries, Bulgaria and Romania, in terms of legislation and collective bargaining on the issue of the reconciliation of family and work life. It also looks at the positions of the social partners and reviews recent developments at EU level.

Reconciliation of work and family life has become increasingly important in recent years across the EU, due to changes in the pattern and demands of work and changes in family structure. Specifically, globalisation of the economy, the fast pace of technological development and an increasingly ageing population, combined with the increase in female employment and the renewed Lisbon targets for increased participation in the labour market, necessitate organisational changes and higher flexibility, fulfilling the needs of workforce and employees simultaneously. The above factors have an impact upon both individual workers and the success of companies. Thus, the issues of the balance between work and leisure, between career and family, have emerged as a core concern of EU policy, national governments and collective bargaining.

The term ‘reconciliation of work and family life’ has been in EU policy texts for a few decades. However, it was feminist researchers (and feminist movements) who talked about the gender division within families and the sharing of family responsibilities. Following much political debate (at various levels), the term ‘reconciliation of work and family life’ has come to be used in relation to employment policies more so than equality issues (policies to reconcile family and work life at national or company level may not necessarily address gender segregation within the family). Being fully aware of the structural gender inequalities, such as segregation and the pay gap – which produce the material inequalities that lead women to favour family roles and men to favour paid work – the authors recognise the limitations of this report and the limited nature of this exercise.

Various measures to achieve reconciliation traditionally included parental leave, maternity leave, paternity leave, childcare, benefits, etc. As the term is closely linked to employment policy, it now also includes working time arrangements, flexible forms of employment, labour market flexibility, specific leave, etc. This is how the term is used in this report.

Various policy documents, directives (e.g. on parental leave and on working time), the European Employment Strategy and the Community Action programme on equal opportunities for women and men refer to the subject. Similarly, the social partners’ agenda includes the issue of reconciliation of family and work life. In particular, the issues of services for children and elderly people, leave, structure of work (part-time work, short-term contracts, job-sharing, time, etc), gender equality, lifelong learning and working conditions are interdependent, and they increasingly feature in the collective bargaining agenda.

This report is an update of a study published on EIROonline in 2002. It aims to present a picture of the current situation and developments in the EU Member States and the two acceding countries (Bulgaria and Romania), plus Norway. From a methodological point of view, it should be emphasised that the report draws exclusively on EIRO articles dealing with the topic, which were not written specifically for this particular report. It provides, as practical illustrations, examples of collective bargaining provisions that have the potential to lead to reconciliation of work and family life. Regarding national developments in particular, most of the events referred to cover the period 2000–2004. It is a descriptive rather than analytical report, and focuses on collective bargaining activities and legislative measures. It also looks at the positions of the social partners and reviews recent developments at EU level.

This report is made available through EIROonline, the website of the European Industrial Relations Observatory (http://www.eiro.eurofound.eu.int). EIRO is a project of the European Foundation for the Improvement of Living and Working Conditions.
Developments at EU level

As mentioned above, there has been an awareness of the issue of reconciling work and family life for some time. It has been on the EU agenda since the 1980s when it focused mainly on how women can combine a career and family responsibilities. During the 1990s, steps were taken towards forming an agenda of reconciliation of work and family life and today the issue appears to be high on the agenda of the EU institutions and the social partners. The ability to combine paid work and family life is important for male and female employees at different stages of life. With reference to the original movements (of feminist researchers), this report will focus primarily on employment policies and, depending on the national systems, gender equality policies. Thus, it encompasses a range of topics, including:

- special leave and career breaks: this may include educational leave, career breaks, maternity leave, parental leave and bereavement leave;
- part-time working: part-time hours of work may be arranged to suit both the employer and employee;
- flexitime: this enables workers to adjust or personalise their working time;
- compressed working week: the employee works the full number of hours on a reduced number of days a week, for example, 38 hours over a four-day week;
- job sharing: this allows two or more workers to share one full-time position;
- homeworking or teleworking: this permits workers to balance their work and home commitments and cuts out the difficulties associated with commuting;
- childcare support: the provision of childcare centres is crucial for working parents;
- term-time working: this is potentially very useful for parents who cannot find adequate childcare during school holidays;
- annualised hours schemes: such schemes set out the average hours that employees are expected to work at normal rates of pay over the period of a year. The number of hours per day, week, etc may vary within stated upper and lower limits, so that working time arrangements are responsive to peaks and troughs in demand. Annualised hours schemes often facilitate reductions in working time through lower overtime levels. They allow extra work to be accommodated in return for extra time off in lieu when demand contracts. Strictly speaking, these schemes (as some of the others mentioned above) have not been devised to enable employees to juggle work and non-work activities. However, it is considered here insofar as they can potentially be used for those purposes. Specific cases from various countries are mentioned in the text.

European Employment Strategy

The main stages of the European Employment Strategy paving the way to reconciliation of work and family life are:

1. Working time, new forms of work organisation

Draft directives on ‘atypical employees’ in the 1980s: With the number of part-time and temporary workers increasing in the EU, the European Commission has long been keen to legislate for equal rights for ‘atypical employees’. A draft directive on voluntary part-time work was submitted to the December 1981 European Council, but subsequently failed to find approval. Even an amended draft, issued in January 1983, failed to make further progress. Draft legislation on

1 For instance, in some countries, the issue of reconciliation is embedded in the gender equality policies, whereas, in others, it is part of the social or employment policies.
temporary work issued in 1982 suffered a similar fate. The 1989 Community Charter of the Fundamental Social Rights of workers and accompanying action programme revived the debate in light of the ever-increasing numbers of atypical employees.

**Council Directive 93/104/EC on the organisation of working time:** This directive lays down minimum safety and health requirements for the organisation of working time, minimum periods of daily rest, weekly rest and annual leave, breaks and maximum weekly working time, certain aspects of night work, shift work and patterns of work.

**Atypical employment, in the mid-1990s, as an opportunity to create new employment:** In light of the provisions of the Maastricht Treaty on the European Union and the Essen employment strategy, the Commission’s approach changed. While the draft directives of the 1980s and early 1990s aimed at regulating and restricting employers’ use of atypical employment, these forms of employment were now perceived as opportunities for the creation of new employment. They were seen to respond to both the need of employers for greater flexibility, as well as the desire of employees to reconcile work and family life while at the same time retaining employment security. Thus, in 1995, the Commission launched consultations on ‘flexibility in working time and security for workers’ under the Social Policy Agreement annexed to the Maastricht Treaty. The agreement stipulates that the Commission must consult with the social partners on new legislative proposals.

**Framework agreement and EC directive on part-time work (1997):** The social partners – CEEP, ETUC, and UNICE – after their successful negotiations on parental leave in December 1995, announced their decision to launch autonomous negotiations on part-time work in June 1996. Thus, after long negotiations, a draft framework agreement was signed on 14 May 1997. The agreement established a general framework for the elimination of discrimination against part-time workers and for the development of opportunities for part-time working on a basis acceptable to employers and workers. Following this framework agreement, the commission approved a draft directive, which was adopted by the Council on 15 December 1997.

**Framework agreement on fixed-term employment contracts:** In January 1999, the central EU-level social partners – ETUC, UNICE and CEEP – reached a draft framework agreement on fixed-term employment contracts. The deal aimed to enshrine the principle of non-discrimination between open-ended and fixed-term contract workers and to establish a framework to prevent abuse arising from the use of successive fixed-term contracts. With regard to the negotiations on temporary agency work, the social partners’ agreement on fixed-term work excluded workers supplied to a user enterprise by a temporary work agency, but stated that: ‘It is the intention of the parties to consider the need for a similar agreement relating to temporary agency work’. However, the negotiations on temporary agency work in the framework of the cross-sectoral social dialogue have not made significant progress (see below).

**Extension of working time directive:** In April 2000, the European Parliament/Council conciliation committee agreed the extension of the 1993 directive on working time to exclude specific sectors and activities. These are: air, rail, road, sea, inland waterway and lake transport; sea fishing; other work at sea; and the activities of doctors in training.

**Recent inter-sectoral social dialogue on new forms of work and specifically on teleworking:** In general terms, it is a positive indication that, during recent years, new forms of work have become more noticeable on the EU agenda of industrial relations.

**Teleworking agreement:** In July 2002, the central EU level social partners signed a framework agreement on the regulation of telework. This accord will be implemented by the members of the signatory parties, and regulates areas such as employment conditions for teleworkers, health and safety, training and collective rights. This is an innovative development in that it is the first time that a cross industry EU-level framework agreement is to be implemented by
members of signatory parties rather than by an EU statutory instrument. Earlier, in April 2001, a European agreement to regulate areas such as the introduction of telework, employment conditions, confidentiality, equipment and trade union rights was signed by EuroCommerce (representing the sector’s employers) and UNI-Europa Commerce, for trade unions.

**Temporary agency work:** In October 2001, a joint declaration was concluded between the EU-level sectoral social partners in the temporary agency work sector. The signatory parties hoped that the 13-point declaration would serve as a basis for an EC directive regulating this area, following the breakdown of EU-level intersectoral negotiations on the issue. The Commission proposal in 2002 for a directive on temporary agency work has been blocked several times due to continuing divergent views among national delegations.

**Working time directive:** In November 2003, the European Parliament and the Council adopted a consolidated version of the directives on certain aspects of working time, combining Directives 93/104/EC and 2000/34/EC. In September 2004, the Commission adopted a draft directive amending the working time directive. No decision has been reached on this at the time of writing.

2. Parental leave

**EU parental leave agreement and directive:** Parental leave has been a longstanding item on the European Union’s social policy agenda, and features in the 1989 Community Charter of the Fundamental Social Rights of workers, which states that ‘measures should … be developed enabling men and women to reconcile their occupational and family obligations’.

Proposals for a directive on the issue were first put forward by the European Commission in 1983 but, despite the existence of a broad consensus among Member States in favour of such a measure, opposition from the then Conservative UK Government prevented the directive’s adoption. The ratification of the Maastricht Treaty presented the opportunity to progress the issue via the Maastricht Social Policy Agreement. Following the two phases of consultation involving the EU-level social partners required by the Maastricht social policy procedure, the three general cross-industry social partner organisations – CEEP, ETUC, and UNICE – opted to negotiate an agreement covering parental leave. The result was the first ever framework agreement on parental leave between the EU-level social partners. The agreement is ‘designed to facilitate the reconciliation of professional and family responsibilities for working parents’. It applies to all workers, men and women, who have an employment contract or employment relationship as defined by the law, or collective agreements or practices in force in each EU Member State. The agreement’s main provisions are as follows:

- male and female workers must have an individual, non-transferable right to at least three months’ parental leave for childcare purposes (as distinct from maternity leave) after the birth or adoption of a child until a given age of up to eight years to be defined by Member States and/or management and labour;
- the conditions of access and detailed rules governing parental leave are to be defined by national law and/or collective agreement. National provisions may determine whether parental leave is granted ‘on a full-time or part-time basis, in a piecemeal way or in the form of a time-credit system’, and may include provisions on a length of service qualification of up to one year, the special circumstances of adoption, notice periods, the circumstances in which employers may postpone the taking of leave, and ‘special arrangements to meet the operational and organisational requirements of small undertakings’;
- workers must be protected against dismissal on the grounds of applying for or taking parental leave, and have the right to return to the same or a similar job and maintain previously acquired rights;
- Member States and/or management and labour must take the necessary measures to entitle workers to time off from work on grounds of force majeure for urgent family reasons in cases of sickness or accident making their immediate presence indispensable (though Member States and/or management and labour may specify conditions of access and detailed rules, and may limit this entitlement to a certain amount of time per year and/or per case).
Developments at EU level

The agreement was given legal force by a Council directive in June 1996. Even though parental leave existed in many Member States, the directive obliged the Member States to translate the directive into their national legislation by 1998 and implement minimum provisions.

The directive on equal treatment for men and women, amending the 1976 directive, was adopted in 2002 and includes, among other provisions, employment safeguards for new parents of either sex who are seeking leave to look after infants.

3. Childcare

EU childcare policy: In February 1998, the European Commission adopted the report regarding the implementation of the Council Recommendation of 31 March 1992 on childcare. The Recommendation was adopted as part of the Community’s Third Equal Opportunities Action Programme (1991–5) and the Commission’s Social Action Programme accompanying the 1989 Community Charter of the Fundamental Social Rights of Workers (Social Charter). Both the Third Action Programme and the Social Charter emphasised the importance of measures to enable men and women to reconcile work and family life. The 1998 guidelines for Member States’ employment policies, which were adopted by the Council of Ministers in December 1997, also call for adequate provision to be made for the care of children and other dependants. The report reaffirms the central role of childcare provisions in reconciling work and family life, and focuses on the following main topics: quality of service; parental leave; workplace measures; and the role of men as carers. In addition, the Commission concluded that much remained to be done at the level of European and national policymaking, as well as at sector and company level, to ensure greater equality of opportunity for men and women in the labour market in relation to improving the reconciliation of work and family life.

Subsequently, a major EU research project on the progress of women working in junior positions in the finance and retail sectors in eight Member States found that the women’s lives were being made more stressful by having to find childcare arrangements, often among members of their family.

The European Employment Strategy encouraged the Member States, through the annual Employment Guidelines, to invest in childcare. It highlights the agreement reached at the Barcelona European Council, which stipulated that, by 2010, Member States should provide childcare to at least 90% of children between three years old and the mandatory school age, and to at least 33% of children under three years of age.

4. Pregnant workers

Council Directive (92/85/EEC) on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding: The directive was adopted on 19 October 1992, on the basis of Article 118a of the EEC Treaty and had to be implemented in the Member States by 19 October 1994. The directive was designed to protect this group of workers, who were perceived to be facing particular health and safety hazards in the workplace that could affect their own health, as well as the health of the unborn or newly-born child.

In March 2004, the European Court of Justice (ECJ) issued an important ruling that has implications for social and employment policy. It deals with the question of whether annual leave entitlement can be taken upon return from maternity leave, even if the period for taking annual leave, set by collective agreement, falls within the period of

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2 Published in 2002, see http://www.eiro.eurofound.eu.int/2002/05/feature/eu0205203f.html.

3 The Merino Gómez case, see http://www.eiro.eurofound.eu.int/2004/04/feature/eu0404206f.html.
maternity leave. More specifically, the ECJ stated that paid annual leave of at least four weeks, provided for by the working time directive, is a particularly important principle of Community social law, and its aim is to ensure that workers take a proper break. It also stated that the purpose of maternity leave is different as this is intended to protect a woman’s physical condition through the relevant period and to protect the relationship between a woman and her child after childbirth.

The ECJ further stated that the pregnant workers’ directive provides that, in principle, the rights connected to an employment contract must also be ensured in a case of maternity leave. This includes the right to paid annual leave.

Finally, the Court stated that the determination of when paid annual leave is to be taken falls within the scope of the equal treatment directive. This directive also allows provisions to be adopted that are intended to protect women during pregnancy and the period following childbirth. However, they may not result in unfavourable working conditions for women.

Consequently, the ECJ concluded that Community law requires that a worker should be able to take her annual leave during a period other than the period of her maternity leave, including where the period of maternity leave coincides with the general period of annual leave fixed for the entire workforce by a collective agreement. It also ruled that the pregnant workers’ directive should, in this case, apply to the longer annual leave entitlement set out by national legislation, rather than the minimum of four weeks as set out by the working time directive.

5. Reconciliation of work and family life

Portuguese and French Presidencies:
The issue of reconciling work and family life was one of the main points tackled under the Portuguese Presidency. Thus, the Member States adopted a resolution on 6 June 2000 on the balanced participation of men and women in family and working life. As part of the Beijing+5 follow up process (referring to the June 2000 review of the 1995 UN World Conference on Women in Beijing), the French Presidency developed a set of indicators on reconciliation. Among the issues covered by the indicators were flexible working schemes, parental and other forms of leave, and care-service opening hours.

European Council Guidelines for Member States:
In January 2001, the European Council, in the Guidelines for Member States about employment policies for 2001, emphasised that: ‘Policies on career breaks, parental leave and part-time work, as well as flexible working arrangements that serve the interests of both employers and employees, are of particular importance to women and men. Implementation of the various directives and social partner agreements in this area should be accelerated and monitored regularly.

‘There must be an adequate provision of good quality care for children and other dependants in order to support the entry of women and men into, and their continuing participation in, the labour market. After an absence from the labour market, they may also have outmoded skills, and experience difficulty in gaining access to training. Reintegration of women and men into the labour market after an absence must be facilitated. In order to strengthen equal opportunities, Member States and the social partners will:

- design, implement and promote family-friendly policies, including affordable, accessible and high-quality care services for children and other dependants, as well as parental and other leave schemes;
- consider setting a national target, in accordance with their national situation, for increasing the availability of care services for children and other dependants;
- give specific attention to women and men considering a return to the paid workforce after an absence and, to that end, they will examine the means of gradually eliminating the obstacles to such return.’
The Employment Guidelines encourage Member States to adopt specific policy actions to create the conditions for women and men to enter, re-enter, and remain in the labour market. Measures reconciling family and work life can contribute to reaching the revised Lisbon targets for the employment of women, particularly those with young children.

More generally, the Commission proposed in 2004 to combine in a single text seven directives in the gender equality area. That would add to clarity and certainty, and would reflect developments in ECJ case law over the past 20 years.

European social dialogue

The European cross-industry (or intersectoral) social dialogue began in 1985 at the initiative of the President of the European Commission, Jacques Delors, when the social partners embarked upon a bipartite dialogue. Subsequently, it was developed further, culminating in the social partners’ decision (Laeken European Council in 2001) to develop a more autonomous social dialogue through a multi-annual work programme. Their work programme covered issues that have a bearing on the reconciliation of family and work life debate – gender equality, forms of employment (e.g. telework), lifelong learning, etc. The sectoral social dialogue has also encompassed flexible forms of working, equal opportunities and the lifelong learning/training debate.

New type of agreements

A number of agreements have begun to emerge globally that transcend the national and the European level – the so-called global agreements signed between multinational companies and unions. Rhodia is a case in point. In late January 2005, a global social responsibility agreement was concluded at the French chemicals multinational Rhodia. The agreement commits the company to adhere to a range of ILO Conventions and the UN Global Compact. The agreement encompasses labour rights texts relating to equality of opportunity and treatment, the prevention of discrimination in employment and occupation, equality of opportunity for male and female employees with family responsibilities, and for pregnant and nursing women.
Reconciliation of work and family life is on the collective bargaining agenda in almost all EU Member States. Additionally, legislation plays an important role in a number of countries. This commits them to designing, implementing and promoting family-friendly policies, including the provision of care services for children and other dependants, and parental and other leave schemes.

Given the complexity of the issues and the number of variables, this report, based on EIRO data, illustrates how the issue has reached the agenda of collective bargaining, and the level and content of bargaining. The variations across Member States in relation to industrial relations practices, the economic situation, the legislative framework, and social and family values make a comparison between countries difficult but, nevertheless, the report can prove useful in that it illustrates developments and concrete examples at national level.

Equal opportunities for women and men appear on the bargaining agenda to varying degrees throughout Europe. Efforts are being made in many countries to narrow the pay gap between women and men. In Romania, collective agreements have begun to include special clauses on the protection of pregnant women in the workplace in accordance with legislation (2004). An intersectoral agreement in France (2004) deals with issues such as preventing maternity leave from adversely affecting women’s careers. At company level, an agreement at Cosmote, a Greek mobile telephone provider, includes clauses on reconciliation of work and family life.

Legislation regulating equality issues has been introduced across the EU in recent years: legislation on parental leave, maternity leave (Belgium, Cyprus, Denmark), parental benefits (Estonia), partial childcare leave and extension of leave for fathers (Finland), family-friendly employment rights (UK). In March 2004, the latest in a series of measures were adopted in Romania, revising its system of leave and benefits for pregnant women and new mothers. Similarly, a number of countries introduced legislation to create conditions of equal treatment of men and women (Czech Republic, Malta, Slovenia, etc).

Legislation implementing directives (i.e. working time, part-time work, fixed-term contracts, temporary agency work) was introduced in many countries while labour market reforms were adopted in others (i.e. Denmark, France, Germany, Italy, Portugal). During 2002 and 2003, revisions to labour codes took place in many of the new Member States, as well as in Greece and Portugal. A considerable volume of legislation was passed in recent years on working time issues.

Due to the parental leave directive, nearly all countries have some form of regulation on parental leave; in some countries, this has been accomplished through legislation, and through collective bargaining in others.

**Austria**

In Austria, the most important level of negotiations is the sectoral level where more than 400 collective agreements are concluded each year. Family-friendly arrangements are sometimes explicitly addressed to women and the idea that they might also be an issue for men is not considered by companies, the trade unions or male workers themselves. Regarding working time, some agreements include new regulations focused on flexibility rather than shortening working time. Even though bargaining in Austria over working time flexibility started in 1996, and, generally, flexitime and new forms of work have grown constantly, their incidence is still below the European average. The social partners are willing, but their respective aims are too much at odds for progress on the working time issue to be straightforward. Part-time work, ‘minimally employed persons’ and temporary employment work have expanded mainly due to changes in demand for labour. The phenomenon of ‘dependently self-employed’ persons is another recent development, whereby the worker is officially self-employed but, in reality, depends on one employer.

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4 Or ‘economically dependent worker’: the term refers to bogus self-employment.
In general terms, unions clearly oppose many of these atypical forms of employment. Nevertheless, in recent years, unions have begun to include some groups, such as part-time workers or minimally employed persons, in the collective bargaining process. However, many more remain outside collective bargaining and have little or no employment protection and employee rights.

A particular example is the agreement in the technology sector, which came into force on 1 January 2001, and covers 2,000 employees. It lays down new regulations on flexible working time, providing for flexitime (gleitende Arbeitszeit) and several other models. One important form is the ‘bandwidth model’ (Bandbreitenmodell) whereby the usual weekly working time is 38.5 hours, distributed over five days. In addition, regulations on teleworking – covering principles, employment conditions and employees’ rights – were included for the first time. As regards career breaks, these are provided through several agreements. In particular, agreements in the public sector include provisions for information on job opportunities, discussion on deployment to other jobs, maintaining contact during leave, and dealing with the resumption of work (such as support after leave, targeted training and preferential admission to courses). Moreover, ‘time saving accounts’ were introduced in Austria in order to develop working flexibility as a substitute for career breaks.

Furthermore, in Austria, the 2002 collective agreement for employees of savings banks for the first time explicitly lays down the aim of improving the reconciliation of work and family/private life. In this context, savings banks are now obliged to contribute actively to the objective of equal treatment and equal opportunities for men and women in their companies.

Austria has always had high levels of statutory family-related cash benefits. In 2001, the Austrian government introduced a general childcare benefit scheme, providing for uniform payments for up to 36 months for all parents with childcare obligations, regardless of their employment situation. This has helped families to reduce the risk of serious hardship.

Further legislative developments on reconciliation of work and family life over the last years have been the following:

- the transposition of the EC directive on parental leave from the beginning of 2000;
- the general introduction of a 35-hour working week in 1999;
- regulations concerning atypical forms of employment, introduced in 1999.

Last, but not least, the Austrian National Action Plans on employment include provisions on facilitating the return to work after periods of caring for children or elderly people.

**Belgium**

In Belgium, work-life balance has been high on the agenda of collective bargaining at all levels – intersectoral, sectoral and company level – as well as of the Belgian General Federation of Labour and Belgian feminist groups.

In particular, working time flexibility was first introduced in the early 1980s by a government initiative aimed at reducing labour costs and increasing employment through the redistribution of work and revenue. In Belgium, time and flexibility of time is mainly negotiated at intersectoral level rather than sectoral or company level. According to a

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5 However, studies show that high levels of direct benefits for families are a means of consolidating the traditional, unequal roles of the sexes rather than advancing structural changes. See for instance: http://www.eiro.eurofound.eu.int/2004/04/feature/at0404203f.html.
comparative study on working time flexibility carried out by the Foundation in 1998, bargaining on flexibility was aimed at controlling and compensating for the changes in rules concerning the organisation of hours worked in companies, the status of full-time and part-time employment, limitation and external flexibility (interim work, fixed-termed contracts), salary supplements and bonuses, worker support and voluntary flexible working hours. The draft intersectoral agreement for 2005–6 broadens the scope for using overtime, proposing a new annual limit of 130 hours’ overtime, replacing the current limit of 65. The federal government has promised to reduce the cost of these overtime hours in order to make best use of the opportunity to increase flexible working. The issue of work-family balance, however, was not addressed.

As early as May 2000, the Minister for Labour reinitiated the debate on shorter working hours, calling on the social partners to work actively in this field and proposing measures such as a four-day working week, a 35-hour working week, and a system of time credits. In addition, 2000 saw the negotiation of a number of agreements in line with the law of 26 March 1999; this legislation allows companies to obtain reductions in employers’ social security contributions if they recruit extra staff and reduce average working hours, or take on more workers in the context of introducing a four-day working week. The 2001–2 intersectoral agreement provided that the maximum normal working week would be reduced, without loss of pay, from 39 hours to 38 hours from January 2003. This was implemented by the law of 10 August 2001 relating to reconciliation between employment and quality of life. With regard to ‘time credits’, the 2003–4 intersectoral agreement confirms the necessity of exploiting all the possibilities set out in national collective agreement No.77, which was negotiated by the social partners in 2001, with regard to time credits (BE0108360F). This scheme seeks to allow the best possible reconciliation between work, private and family life, without damaging company performance. It includes career breaks and working time reductions.

Flexible working arrangements have undergone significant change in recent years. The legislation is notable both for the high level of protection that it gives temporary agency workers (a trade union demand) and for the extended legal opportunities for using this type of work (an employer demand). Similar trends continued in 2000, and open-ended temporary agency work contracts were allowed for the first time; previously, contracts could cover only the duration of a specific task. A subsequent collective agreement broadened opportunities for using agency workers in so-called ‘exceptional’ jobs (one of the three statutory grounds for using temporary agency staff). This trend towards broadening the category of people eligible for temporary agency work and of opportunities for using such workers, confirms the considerable growth of this form of employment that took place during the second half of the 1990s. In the 2001–2 intersectoral agreement, the social partners agreed to ‘discuss objectively’ the possibility of lifting a ban on the use of temporary agency work in the construction sector.

Teleworking is governed by a law dating from 1996 that sets out guidelines for contracts for working at home, in line with a 1994 opinion from the National Labour Council (Conseil National du Travail/Nationale Arbeidsraad, CNT/NAR). On 26 June 2000, the social partners on the National Labour Council and the Central Economic Council (Conseil Central de l’Économie/Centrale Raad van het Bedrijfseven, CCE/CRB) issued a statement on the ‘information society’ (in the framework of EU decisions taken at the 2000 Lisbon and Feira European Councils). This statement includes a short section on teleworking. In general, Belgium has seen little in the way of initiatives or legislation with regard to teleworking. However, in 2003, a proposal for a parliamentary resolution was submitted on 9 September (DOC 51 0195/001) relating to introducing trial periods with part-time teleworking for staff of the federal administration. It sought the implementation of the federal government’s coalition agreement that talks of encouraging teleworking and home-working, particularly given the advent of broadband connections, and to establish a legal and judicial status that is adapted to the needs of these employees, ensuring that their workers’ rights in employment are respected. Furthermore, a non-government bill was lodged in the Senate on 22 September 2004 (DOC 3-845/1); it is currently being discussed by the Senate’s Social Affairs Commission. The aim of this bill is to align provisions on teleworking with the spirit of
the law of 3 July 1978 on contracts of employment, and to adapt the achievements of this to the situation of teleworking, while taking its lead from the framework agreement signed by the European social partners on 16 July 2002 (EU0207204F). The bill seeks to clarify the situation of the various kinds of teleworking, whether it is carried out at home or in a telecentre. This should provide workers with greater protection, and prevent relations between workers and the employer being clouded by uncertainty.

The 2001 intersectoral collective agreement for the 2001–2 round concluded by the tripartite National Labour Council included provisions concerning the reconciliation of work and family life. In particular, the negotiators were supposed to put in place a collectively agreed framework, as of January 2002, to grant workers: the right to a time credit of one year, full time or half time; the right to a career break equivalent to one-fifth of a week for five years; the right to half-time work or 80% work for workers aged over 50 years, with a specific system for small companies with fewer than 10 workers; and the right to specific leave (e.g. parental leave or leave to care for an ill family member). Independent of these measures, paternity leave was raised to 10 days (previously three). The time credit replaced the previous national system of career breaks that came to an end in 2001. The career break scheme enables employees to suspend their employment, for whatever reason, or to reduce their working hours while receiving an allowance and maintaining their social security rights. The underlying idea of the new time credit is that, in the ‘active welfare state’, men and women must be given the opportunity to reconcile a professional career with family responsibilities, thanks to flexible entry and exit options.

Following the national intersectoral agreement of 22 December 2000, framework provisions were developed at sectoral level. Thus, in April 2001, trade unions and employers in the Belgian metalworking sector concluded a national agreement, covering 155,000 workers in 6,000 companies. The deal covered a wage increase and procedures regarding the pensions fund and extended the length of the time credit entitlement from the one year set at intersectoral level to three years (in total, over an employee’s career). In addition, it became possible to depart from this sectoral arrangement at company level by increasing the time credit entitlement from three to five years. In practice, this means that workers in the metalworking sector may take a break in their employment for a total period of five years over their entire career, while receiving an allowance and preserving their security rights. The 2001–2 intersectoral agreement provided that the maximum normal working week would be reduced, without loss of pay from 39 to 38 hours from January 2003. This was implemented by the law of 10 August 2001 relating to reconciliation between employment and quality of life.

Flexible career options were also introduced in the Flemish non-profit sector (welfare, healthcare and social/cultural activities). The purpose was the implementation of a number of schemes allowing employees to take periods of time off (e.g. for family care purposes or sabbaticals), and allowing older workers to move to part-time work. The overall aim is to give employees the flexibility to reconcile their work and family life.

There have been few legislative changes relating to reconciliation of work and family life, other than actions that the federal government has taken aimed at enabling workers to withdraw temporarily from the labour market (career breaks) or to finish their career early and the time credits.

In March 2003, the Flemish regional government and social partners concluded an employment agreement for 2003–4. The agreement introduced new measures among which there were childcare provisions – the Impetus programme for childcare. It was agreed that a minimum of 1,400 additional childcare places would be provided. The regulations on childcare must be made more flexible, in order to allow young parents – in effect, young mothers – to participate in the labour market.
Bulgaria

An analysis of sector and branch agreements signed in 2002 and 2003 reveals that there is a trend towards concluding accords on the protection of women’s employment rights in Bulgaria. Most often, the agreements aim at helping women to combine work and family life. Thus, some agreements include longer provisions than the standard paid annual leave for those with childcare responsibilities. In more than 70% of cases, however, the agreements only adhere to the provisions of the Labour Code.

Moreover, the first steps have been taken to agreeing a shorter working day or week and part-time work for pregnant women and mothers with children below 10 years of age or with a disabled child. A large number of sector and branch agreements include provisions on various types of social benefits and social support enabling workers to improve their work-life balance. These include additional payment for national and religious holidays, recreation and annual leave, sick pay and leave, and the possibility for both parents to take their paid annual leave at the same time. However, part-time work is relatively uncommon in Bulgaria. In 2002, according to the Eurostat labour force survey, only 3.1% of the workforce worked part time.

Finally, agreements allowing women to work flexibly, part time, at home or at a distance from the workplace are still relatively rare. In general, the immediate opposition of employers towards reduced working hours has not been matched by efforts to improve the organisation of working time. A significant number of employers in Bulgaria are still trying to raise their productivity rates by increasing working hours (mostly using overtime), rather than by introducing new technologies.

Cyprus

Collective bargaining in Cyprus does not appear to deal with equality matters (CY0401103F) likely to have an impact on work-life balance.

Specific legislation on workplace gender equality has only recently been introduced. The most important legislative developments in relation to reconciliation of work and family life were the harmonisation of Cypriot legislation with EU employment law. On 1 January 2003, the law on parental leave and leave for emergency reasons (Law 69(I)/2002) came into effect (as well as other pieces of legislation such as the law on the organisation of working time, fixed-term employees, part-time employees, equal pay, etc).

Czech Republic

Reconciliation of work and family life is not a major issue in the Czech Republic.

However, most company-level agreements and agreements at higher level have traditionally included commitments increasing leave from work – above the level set by the Labour Code – for family-related or personal reasons, such as the birth of a child, caring for a child up to a certain age, the death of a family member, an employee’s wedding, moving house, and looking for a new job.

Moreover, one of the Ministry of Labour’s goals over the coming years is to make the workforce more adaptable and the labour market more flexible by means of flexible forms and methods of work organisation, working hours and employment relations. It is, nevertheless, significant that such measures are not aimed at enhancing work-life balance, but rather at making the workforce more adaptable and the labour market more flexible.
Denmark

In Denmark, even though there are measures in place that support work-life balance, the issue continues to be high on the agenda both of collective bargaining and of government policy. In particular, since 1991, when the 37-hour working week was introduced, neither the social partners nor the Danish government have supported a further reduction of working time, while the debate on flexible working time is two-sided. One aspect of the ‘flex-debate’ reflects the wish to improve conditions for families with small children and has, as such, little to do with employment creation. Another aspect is the emerging trade off between more flexible working time arrangements and other demands in collective bargaining throughout the mid-1990s, with the aim of utilising labour and machinery more efficiently and improving competitiveness. A series of changes in the negotiations up to and including 1995 widened the scope for increased flexibility in determining working time, which can be agreed by the parties in individual companies.

A key outcome of the three-year agreements is that the tendency towards a more flexible treatment of working time has gained further ground. Working time in most sectors (e.g. public sector, finance sector) is now calculated over a longer time horizon – allowing for weekly variations around an average of 37 hours over a reference period. Specifically, in 2000, in the industrial sector, the reference period for averaging out working time was extended from six to 12 months. This means that employers may plan work for 12 months ahead, provided that the average working week is 37 hours and subject to agreement with employees at local level.

In addition, extra holiday entitlement (annual holiday and ‘care days’ for workers with families) has been central to the social partners’ negotiations and high on the government agenda since 1998, resulting in an extension of annual holiday in several sectors (public sector, agricultural sector, finance sector, etc). Thus, annual leave has now increased by five extra days (bringing the total to six weeks). This does not constitute an additional week of statutory annual leave, taking instead the form of individual days off which may be organised in accordance with the needs of both the employer and the employees. These special holiday days may also be converted into cash payments.

The 1999 collective agreement for Denmark’s local government sector allowed for the decentralisation of bargaining concerning working time. Many local governments have since initiated pilot projects involving new forms of working time organisation, a number of which were assessed in 2004. Some of the schemes include the ‘3-3 model’ (three days work and three days off), or provision of an additional flexible working day, etc. While experience with the models has been mixed, it has been reported that the schemes ensure better reconciliation of work and family life.

Another issue that has been given an increasing amount of attention, and which may bring about one of the most profound changes in working time and flexibility, is home-based telework. (Studies indicate that, within the next decade, the number of persons engaged in home-based telework will increase from a level of 9,000 in 2002 to a potential 280,000 persons or 10.5% of the workforce.) In autumn 2000, the Danish Commerce and Service (Dansk Handels & Service, DHS) employer organisation and the services section of the Union of Commercial and Clerical Employees (Handels- og Kontorfunktionærerenes Forbund/Service, HK/Service) concluded an agreement regarding new rules for teleworking, with the aim of facilitating work at home. Under the terms of the agreement, the statutory requirement to take a break of at least 11 hours between working days will no longer stand in the way of those of the 95,000 members of HK/Service who want to telework from home. This 11-hour rule meant that, if employees chose to work at home, for instance, during the period from 11 pm to midnight, they would not be able to start work until 11 am the following morning.

The agreements of 2003 in the finance and slaughterhouses/meat production sectors introduced individual options for employees within a collective framework. Within that context, individual employees are free to choose which part of the agreed wage sum is to be used for more time off, higher pay, or a higher pension. That option can enable the employee to adapt to modern working life, while using the time-off option can help to reconcile work and family life.
In Denmark, legislation is little used and the social partners are normally closely involved in the legislative process. Thus, the social partners were able to implement EC directives by means of collective agreements. Consequently, in February 2000, the Danish Confederation of Trade Unions (LO) and Danish Employers’ Confederation (DA) concluded an implementation agreement on the working time directive.

With regard to legislative developments, the Holiday Act adopted by Danish parliament in May 2000 increases flexibility relating to when a holiday may be taken – primarily by making it possible to conclude agreements concerning the transfer of the fifth week of annual leave from one year to the next. Additionally, the improvement of conditions for families with small children is high on the Danish government’s agenda as well as on the agenda of tripartite talks.

Research results
According to research published by LO based on figures from Statistics Denmark and the National Labour Market Authority, in February 2001, Danish men prefer to work instead of taking the parenthood-related leave to which they are entitled (a potential total of 66 weeks since 1998). On average, male employees are absent from work for only about two weeks in the course of the first two years of their child’s life. In comparison, women are on average absent from work for nearly 45 weeks in connection with pregnancy and maternity leave.

Estonia
In Estonia, business is treated as a ‘gender-neutral’ area, with the result that reconciliation of work and family life is not an issue for labour legislation or collective bargaining. Important legislative acts concerning gender equality have not yet been adopted and general awareness is low (EE0312102F).

However, the Parental Benefits Act envisages benefit equal to the average wage of the parent (but not less than EEK 2,200 (€140) and not more than EEK 15,741 (€1,006) in 2004), for one parent taking leave in the year after giving birth.

Finland
Collective bargaining plays an important role in the reconciliation of work and family life in Finland. Flexible working time and leave facilities are issues for negotiation. In particular, bargaining over time flexibility has been ongoing for some time. In 1993, it became possible in many sectors to agree, at company level, a lengthening of regular daily working hours of up to 10 or 12 hours or, on certain preconditions, to increase the weekly working time by up to 50 hours. During the 1990s, the most important factor that influenced the discussion of flexible working hours was the changed environment due to wide scale unemployment. Traditionally, employers have supported flexibility but, during the 1990s, both parties came closer to each other. The 1998–99 incomes policy agreement included a number of issues concerning working hours, such as the minimum age limit for receipt of a part-time pension, early retirement, sabbatical leave, and the amount of holiday entitlement that could be saved. In the spring of 1999, the new government’s policy programme set out a number of measures relating to new forms of employment, including security of employees and flexibility balance and the protection of working hours. The use of atypical working relationships is becoming increasingly frequent, whereas part-time work is not as common. Fixed-term employment contracts are now easier to conclude, especially in the service sector.

In the 2000 sectoral bargaining round, the Metalworkers’ Union had sought a working time reduction of one day per year, but with no success, due to outright rejection of this proposal by the employers, who argued that Finnish metalworkers already had one of the shortest working weeks in Europe. However, the Chemical Workers’ Union succeeded in its demand of making the Saturday after Ascension Day a paid holiday – which means a cut of one shift (i.e. eight hours) in annual working time.
In the 2003–4 incomes policy agreement, it was decided that the possibility of increasing working time flexibility should be further examined. The agreement noted that more flexibility could be reached by using long-term working time accounts or working time banks. Furthermore, blocks of working time that are too short, which is a problem in jobs where working time is divided into several parts during the day, should be avoided. The minimum proposed length of a block of working time is four hours, except in some special cases. As part of the 2005–7 incomes policy settlement, the central confederations agreed to inform their member organisations about the possibility of using working time banks. They recommend that working time banks should be promoted in sectoral agreements when applicable ([FI0404203F]). In the new settlement, it was also agreed that a working party made up of representatives of the social partners, which was set up in December 2002 as part of the central incomes policy agreement for 2003–4 ([FI0212103F]), will continue its work. It will monitor the development and implementation of working time banks and follow developments in working time at national and international level.

The incomes policy agreement for 2003–4 includes several measures that support the Employment Guidelines (set out in the National Action Plan for employment), among which is the reconciliation of work and family life.

The Employment Contracts Act, which came into effect in 2000, regulates employment contracts for temporary agency work. The Act requires temporary agency workers to be subject to the regulations of the generally binding collective agreement applicable to the user company, if the temporary agency is not bound by another collective agreement.

There are as yet no specific collective agreements regulating telework, which is regulated by the Employment Contracts Act. It is estimated that 17% of the Finnish workforce telework at least sporadically. Of all the different categories of telework, call-centre work seems to have grown most rapidly.

In Finland, there are sectoral collective agreements requiring employers to partly supplement the state allowance during parental leave. Some agreements enhance workers’ entitlement to short temporary absences from work when children aged under 10 years fall ill (i.e. by providing full pay in such circumstances).

The Employment Contracts Act was amended in November 2003 to extend partial childcare leave. Under the previous scheme, employees were entitled to take partial childcare leave in order to care for a child up to the end of the first term (December) of the child’s first school year. In the reformed scheme, the entitlement lasts until the child ends the second school year (in May or June). Also in 2003, changes in a range of laws relating to the balance between work and family life were introduced. In addition to the partial childcare leave, there were also improvements in leave for family reasons, giving the father 12 more days of leave, under certain conditions.

**Research results**

A study published by the Finnish trade union confederations in 2003, however, reports that employees with children tend to work more than average and, in particular, when their children are young. One explanation might be that parents need to dedicate more hours to the labour market in order to support their children. The pressure to combine work and family life seems to be particularly intense for women, who would like to work much fewer hours than their male colleagues when their children are small.

**France**

In France, the issue of reconciliation of work and family life is at the top of the collective bargaining and policy agenda. Thus, certain agreements, legislation, policy programmes and research are dealing with issues such as working time flexibility related to better work-life balance, childcare, and leave provisions.
Regarding working time, the most significant change in recent years began with the first ‘Aubry law’ on guidelines and incentives relating to the reduction of working time, issued on 13 June 1998. This legislation, in force until the end of 1999, was designed to encourage bargaining on reduced working time before the adoption of definitive legislation on the 35-hour week for companies with more than 20 employees (the second Aubry law passed on 15 December 1999). Negotiations on this theme generally took place at sector level in 1999, and bargaining then continued at company level in 2000. It was viewed by the government as a job-creation measure, and an attempt to fuse two imperatives – company modernisation (with the introduction of new forms of flexibility in working time) and appropriate protection for employees in this new context.

Thus, a total of 117 sector-level agreements on the reduction of working time were agreed by November 1999. They reflect unprecedented levels of sector-level bargaining on the reduction and reorganisation of working time. The agreements cover more than nine million employees. A core characteristic of sectoral agreements is the formal link established between the reduction and the reorganisation of working time by combining various approaches such as flexitime working, limits on overtime, individual ‘time banks’, additional rest days and part-time working.

By the end of November 2000, the number of company agreements had reached 42,805, covering 4.6 million employees. Similar to sectoral agreements, one of the dominant features of company agreements is that work is being significantly reorganised, through shift working, flexible working hours, and longer equipment-operation and service-provision hours. Despite the demands of certain small business employer organisations, the government refused to consider an amendment of the 35-hour week legislation or a postponement of the date when it became applicable to small and medium-sized enterprises (SMEs) in January 2002.

It appears that the period of intense bargaining on working time is over in France. Weekly working time is no longer being reduced, and has stabilised at around an average of 35.64 hours for more than 80% of full-time employees. A slight trend toward extending working time even was observed in the middle of 2004.

In terms of sectoral developments on fixed-term employment contracts, in June 2000, a protocol agreement was reached between the Minister for the Civil Service and State Reform and trade unions on ‘the progressive elimination of insecure employment in the three branches of the civil service, and improved management of employment within the public services’. The deal gives official civil service status to many workers on fixed-term contracts. The number of fixed-term employment contracts had increased by over 40% in the four years up to 2002, while the level of part-time working represented over 17% of all salaried jobs in that year.

Legislative activity during recent years, relating to reconciliation of work and family life, was concentrated on the 35-hour week law. In the framework of the 2001 social security funding bill passed by the French parliament in October 2000, there were also specific provisions concerning the family. This resulted in a 1.8% increase in family allowances, a day childcare investment fund (with funds of FRF 1.5 billion (€228.7 million)) and a parental leave entitlement for parents of seriously ill children. In addition, housing assistance schemes were to be harmonised with welfare benefits counted in the same way as work-related income. In June 2001, at the annual Conference on the Family, the French government announced an extension of paternity leave from three days to two weeks, funding facilities for young children, increases in housing benefit and reform of civil family law.

The issue of reconciliation of work and family life was at the forefront of a series of campaigns, events and publications to mark International Women’s Day (8 March 2001). Among the organisations involved were the Mix-Cite gender equality organisation and the National Action Group for Women’s Rights. The Ministry of Employment and Solidarity released a study highlighting inequalities between men and women within couples and in family life, and comparing the
French and Swedish models. It pointed out that ‘while women in both countries devote more time to domestic tasks than to paid employment, the disparity remains particularly marked in France, with a differential of 10 hours per week.’

In December 2000, France’s Economic and Social Council (CES) proposed a number of measures, such as improving the image of women, and undertaking positive action and reviewing parental leave and childcare provisions in order to increase the presence of women in decision-making positions. A 1999 report entitled ‘More mixing in the labour market for greater equality between men and women’, submitted by the French Minister of Parliament Catherine Génisson and commissioned by the Prime Minister, proposed 30 legal provisions including specific measures to promote the reconciliation of work and family life.

Research results
According to a report on part-time work presented in October 1999 by a scientific advisor and member of the Economic Analysis Council (Conseil d’Analyse Économique), part-time work had only very moderate growth in France and was for the most part imposed by employers. The report shows that it is possible in France, as proven in other European countries (in particular in the Netherlands), to develop opportunities for part-time work that is chosen voluntarily by employees and that addresses numerous goals, such as: increasing the employment creation effect of economic growth; greater flexibility; control of wage costs; and better reconciliation of work obligations with private and family life. In order to implement such changes, the report emphasises the importance of an innovative approach by the social partners, particularly in terms of developing bargaining on part-time work and creating a status for part-time workers that gives them new rights. The report noted that part-time work mainly affects women, and suggested further research on issues surrounding childcare arrangements.

Four studies, undertaken respectively by the government, academics and trade unions, assessing the impact of changing work patterns on family life were published in 2003. According to these reports, it is the organisation of working time and the management of flexibility in work organisation – rather than the length of the working time – that determine whether reduced working time is beneficial for working parents or not. Further conclusions reveal persistent gender inequality in work and family life. Fathers’ participation in parental activities, for instance, remains limited. The reform of parental leave introduced in 2002 provides for 11 days of leave benefit in addition to the three days of statutory leave already paid by employers. In 2002, about 250,000 fathers took advantage of paternity leave. It is noteworthy that the higher men’s pay is and the more fathers prioritise their jobs, the less likely they are to achieve a balance between work and family life. Conversely, men working under 39 hours per week and with the lowest pay participate the most in day-to-day childcare. These men form a minority group and – like many of their female counterparts – even before their child is born, have developed professional and personal strategies focusing on personal and family-life development.

A study on child poverty published in 2004 by the Council for Employment, Income and Social Cohesion indicates that the reconciliation of work and family life is not only an individual matter but is a question of broader social interest. According to the report, one million children live below the poverty threshold of €560 per month. The report highlights the close links between child poverty and the weak employment status of the parents. According to the report, one of the ways to address the problem is to enable parents to find a balance between their working life and parental responsibilities.

A means to achieve this is the national intersectoral agreement on gender equality and gender balance in workforce composition, which was signed in 2004 by France’s main employer organisation and trade union confederations. It is a framework agreement that must be adapted at sectoral and company level. Thus, an agreement on gender equality in employment and work-life balance was signed at Renault in 2004. This agreement provides for: an increase in the level of part-time work among those who prefer it; a payment to women starting maternity leave; a reduction of working hours during pregnancy; a two-week extension to maternity or adoption leave with no loss of pay; authorised absence to
complete the paperwork for adoption; an increased adoption bonus of €1,500; and further leave to care for sick children. Moreover, fathers will receive their net pay during maternity leave (minus any social security benefits), and absences relating to maternity, paternity or adoption will be included in actual working hours in the calculation of both time off awarded as part of the reduction of working time, and also profit-sharing and quarterly bonuses. Similar company agreements had been signed at Peugeot in November 2003 and at Thales in 2004. At sector level, an agreement promoting gender equality in employment in terms of pay, career development, recruitment, working time and training was signed in March 2004 in the electricity and gas industry sector.

With regard to telework, the French social partners reached a draft national intersectoral agreement in July 2005. The accord transposes the 2002 EU-level framework agreement on telework, the first time that this has been done by collective bargaining in France (which is seen as a practical example of a new approach to social dialogue).

Germany

Both collective bargaining – transectoral, sectoral and company – and government policy deal with issues related to work-life balance. In particular, working time flexibility and family-friendly employment conditions are a priority of German negotiations. Specifically, since the mid 1980s, bargaining over working time flexibility has taken place to an increasing extent, while since 1999, working time reduction and working time flexibility have been among the most important issues in the political debates between the bargaining parties. According to the WSI (Wirtschafts- und Sozialwissenschaftliche Institut, Institute for Economic and Social Research) Collective Agreement Archive, almost all collective bargaining districts are covered by collective agreements that include provisions on working time flexibility. Regarding the relative importance of the various levels of bargaining, agreements on working time flexibility are mainly concluded at sectoral and company level. In addition, there are frequent links between sectoral agreements and company agreements that provide a framework for lower-level negotiations.

It should be mentioned that, in Germany, there are a number of dimensions of working time flexibility where fundamental disagreements have existed between the social partners:

- length of regular average working time: most trade unions regard working time reductions as a means to combat unemployment. Employers increasingly seek that weekly working time should be the reference for wage calculations rather than an individual working time norm;

- structure and position of working time: trade unions do not generally oppose flexible working hours. However, they claim that there is the danger of this arrangement becoming driven solely by the company’s demands for flexibility. Their aim is to achieve regulations that take into account the employees’ interests. Employers want greater flexibility in relation to working hours and the company’s operating hours, and seek to link working time with the company’s needs, i.e. synchronising labour input with labour demand fluctuation due to seasonal, cyclical and other reasons (including weekend working time);

- remuneration: whereas trade unions want to maintain overtime bonuses, employers seek to abolish them;

- authority over decision making on working time flexibility: in general, trade unions aim for collective regulation of working time by collective agreements and try to limit the extent of flexible working time. Furthermore, they seek to extend their influence over the application of the collectively agreed provisions. Employers would like to limit collective regulation and to leave as much discretion as possible to the individual and company level.

Germany has seen an accelerated introduction of new forms of work organisation, as well as broad debates among employers and trade unions about the consequences of this for industrial relations. However, there is no homogeneous trend towards a single model of new work organisation, but rather a great variety of organisational concepts. Regarding
teleworking, the German government aims to promote both the advantages of, and opportunities to, telework, in addition to seeking a broader acceptance of this kind of work in order to create new jobs. Currently, teleworking is mostly carried out by managers and experts. Most teleworkers are highly educated.

There have been specific cases where bargaining on working time and time flexibility was the core issue on the agenda:

- In banking, in 1999, the bargaining parties were unable to conclude a new collective agreement, since the unions did not accept employer demands for the inclusion of Saturday as a regular working day. Unions and employer organisations also have opposing views on the question of a further extension of shop opening hours.

- In May 2001, the ver.di trade union and the employer organisation for private banking signed a new collective agreement, covering 470,000 employees. The deal provides, among other things, long-term working time accounts. Thus, the saved overtime can be used for longer periods of time off or for early retirement. In addition, the banking social partners agreed exceptional rules for overtime work for the period between 17 December 2001 and 28 February 2002, relating to the introduction of the euro.

- In October 2000, Germany’s first sectoral agreement on ‘working-life time accounts’ was signed in the steel industry. The agreement essentially offers employees the possibility of saving overtime pay over a long period by paying it into an account. This money can be used to finance either a period of time off, early retirement or an additional pension.

- In May 2000, the employer organisation and unions of the German insurance sector signed an agreement providing for moderate pay increases. The agreement also provides for including part-time employees in partial retirement schemes and in the regulations on early retirement at 60 years.

Recent developments show that, in 2004, the length of the working week varied to a great extent from company to company, due to a growing number of agreed deviations from collectively agreed working time standards and to an increasing level of working time flexibility at company level. For instance, some company agreements in 2004 allowed for longer working time in exchange for job security.

The crucial role of collective bargaining in reconciling work and family life, in Germany, is also obvious in the bipartite agreement on equal opportunities in the private sector. Specifically, in July 2001, the German government and employer organisations signed an agreement on equal opportunities for women and men in the private sector, in which the employers declared their intention to develop and implement their own measures promoting equal opportunities and family-friendly employment conditions. Companies should thus:

- set out the goal of equal opportunities and family-friendly conditions in their company philosophy, make the conditions known, and consider the different effects of business decisions on employees;

- make equal opportunities and the reconciliation of work and family life a principal task for employees in management positions;

- increase the share of women in management positions through the inclusion of a higher number of women in relevant training programmes and through offering part-time work in such positions;

6 See, for instance, EIRO regarding Siemens (DE0407106F) and Daimler-Chrysler (DE0408102N): longer working time in exchange for employer commitments to job security; and Deutsche Telekom: working time was cut, but wage compensation was provided only in part, in exchange for job guarantees (DE0405205F).
• provide incentives to attract more women to ‘future-oriented’ education and training;
• improve the reconciliation of work and family life for mothers and fathers through flexible working time, flexitime, working time accounts, sabbaticals, teleworking, job-sharing and support for childcare;
• allow flexible arrangements during parental leave;
• establish binding objectives for achieving equal opportunities and family-friendly conditions;
• include employees in the conception and realisation of these measures.

The conclusion of the agreement meant that a binding law on equal opportunities, which had formed part of the ‘red-green’ government’s coalition pact, was put on hold.

Moreover, the issue of reconciliation of work and family life has engaged the attention of IG Metall. In May 2001, Germany’s IG Metall metalworkers’ trade union launched a ‘debate on the future’, in order to develop new perspectives and strategies for the union. The debate was to last for two years. One of the five central themes was the future of work, where reconciliation of work and family life was one of the main issues.

Additionally, in connection to a 2000 conference on working time (organised by the five German trade unions that had decided to unite to form a new Unified Service Sector Union), the WSI Collective Agreement Archive evaluated collective agreements in the 10 most important service sectors with regard to their regulations concerning working time. The survey shows that collectively agreed working times differ considerably. Also, collective agreements in all sectors allow varied forms of flexible working time at workplace level, but individual rights to arrange an employee’s own working time are not very flexible.

A report (May 2000) on working time policy, 7 emphasises that working time policy plays an important role in labour market reform, and states that flexible working time – and in particular the increased use of working time accounts – offers various opportunities both to maintain and create jobs and also to meet individuals’ demands for further training, childcare or early retirement.

With regard to legislation, the 1994 Working Time Act is the most important statutory reference on working time, and was designed to provide the framework for regulation at lower level, either within the framework of collective bargaining autonomy (Tarifautonomie), co-determination, or individual regulation by labour contracts.

Also of significance for the development of new forms of work is the Act on the regulation of ‘bogus self-employment’ (Scheinselbständigkeit). This came into force on 1 January 1999, aiming to improve the social rights of people who are formally self-employed, but in reality act as dependent employees. It also brought them into the social security system.

Moreover, regarding atypical forms of work, an Act on marginal part-time employment (geringfügige Beschäftigung) came into force on 1 April 1999. The aim of this law is to limit the expansion of marginal part-time work (defined as work with a maximum monthly pay of DEM 630 (€322)) and the reintroduction of social security contributions for these employees. At the same time, marginal part-time employment was exempted from taxes. Following this Act, in November 2000, the German Parliament passed a new Act on part-time and fixed-term employment relationships.

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7 The report was drawn up by the group of social scientists that assisted Germany’s tripartite national alliance for jobs.
Through this Act, the government seeks to create a legal basis for part-time and fixed-term employment that is adequate to the needs of present-day employment. At the same time, the Act transposes two European Council directives on part-time and fixed-term work. According to the Federal Ministry of Labour, there were about four million marginal part-time workers in 2000.

As regards parental leave and childcare payments, the most important statutory source is the revision of the Federal Childcare Payment and Parental Leave Act (Bundeserziehungsgeldgesetz, BerzGG). The act came into force on 1 January 2001, and the most important changes in parental leave were:

- since the beginning of 2001, both parents are allowed to take parental leave at the same time;
- the permitted level of part-time work during parental leave was extended from 19 to 30 hours per week;
- parents have the right to work part time for between 15 and 30 hours per week, with employers permitted to reject such requests only if this creates considerable problems for the company. After the period of parental leave, the employees concerned have the right to return to full-time work;
- parents have the opportunity to postpone the third year of parental leave until the eighth birthday of the child.

Concerning childcare payments, the upper limits of net annual income, below which parents are entitled to a full childcare benefit payment, were increased by 9.5% for parents with one child and by 11.4% for lone parents with one child for the period from the seventh month after the child’s birth.

An interesting initiative, ‘The family as a factor of success – the business competition’, presents awards designed to recognise firms that are leaders in promoting a positive work-life balance for their employees through company policies and benefits. In May 2005, the German government presented awards to the companies that had won a national competition; previous competitions took place in 1993, 1996 and 2000. The initiative is supported by trade unions and employer organisations.

The winner in the small-business category was a steel and metal construction company with 28 (mainly male) employees, Anton Schoenberger Stahlbau und Modelltechnik. It is run by two sisters, Sabine and Andrea Schönberger, who fully support their employees in reconciling family life and work. Workers can bring their children to work in the event of emergency or can work at home if necessary. For occasions such as a child’s birthday or the first day of school, employees receive a day’s paid leave.

The prize winner in the medium-sized business category was the information technology company KOMSA, based in Saxony. Of its employees, 41% are women – many of them mothers who work part time. In addition, it offers various models of flexible working time arrangements as well as teleworking. KOMSA also provides its own daycare centre for the children of its employees.

In the third category, the detergent and cosmetics giant Henkel was named the most family-friendly large company. For years, Henkel KGaA has been known to foster programmes that assist its employees in meeting their needs to be successful in both their professional and family lives. A task group draws up projects on establishing more flexible working schedules and providing care for family members. For example, the Gerda Henkel nursery takes care of children from six months of age. Employees on parental leave are given the opportunity to achieve additional qualifications via the Internet, and they can work on projects on a part-time basis.
Research results
Existing arrangements aimed at reconciling work and family life appear to differ widely, according to the nature of the arrangement. In 2004, the IW (Institut der deutschen Wirtschaft) published a survey to assess the 2001 national agreement signed between the German government and central business and employer organisations. According to the report, three-quarters of companies in Germany offer flexible working time arrangements and/or the possibility to work from home. Moreover, 42% of firms support their employees in their childcare arrangements by offering the option of interrupting their work at short notice. Some 23% of firms support their employees in their care of other relatives. The major motives for these efforts are to increase the satisfaction of employees, and to retain experienced and highly qualified workers.

However, examining the 2003 and 2004 surveys focusing on the assessment of the new provisions of the Works Councils Constitution Act on gender equality (2001) reveals different figures. Even if parents would welcome additional leave options (DE0410204F) and benefits to further reconcile work and family life, agreements at company level are still rather exceptional. Only 8.3% of all works councils surveyed by WSI have signed an agreement on the reconciliation of work and family life. Those agreements were most often found in the finance sector (18.4%) and in the largest workplaces. Moreover, it is significant that works councils were always the initiator of such measures, but that the issue is not at the top of the bargaining agenda. About 27% of works councils reported that reconciliation of work and family life had been taken up as an issue within the previous two years. Some 66% of works councils report that nobody had expressed any need for action. About one third of employees stated that individual solutions to reconcile work and family life had been found, while another third admitted that they had to face more urgent problems, such as securing existing jobs and fighting job cuts. The combination of these two factors might explain the scarcity of collective agreements at company level.

Furthermore, survey results of managers’ attitudes towards equal opportunities for women in work, released on 4 March 2005 by the Social Market Economy Initiative (INSM), show that more needs to be done in this area. A high percentage of female respondents saw a need for action from both politicians (79%) and business (58%). In similar vein, 52% of those asked believed that politicians and the state were the primary influential factors in making women’s ability to combine a family with a career only rarely possible. A majority of respondents also agreed with the statement that an increased number of women in business could increase efficiency and productivity.

Greece
As has traditionally been the case with Greece, collective bargaining remains centralised, and the National General Collective Agreement (EGSSE), which has a two year cycle, as well as the sectoral agreements play a major role in terms of industrial relations. Regarding working time, the reduction of the working week from 40 hours to 35 hours without loss of pay was, during the last years, one of the trade union movement’s basic demands.

The 2000–1 EGSSE included some provisions relating to reconciliation of work and family life, such as:

- paid leave from 12 and 14 years to 10 and 12 years, respectively;
- the total length of maternity leave was increased to 17 weeks, through granting one additional week of leave after confinement;
- the entitlement of mothers or fathers to interrupt the working day, arrive late or leave early was extended to adoptive parents of children up to six years of age.
In 1999 and 2000, a limited number of collective agreements at occupational level (165 agreements) and company level (246 agreements) were signed. According to the EIRO database, two of these agreements, and a further one dating from 2004, include important clauses regarding reconciliation of work and family life.

1. The enterprise-level collective agreement signed on 25 June 2001 by the management of the Hellenic Telecommunications Organisation (OTE) and the Federation of OTE Workers (OME-OTE)

This collective agreement, which covers around 18,500 workers, was to be in effect for two years and covered both permanent and probationary staff. In the agreement, in addition to an overall pay increase, the following pay-related points were agreed:

- family allowance for a third child was increased to 10% on 1 September 2001;
- beginning on 1 September 2001, expenses for child ‘minding/accommodation’ in daycare centres – which are granted to OTE staff when the mother is employed by the company – would also be paid in cases where the mother was self-employed. The possibility of paying such expenses to non-working mothers would also be examined.

The main non-pay (institutional) provisions regarding reconciliation of work and family life were the following:

- OTE staff (probationary, permanent and temporary under open-ended contracts) who are employed full time and who have children with at least a 67% disability were given the opportunity from 1 September 2001 to shorten their working day by two hours, with no corresponding loss of pay. In addition, the working day for staff (probationary, permanent and temporary under open-ended contracts) employed full time and suffering from thalassaemia or either of two types of sickle-cell anaemia was shortened by two hours;
- mothers of infants taking the leave provided for in Law 1483/1984 regarding the ‘protection and facilitation of workers with family responsibilities – amendments and improvements of labour laws’, in order to raise their children until they reach the age of two years, receive one third of their normal pay;
- OTE made a commitment to ensure that all the measures required for guaranteeing workers’ health and safety would be taken.

It should be noted that the pilot implementation of the 35-hour working week without loss of pay, as foreseen in the 1999–2000 OTE agreement, has never been carried out. Overall, reduction of working time was not a subject in bargaining in the collective agreement that followed.

2. The national occupational collective agreement of 29 April 1999, signed by the Federation of Greek Private Employees (OIYE) and the Notary Associations of Courts of Appeal

This agreement governed the pay and working conditions for workers in notary offices all over Greece. It covered about 4,000 workers for one year beginning on 1 January 1999. The agreement also provided for the following extra payments:

- an allowance of 5% for workers with three or more children;
- a marriage allowance of 12% for all married, divorced or widowed wage-earners, which is also granted to unmarried parents, provided they have custody of a child or children.
With regard to other terms and conditions, those set by this agreement were more favourable than those set by the general institutional framework (either legislation or the EGSSE). In particular, the agreement contained the following provisions supporting the reconciliation of work and family life:

- **Working mothers**: are entitled to work shorter hours for a period of four years after the birth of a child in order to allow for breast-feeding and the increased care necessary for raising a child. They may interrupt their working day, leave work earlier, or start work later. Their working day is shortened by two hours for the first two years after the birth, and by one hour for the following two years. Alternatively, the father may ask to take the leave of absence for childcare, provided the mother does not make use of it. The shorter working day is considered to be a normal working day, and is paid as such;

- **Workers who have completed 10 years of work in the sector, regardless of employer**: receive regular annual leave of five weeks, meaning 30 working days for those working six-day weeks or 25 working days for those working five-day weeks.

### 3. The collective agreement signed in 2004 at COSMOTE, a Greek mobile telephone provider

This agreement provides for several rights for pregnant women and mothers, including the right to take an unbroken six months of leave after maternity leave and the right to paid absence from work for prenatal examinations. Furthermore, pregnant women working on a shift schedule may request to work the same shift throughout their pregnancy. Finally, the company will contribute to the babysitting expenses of working parents, and an annual 32 hours of leave is granted to employees to monitor children’s progress in school.

In addition, the 2004–5 EGSSE introduced important changes aimed at helping working women to deal more effectively with matters related to leave for childbirth and caring for children. According to the new provisions, the right to reduced working hours (‘leave for breastfeeding and caring for children’) begins when maternity leave ends rather than on the date the child is born (Article 8). In this way, leave for breastfeeding is extended for another nine weeks. In parallel, the right was established to use reduced working hours during the period when leave for breastfeeding and caring for children is taken as continuous paid leave of equal duration (Article 9). Conditions for such leave include both a relevant application by the employee and the consent of the employer (GR0409102F).

The regulation of flexible forms of work also featured prominently in the 2004–5 EGSSE (GR0409102F). In particular, it emphasises the agreement of the employers and trade unions to undertake appropriate steps in order to treat as genuine relationships of employment those arrangements that conceal employment relationships under the mantle of independent services or works contracts. In addition, it includes a decision by the social partners to transpose the European framework agreement on telework into national law.

As the industrial relations system in Greece is traditional and centralised, the legislative framework plays an essential role. Thus, during recent years, the following laws and juridical decisions affect reconciliation of work and family life:

- **In terms of working time flexibility issues**, the government is seeking to encourage the annualisation of working time by means of collective agreements and by offering unions the incentive of reducing annual working time by 90 hours. Legislation (law 2874/2000) on this issue was adopted in December 2000.

- **Regulations for fixed-term contract workers in the private sector and also for fixed-term contract workers in the public sector** were introduced in 2004. These aim at greater harmonisation of the fixed-term work Directive 1999/70 with national law.
A new law in 2004 on part-time employment in public services and local government seeks to revise the manner in which part-time employment is introduced in the public services and local government (GR0410101N and GR0405102F).

Temporary agency work is relatively new to Greece, receiving a specific legislative framework as recently as 2001 (Law 2956/2001). A 2004 report by Adecco shows that about 77% of the people Adecco placed in temporary employment were unemployed before placement. Most were placed in low- and semi-skilled jobs. Also of note was the proportion of office jobs, as almost one in three temporary workers, and over 50% of female temporary workers, found employment in offices.

The incidence of teleworking is still at a very low level, due to the limited use of new technologies in Greece, compared with the rest of Europe. Nonetheless, as noted above, the social partners have taken a decision on implementing the European framework agreement.

In general, non-traditional forms of work whose content conceals a relationship of subordination, as described above – e.g. those who are ‘dependently self-employed’ – have been growing considerably, and usually operate by side-stepping what is seen by some as the inadequate legislative framework of law 2639/1998 concerning ‘regulation of labour relations and other provisions’. However, the social partners have agreed to take action in this regard, as outlined above in reference to the 2004–5 EGSSE.

The fact that both spouses do not have equal entitlement to family and marriage benefits was a matter of longstanding controversy in Greece. A decision issued in October 1999 by the European Court of Justice revived the issue, ruling that family benefits form part of remuneration and are thus subject to EU equal pay rules. In addition, the Supreme Court of Appeal reiterated prevailing case law concerning family allowances, and issued a decision (Supreme Court Plenary Decision 925/1999), according to which marriage and family allowances constitute part of remuneration and there may be no discrimination between women and men where both perform work of equal value.

A law published in September 1999 regarding ‘collective bargaining in public administration, permanent status for workers employed under open-ended contracts and other provisions’ means that, for the first time, Greece’s public servants have a right to negotiate their terms and conditions of employment and to conclude collective agreements. However, pay and pensions are excluded from formal bargaining, a point that has caused some disagreement within the ADEDY public sector trade union confederation. Matters related to leave in general can be included; also allowed are issues regarding working time, on the condition that provision of services to citizens is not restricted or impaired and that the health and safety of persons or protection of public interests are not placed in jeopardy.

The introduction in April 1999 of a regulatory framework governing the leave of permanent civil servants and staff of local authorities in Greece means longer leave for all civil servants, with the improvements concerning almost all categories of leave – regular annual leave, ‘facilitation leave’, sick leave and special leave.

With regard to annual paid leave, after one year of service, civil service employees who work a five-day week are entitled to 20 working days of leave and those who work a six-day week are entitled to 24 working days of leave. One day of leave is added for each year of employment, up to a maximum of 25 or 30 working days respectively. In the case of employees who ask to take all their annual paid leave during the period from 1 November to 14 May, excepting the Christmas and Easter periods, their regular annual leave is increased by five days.

8 (bogus self-employment)
The following amendments were made to various kinds of ‘facilitation leave’:

- the paid leave previously customarily granted for weddings (five days) or deaths (three days) of first- and second-degree relatives was enacted into law;
- paid leave for employees who themselves suffer, or whose children suffer, from an illness that requires regular blood transfusions or periodic hospitalisation was increased from 11 to 22 working days per year;
- employees retain their right to take unpaid leave of up to one month, for which a decision by the departmental council is no longer required;
- maternity leave (before and after the birth of a child) was increased from four months to a total of five months, and mothers are given a choice between working two hours fewer per day if they have a child under two years of age and one hour less if they have a child between the ages of two and four years, or may take nine months’ paid childcare leave;
- for the first time, unpaid leave of up to two years, when an employee has serious personal reasons, was enacted into law. Such reasons will be examined on a case-by-case basis by the competent departmental council, inasmuch as the law does not specify the precise meaning of ‘serious personal reasons’.

Also, the other categories of sick leave and special leave were improved, mainly with regard to matters of education and health.

A new law, ‘Regulations on employment promotion, strengthening of social cohesion and other provisions’, was passed in August 2005 and introduces new regulations on maximum working time and working time arrangements. The changes introduced include:

- re-adoption of the overtime regime;
- change in the regime of overtime exceeding maximum working hours – weekly working hours beyond the 45th or the 48th hour are considered in the new regulation as overtime;
- change in working time arrangements – apart from the 12-month arrangements in effect up to now, the new law introduces four-month working time arrangements for all companies without exception;
- within one year, working time arrangements may apply to up to 256 hours (instead of the 138 hours previously in effect) and up to 32 weeks of increased working time, with proportionally fewer working hours during the rest of the year;
- arrangements may emanate from an agreement between the company and the company trade union or works council;
- a fundamental breakthrough provided for by the law is that it eliminates the obligation to make arrangements by means of a collective agreement and referral to mandatory arbitration, when no agreement is reached.

**Research results**

A survey produced by the Economic and Industrial Research Institute (IOVE) at the end of 1999 aimed at recording the views of Greek enterprises on the conditions prevailing in the labour market, work organisation and employment conditions. The survey results find that the Greek labour market is quite flexible, but it does not meet companies’ expectations and objectives.
Specifically, companies in the manufacturing sector believe that they ‘already have, to a substantial degree, the ability to respond in plenty of time to changes in demand, by making use of the already existing possibilities for flexible use of the labour force’. Nonetheless, about half of the enterprises believed that there is a need for more flexibility. In addition, part-time employment in service sectors is at low levels, compared with EU averages. However, employees are more often hired on fixed-term employment contracts. The survey also devoted attention to the retail trade, a sector in which part-time employment is widespread, particularly in large stores. The great majority of workers in this sector are employed on open-ended contracts. Stores’ operating hours are restricted by mandatory operating rules that oblige companies to pay overtime when maximum working hours are exceeded. Part-time employment, which is widespread, is the main form of flexibility used by commercial enterprises, especially the larger ones. The companies included in the survey were generally of the opinion that it would be very useful if it were possible to implement new working time arrangements.

Hungary

Hungary’s socialist-liberal government, which came to office in 2002, has put greater emphasis on equal opportunity and gender equality issues than its predecessors. The new institutional framework for equality, as well as the 2003–6 National Action Plan on ensuring equal opportunities between men and women, introduced programmes to promote the principle of reconciling work and family life. Also promoted is the idea of the ‘family-friendly’ workplace by auditing employers and encouraging them to take part in an annual ‘family-friendly workplace’ competition.

It is significant that problems of equal opportunities are tackled by non-governmental organisations in cooperation with the government instead of by the social partners. Clearly, the government has taken the lead in equal opportunity issues, in line with the relevant EU policies, while the social partners seem to be lagging behind in raising such questions and taking the initiative in the various consultation forums and at the collective bargaining table. The Labour Code was amended by Act XX of 2003 (HU0308101F). Modifications included the transposition of EC Directives on: working time (2000/34/EC); fixed-term work (1999/70/EC); and part-time work (1997/81/EC).

As far as working time flexibility is concerned, the local bargaining parties have widely used flexibility measures, as made possible by an amendment of the Labour Code in 2001. For instance, 32% of employers signing collective agreements have introduced annualised hours. Nevertheless, the widespread use of new means of flexibilisation does not mean that employers have given up the practice of relying on excessive overtime. Reconciliation of work and family life is thus not the main target of these measures.

Similar conclusions can be drawn regarding part-time work and telework (HU0410101F). Both have been integrated into Hungarian legislation following EU legislation. These new forms of work, however, are not widespread in Hungary. Their impact as a potential tool of achieving work-life balance is, therefore, minimal.

Ireland

Management of work-life balance has become an increasingly important issue in Ireland in recent years as a result of various changes in the social and economic context. The pressures associated with dealing with the conflicting demands of work and personal responsibilities have generated increased worker interest in employee-friendly working arrangements. Employers, meanwhile, have begun to pay more attention to the management of work-life balance in response to recruitment and retention problems in an economy that is moving towards full employment. Regarding working time, there have been no major changes in duration, and average collectively agreed normal weekly working hours remain at 39 hours.
Company-level collective agreements incorporating teleworking issues are rare, although a number of trade unions have developed a set of guidelines to be used for negotiating teleworking arrangements with employers. The Manufacturing, Science, Finance (MSF) union has established a set of guidelines that should be followed. The Communication Workers’ Union (CWU) has also targeted the needs of teleworkers by compiling a set of guidelines for equitable treatment and establishing a ‘virtual branch’ to recruit teleworkers into the union. The trade union view on teleworking is generally one of cautious support. There is some fear that teleworking may sometimes be used as a vehicle for making employment more casual. Furthermore, there is a feeling that teleworking may undermine trade union organisation where workers are no longer part of a single employment unit, but are widely dispersed. Despite these fears, the unions support teleworking ‘where it is being used to facilitate people staying in the workforce’, because of issues such as family commitments, a disability or problems with commuting.

The tripartite national agreement, the Programme for Prosperity and Fairness (PPF), signed in March 2000, covered issues relating to reconciliation of work and family life. It contained a number of national fiscal and social policy measures to reconcile work and family life. These involved the promotion of family-friendly policies at enterprise level, such as job-sharing, parental leave, flexitime, homeworking, and term-time working.

Part-time work legislation implementing the 1997 EU Directive on part-time work took effect in Ireland in late December 2001 (the Protection of Employees (Part-Time Work) Act 2001). Prior to the implementation of the new legislation, part-time workers were covered by the Worker Protection (Regular Part-Time Employees) Act 1991. The 1991 Act protected only workers who worked more than eight hours per week. This was the legal threshold defining a part-time worker which has been eliminated. Collective agreements at local level are viewed as an important means of defining who and what is covered by the term ‘part-time casual worker’. The new Act partially excludes casual part-time workers from the scope of the legislation (as allowed by the Directive), in the sense that they do not enjoy the same protection as more regular part-time workers. Furthermore, the new Act provides scope for employers to discriminate between part-time and full-time workers if ‘objective grounds’ other than part-time or full-time status can be justified. These ‘objective grounds’ include a period of service, time worked or an earnings qualification. Skill is a potentially important ‘objective ground’. For instance, if a full-time employee with substantial experience in a particular job were replaced by a part-timer with little experience, this could conceivably be used by an employer to justify a pay differential.

The PPF also contains a number of measures to support childcare and family life, and to improve the work-life balance. In particular, it emphasises that ‘policies to support childcare and family life are a cornerstone of future social and economic progress’. Objectives in the PPF include:

- increasing childcare places in both the private and community sectors;
- increasing out-of-school hours childcare services provided by community groups and school management.

In addition, legislation such as the Parental Leave Act 1998, designed to implement the parental leave EC directive, and the Employment Equality Act 1998, provides a base of statutory rights relating to family-friendly/work–life balance issues.

According to the country’s latest national partnership agreement, ‘Sustaining progress’, concluded in March 2003, the main Irish social partner organisations agreed that a national framework committee be created with a view to supporting and facilitating the development of family-friendly policies at the level of the enterprise through the introduction of a package of practical measures. One of the tasks of the committee will be to examine how best to improve access to family-friendly working arrangements in order to realise the potential benefits that these arrangements would offer from both an equality and competitiveness perspective. Another sub-committee created under the terms of the agreement will consider recommendations on how to improve the availability of quality childcare for working parents and how the
supply of pre- and after-school care can be improved. In particular, the committee will examine and make recommendations on the feasibility of establishing workplace childcare arrangements such as the following:

- provision of specific supports to facilitate employers and unions to work together to both design and implement a range of childcare supports appropriate at the level of the enterprise.
- greater targeting of resources towards promoting the active participation of employers in developing and providing childcare initiatives, in consultation with the unions.

The Government is committed to strengthening the parental leave scheme in line with the agreed recommendations of the social partners arising from the Working Group on Parental Leave. This will require the following:

- amending primary legislation to provide for a range of improvements including a statutory entitlement to take the 14 weeks parental leave in separate blocks of a minimum of six continuous weeks, or more favourable terms with the agreement of the employer (as provided for in Section 7(1)(b) of the Parental Leave Act, 1998);
- an increase in the maximum age of the eligible child to 16 years, in the case of children with disabilities;
- that an employee who falls ill while on parental leave and as a result is unable to care for the child be entitled to benefit from sick leave for the duration of the illness;
- provision for statutory codes of practice on the manner in which parental and force majeure leave might be taken and the manner in which an employer can terminate parental leave;
- continuity of service to be preserved and protection provided for employees from penalisation for proposing to exercise or having exercised entitlements to be ensured under the Parental Leave Act by including provisions similar to Sections 15 and 16 of the Carers Leave Act, 2001.

The Department of Social and Family Affairs will review the contribution being made by the Department’s income support system to people reconciling work and family life and recognises the need for more atypical forms of employment that will allow for greater flexibility with regard to staff redeployment and reassignment (particularly in the local government area).

**Research results**

According to a report of the Equality Agency, based on a survey of work–life balance initiatives among 133 SMEs, 53% of respondents stated that they provided one or more family-friendly policies. The most common initiatives were emergency and special leave, part-time working, flexible hours and flexitime. These initiatives were more common in medium-sized organisations (50–249 workers) than in small enterprises (1–49 workers).

A study on the gender wage gap, published in October 2000 by the Economic and Social Research Institute (ESRI), suggests that a key policy issue for tackling the gender wage gap is that more needs to be done to eliminate the barriers to labour market participation faced by women, by increasing the supply of high-quality, affordable childcare facilities and promoting other family-friendly policies.

In relation to the balance of family-friendly workplace measures, a consultative group set up by the Department of Justice, Equality and Law Reform suggests (2004) that, while recent improvements to maternity leave provisions are to be welcomed, in the absence of well-developed provisions for fathers, they may have the effect of reinforcing the primary role of women in child-rearing. Actions to address occupational segregation are required on a number of fronts. The same group also suggests positive action towards addressing the issue of the gender pay gap.
Italy

The increasing participation of women in the Italian labour market, together with a greater need for companies to have more worker involvement and commitment, has led the social partners to start regulating and trying to facilitate the balance between private and professional life.

Issues related to the reconciliation of work and family life are particularly important in Italian collective bargaining. At both sectoral and company level, this is seen by companies as a mean of increasing flexibility in the utilisation of their workforce in order to be more responsive to demand cycles.

Working time, in terms of flexible arrangements, remains a prominent issue in collective bargaining and the increase in flexible working time, through the use of atypical work, is an important feature in the Italian labour market. Atypical work, such as fixed-term employment and part-time work, accounts for around two-thirds of all new jobs created, and such work has a high take-up among women. Another form of atypical employment, which is of particular importance in Italy, is consultancy and freelance work ‘coordinated’ by an employer (collaborazione coordinata e continuativa), which probably involves about one million people. An increasing number of people entering this work arrangement are young people and women, especially in the south of Italy. Temporary agency work also shows a substantial increase in Italy. Another type of working time flexibility that has been on the agenda of collective bargaining is ‘on-call jobs’ whereby employees are hired on an open-ended contract, and are available to be called to work under certain circumstances. In general terms, collective bargaining has led to significant agreements that aim at combining work flexibility with a series of rights and guarantees for the workers concerned.

On the other hand, issues such as special leave (parental leave, maternity leave, career breaks, etc) and child and elder care are less frequently on the agenda of collective bargaining. Italy provided several examples of innovative agreements in 2002. The pact for employment and growth signed in Milan and the pact for the development of the Lombardy region include initiatives to support: female employment, the creation of childcare facilities, specific training courses and counselling, and more flexible working hours. A company agreement signed at Ferrero introduced job-sharing, and was designed to meet the needs of working mothers who have completed their maternity leave and whose children are still under the age of three years.

A number of innovative agreements at sectoral, company, and social partner levels related to the reconciliation of work and family life are outlined below. Legislative developments and relevant reports are also mentioned.

Sectoral level

In May 2004, a new sectoral collective agreement was signed for the Italian building sector, which employs around 1.2 million workers. As well as providing for a pay increase of €90 a month, the agreement covers matters such as training, health and safety, and joint action to combat undeclared labour. The large number of non-EU workers employed in the building sector now have the possibility of saving up paid leave and holidays to provide a longer period of leave so that they can visit their countries of origin. Wedding leave for blue-collar workers was increased from 12 to 15 days.

A national agreement for postal workers was signed in July 2003 by Poste Italiane Spa and the confederal unions in the sector – SIC-Cgil, SIC-Cisl, UIL-post, assisted by their respective confederations (Cgil, Cisl and UIL) – the General Labour Union (Unione Generale del Lavoro, Ugl) and a number of autonomous unions. The main innovations introduced by the agreement concern working time flexibility, employment relationships, and a new job classification system (IT0308103N). The agreed weekly working time of 36 hours remains unchanged, but has been given a more flexible daily distribution, with work organised into five- and six-day shifts with rotating personnel. Lower-level bargaining may establish multi-week working time schedules whereby workers, on a rotating basis, also work on Saturdays.
agreement also regulates work on holidays, night work and overtime work, all of which are made compulsory. In addition, it regulates the use of flexible forms of employment, such as temporary agency work, fixed-term contracts, and telework, this last being introduced on an experimental basis, with a joint observatory set up to monitor the results.

After four months of negotiations, and without any strike action, a **national collective agreement** for the chemicals industry was concluded on 12 February 2002. The deal was signed by the sector’s employer organisations, Federchimica and Farmindustria, and the Unitary Federation of Chemicals Workers (Federazione Unitaria Lavoratori Chimici, Fulec), which brings together the sectoral trade unions affiliated to the three main trade union confederations (Filcea-Cgil, Femca-Cisl and Uilcem-Uil). The agreement called for a reduction in working time of eight hours per year for shift workers. Other workers would see their annual hours cut in the form of one day’s holiday on 2 June (the anniversary of the proclamation of the Republic of Italy). Another notable measure of the agreement was the declaration of the willingness of the social partners to accept temporary flexibility measures in certain company situations.

Earlier agreements in various sectors include:

- the agreement signed in the Italian schools sector in February 2001, which provides for an average total monthly pay increase, regulates decentralised bargaining at individual school level, and covers parental leave, training leave and trade union rights;

- the July 2000 agreement for the road haulage, deliveries and logistics sector, introduced for new recruits who are to work in the e-commerce area, and providing for an average working week of 38 hours calculated over a four-week period, with actual working hours permitted to vary between 30 and 48 per week and between five and 10 per day;

- the sectoral agreement signed in the telecommunications sector in June 2000 by the national trade union and employer organisations regulating pay, conditions and industrial relations for all companies operating in the sector. It includes detailed arrangements for flexible working, atypical employment contracts, job sharing and telework;

- the framework agreement concluded in May 2000 by the unions and the public sector bargaining agency (Aran). The agreement specified that it is possible for the public sector to use temporary agency workers only to meet periodical, non-continuous or exceptional staff shortages. The proportion of temporary agency workers cannot exceed 7% of the workers employed on open-ended contracts in each administrative body;

- the preliminary agreement on the renewal of the collective agreement for the Italian textiles and clothing sector, signed in March 2000 for the four-year period 2000–3. Innovative aspects concern the introduction of an ‘hours bank’, an increase in the use of part-time work (to a maximum of 8% of the workforce), and use of flexible working hours in unforeseen circumstances. In addition, new types of flexible employment contracts, such as job-sharing, would be considered in further talks;

- the national collective agreement for the Italian commerce sector signed in September 1999, providing for: wage increases; a working time reduction linked to flexibility; new part-time work regulations; and new sickness and maternity leave regulations. The use of fixed-term contracts, temporary agency work and job sharing was extended and three different working time schedules were introduced. Minimum weekly working hours for workers involved in part-time work was increased from 12 to 16 hours, and employers agreed to pay 100% of monthly net pay for compulsory maternity leave;

- the national collective agreement for Italy’s banking industry, signed in July 1999 by sectoral trade unions and employer organisations, providing for innovations relating to working time, working time accounts, flexible working time and opening hours, and flexibility in recruitment;

- the agreement reached in July 1999 for the introduction of teleworking in public administration, on an experimental and voluntary basis;
the first national collective agreement covering temporary work agencies signed in May 1998 by the Italian Association of Temporary Work Agencies and trade unions in order to regulate the employment relationship between temporary work agencies and temporary agency workers employed on open-ended and on fixed-term contracts. The agreement contains all the provisions that usually regulate employment relationships in the Italian industrial relations system and the important elements of the agreement are: the duration of the contracts signed with the client undertaking; job classification; pay determination; union rights; and industrial relations.

Company level

On 16 December 2004, the Vodafone Omnitele telecommunications company and the main sectoral trade union organisations signed two ‘integrative agreements’ (i.e. company-level agreements within the framework of the national sectoral agreement), covering working time and pay supplements and performance-related pay for 2004–8.

The objective of the first agreement is to identify models of work that may improve the reconciliation of work and private life. Regarding equal opportunities, the accord contains measures aimed at facilitating the return of working mothers from maternity leave after their child has reached 30 months of age. The focus on this issue reflects the fact that about 75% of the 10,000 Vodafone Omnitele employees are women, who have an average age of 32 years. In particular, there are about 500 young mothers, and the numbers are increasing. The measures provided for by the agreement are as follows.

- for call centre workers: a) a temporary switch from full-time to part-time work; b) a so-called ‘mother shift’, whereby working mothers will be exclusively assigned shifts from 09.00 to 19.00 or, by agreement and in compliance with technical and organisational needs, from 08.00 to 18.00, with night and weekend shifts excluded; and c) the possibility of asking for the employment relationship to be changed permanently from full time to part time;
- for working mothers employed in other sections of the company, on the workers’ request, it is possible temporarily to transform a full-time employment contract into a part-time contract (with the sole exception of working mothers with important management roles). The switch will be considered temporary and will be allowed only for a continuous and non-divisible period of not less than a month.

The agreement’s working time provisions cover all Vodafone Omnitele workers and provide that:

- the working time of part-time workers increases from 25 to 30 hours a week, with a maximum of 460 additional hours per worker before the end of 2006;
- the flexibility in daily work start and end times are increased from 30 minutes to one hour;
- the pay increment for Sunday work is increased from 10% to 13%, and the pay increment for night work (from 7 p.m. to 7 a.m.) is increased from 20% to 25%.

The company and unions agreed a new shift model to help improve the quality of life of all employees and of shiftworkers in particular. The agreement reorganises shifts for more than 5,000 shift-workers operating in call centres, and provides that:

- the schedule of shifts and rest days will be better defined and communicated to workers in order to facilitate the organisation of their personal lives. Thus, a four-week schedule of shifts and rest days will be available with a two-week notice period;
- during each four-week period, shift workers will be entitled to at least one rest day on a Sunday and a full weekend off;
During the course of each year, workers will be entitled to have at least three public holidays off, as provided for by law and national collective agreements.

In December 2004, Marazzi Gruppo Ceramiche SpA concluded a new integrative agreement to replace the one that expired about a year previously. The deal, which covers about 1,000 workers at company plants in Sassuolo and Fiorano, was signed on the trade union side by the Italian Federation of Chemical Workers (Federazione Italiana Lavoratori Chimici e Affini, Filcea) and the Energy, Fashion, Chemicals and Allied Industries Federation (Federazione Energia, Moda, Chimica e Affini, Femca). The agreement contains a provision that allows working mothers to have more convenient shifts and working times until their child reaches the age of three years. Moreover, the agreement provides for a financial contribution of €50 to help working mothers to pay for daycare facilities for a maximum period of 18 months.

Collective bargaining at company level has led to a series of important agreements on freelance ‘employer-coordinated’ work (see above). Among the signatories to these agreements, besides unions, are both public bodies, in their dual capacity as employers and regulators, and private companies. Many of the latter operate in the area of new technologies (call centres, online contact centres, etc) or in commercial services (for which they hire promoters and merchandisers, for example) and they seek high flexibility in their use of the workforce. As far as public bodies are concerned, by means of these agreements they have introduced regulated flexibility in areas where they have implemented forms of outsourcing.

In particular, among the agreements reached by public bodies are those signed by the Emilia Romagna Regional Council and the Ministry for Cultural Assets and Activities.

The agreement between the Ministry for Cultural Assets and Activities and Cgil-Nidil, Alai-Cisl and Cpo-Uil, signed on 31 October 2000, mainly concerns freelance ‘coordinated’ work contracts concluded with previously employed workers who have opted for this type of employment relationship. According to the agreement, the work contract is suspended in the case of illness, accident, maternity, parental leave, leave to care for family members, and leave for psychological or physical recovery. In the case of maternity, the contract may be suspended for a maximum of five months, during which period the freelancer receives an allowance equivalent to 30% of his/her contracted remuneration.

As regards private firms, notable agreements have been signed: at Mibi, a company operating online contact centres (signed on 23 October 2000 in Catania by Nidil, Alai and Cpo, and also by the Ugl-terziario union); at Answer, a company operating online contact centres and commercial promotion services (signed on 30 March 2000); and at Telco, which runs call centres and delivers outsourced services (18 November 1999). Although the content of these agreements differs considerably, they have a number of features in common. Among them are the suspension of the contract in the case of illness, accident or maternity; in the case of maternity, the freelancer is usually entitled to an allowance, and a period of rest of more than a certain minimum duration.

Local agreements
In January 2003, an innovative agreement on reconciling work and private life was signed in Milan by local trade union organisations and the Apimilano association of small and medium-sized employers. The accord provides for a number of projects in this area, notably aimed at helping working parents. Article 9 of Law 53/2000 provides for the allocation, on behalf of the Ministry of Labour, of non-reimbursable funds for measures aimed at encouraging the reconciliation of work and private life. According to the law, 50% of these funds should be allocated to small and medium-sized enterprises (SMEs), and actions should be mainly addressed to working parents. They should facilitate and encourage the use of parental leave and the reintegration into the workplace of parents after such leave.
On the basis of the agreement, the partners were to conduct joint initiatives in order to:

- facilitate the signing of decentralised collective agreements in SMEs, introducing new flexible forms of working hours and changes to work organisation allowing 'companies and, in particular, working parents to manage work activity and leave in a flexible way';
- encourage the joint formulation of training programmes, refresher courses and vocational qualification and requalification courses, in order to promote reintegration at work after maternity or parental leave. The training programmes must be carried out during working hours and, where possible, distance training should also be used.

The partners set up a working group at provincial level, to be responsible for: the dissemination of information on the opportunities provided for by Law 53/2000; the preparation of studies and surveys on the forms of flexibility and work organisation present in the area; monitoring the implementation of collective agreements and the dissemination and exchange of good practice or pilot initiatives, etc.

In July 2002, a set of labour market projects was approved, drawn up jointly by the government of Italy’s Lombardy region, the regional social partners and other local organisations, under a ‘Pact for the development of the economy, work, quality and social cohesion in Lombardy’ signed in September 2001. The projects include the provision of services to workers employed on non-standard contracts, support for immigrant workers, initiatives to improve the labour market situation of women, and initiatives to increase workplace health and safety. The Pact was promoted by the regional administration, the Lombardy chambers of commerce and regional employer organisations and trade union organisations; numerous consumer associations and non-profit organisations have signed up to it. Actions and services focusing on the labour market situation of women in Lombardy include:

- continuing training schemes, including for self-employed women. For example, specific training schemes may be organised for women (and men) returning to work after a period of leave, or to combat vertical and horizontal segregation in the workplace;
- support for female entrepreneurship, the aim being to foster the creation of new businesses;
- actions aimed at eliminating infrastructural factors that impede the reconciliation of work and family responsibilities – such measures include the provision of company crèches, aid for female employment, incentives for flexible and diversified working hours or the use of forms of telework. A forum or a permanent observatory was envisaged to monitor these actions, and to disseminate good practice and foster innovation.

This project was accompanied by a study on female employment and on the situation of services to households, with the possibility of setting up a permanent observatory on these issues.

An agreement to foster employment – the Pact for employment and development (Patto per l’occupazione e lo sviluppo) – was signed on 2 May 2002 by the Milan municipal authorities, trade unions and employer organisations. The main objectives in the pact are the following: improved response to the new needs of citizens in terms of environment, transport and health services, including homecare. The Pact envisages that these general objectives will be substantially achieved through tripartite negotiations set up to devise measures with specific regard to: female employment, increasing participation rates and the quality of female work, and removing the obstacles hampering achievement of those objectives. Other measures included the implementation of ‘city times’ (i.e. the opening hours of shops, offices, etc), to support reconciliation between work and family life, and to improve the organisation of services and the ‘liveability’ of the city.
Legislative developments

In February 2003, the Italian government published a White Paper on the welfare state. The document is not a complete package of proposals, but is intended to provide a preliminary outline of the government’s commitments with regard to social policy. Five areas of intervention are singled out. One of the main areas of interest is family life. The family is recognised as constituting the core of the welfare system. In this regard, the White Paper recommends a tax system that takes account of expenditure on the care and upbringing of children (scaling taxes according to the size of the household, low-income ones in particular), the purpose being to improve the demographic balance and to revive the birth rate. Work re-entry after interruption for childbirth should be promoted, by means of measures intended to reconcile child-rearing and work by offering training or retraining courses to women on maternity leave. Access to credit should be facilitated for a first-home purchase by young couples who are either married or about to marry (as also provided for by the 2003 budget law).

Freelance work coordinated by an employer – a form of employment relationship midway between dependent employment and self-employment – has been increasing in Italy, and now makes up 9% of all employment. In June 2002, parliament passed a bill that introduces maternity allowances for women engaged in this form of work; unlike women in dependent employment, coordinated freelance workers were not previously entitled to maternity benefit. This enacted the maternity provisions contained in the 2000 budget law (IT0001350F). Female contributors to the Inps (National Institute of Social Insurance) fund for whom at least three months’ contributions have been paid during the 12 months prior to the start of their maternity leave are now entitled to receive a maternity allowance (for adoption as well). The allowance is paid for a total of five months (it amounts to 80% of the worker’s average pay received during the 12 months prior to the beginning of maternity leave). Furthermore, there is now a paternity allowance that is paid should the mother die or suffer serious illness, or in the case of separation/divorce with custody of the child awarded to the father.

The bill of 28 January 2000 introduced a new regime regulating part-time work, implementing EC Directive 97/81/EC on part-time work and repealing previous legislation. Among the most important innovations are a more flexible use of part-time work and the introduction of extra hours for part-time workers. In particular, the bill establishes the principle of non-discrimination between part-time and full-time workers. Thus, no differences between the two categories are permitted in matters such as trade union rights, pay, annual holidays, parental leave, protection against workplace accidents and occupational illness, and access to company training schemes. In addition, according to the bill, collective agreements may introduce the possibility of greater flexibility in the distribution of work laid down in the individual employment contract, stating the circumstances in which an employer may alter the distribution of the work schedule and establishing an allowance for the worker. In these cases, the worker must be given at least 10 days’ notice. The willingness of the worker to accept a flexible distribution of his or her working hours must be stated in writing. The worker may withdraw this assent for a) family reasons, b) health reasons certified by the public health service, or c) because she or he has to work in another job, including self-employment.

Italy’s budget law for 2000 included an expansion of temporary agency work, and an increase in social security contributions for freelance workers.

The parental leave law was passed in October 1999, transposing the 1996 EC directive on parental leave. The most innovative aspects of this law are that it increases leave to 10 months within the first eight years of the child’s life, and encourages the use of parental leave by fathers.

As noted earlier, Law 53/2000 provides for the allocation, on behalf of the Ministry of Labour, of non-reimbursable funds for measures aimed at encouraging the reconciliation of work and private life. This legislation has led to a local agreement in Milan on its implementation, as outlined above.
Research results
The January 2005 study, carried out by the Food and Agriculture Organisation affiliated to the Italian Confederation of Workers’ Unions (Federazione agro-alimentare, Fai-Cisl) (Conciliare lavoro e famiglia. La contrattazione collettiva – Fai-Cisl Servizio documentazione, No. 1, 2005) – highlights aspects of the work-life balance issue and points to solutions either collectively agreed or proposed by companies.

Certain family-friendly policies and flexible working time arrangements are already in place, as has been shown above. However, many measures aimed at greater flexibility can be restrictive for workers. Job sharing, for example, often may be very binding for the two workers involved.

The 2005 study highlights the company agreement signed at the Tre Valli food company (Azienda agricola Tre Valli – OO.SS. of 4 July 2002), which proposes a fixed form of part-time work, similar to job-sharing. The company, at the worker’s request, grants part-time work for one year, provided that the request comes from two workers operating in the same division and working in the same shift, and that both agree to complete the other worker’s shift in the case of absence. The part-time option is permitted in cases of giving assistance to disabled family members, for health problems, or for the care of young children.

Some companies have introduced part-time work with the ‘explicit objective of combining family and professional life by precisely identifying the beneficiaries’. The Ferrero food and chocolate company (Ferrero company agreement – OO.SS of 4 July 2002), for example, as well as several other companies (e.g. Soveda company agreement – OO.SS. of 25 July 2002) offers part-time work to working mothers hired on open-ended contracts following their maternity leave until the child reaches three years of age, as well as to other categories of workers with proven health problems. Other companies, such as Lavazza (Lavazza company agreement – OO.SS. of 16 July 2002), have introduced the possibility of working partial or fixed shifts for working mothers returning to work after maternity leave.

Among the most innovative and original forms of support is that introduced by the Kraft company (Krafts Foods Italia company agreement – OO.SS of 2 July 2002) which, besides offering a regulated flexibility in working hours, provides its employees with the option of benefiting from a range of supplementary services, i.e. home delivery of groceries, dry-cleaning, bank, postal and registry office-related services.

Measures implemented by companies to help their employees in reconciling work and family responsibilities are still relatively rare in Italy. However, the findings of a survey published in 2003, highlight a number of interesting family-friendly schemes introduced by Italian companies in recent years. The survey indicates that these companies provide a varied mix of measures, including innovative working time arrangements and telework, company services for families and childcare, allowances and benefits, and specific career support measures for employees with family commitments. The survey was conducted by the Fondazione Regionale Pietro Seveso for the Ministry of Labour and Social Policy’s equal opportunities committee (Comitato per le pari opportunità) (Quando il lavoro è amico. Aziende e famiglie: un incontro possibile, Ponzellini, A.M. and Tempia, A., Lavoro, 2003).

Examples of good company practices were collected by a postal questionnaire sent to 190 companies already reported as being sensitive to problems of work-family reconciliation, and to 40 company ‘workers’ clubs’ (circoli aziendali dei lavoratori). Approximately 1,300 company-level agreements, signed in all sectors and in every part of the country during the period 1996–2001, were examined. The result was a list of 310 company work–family reconciliation measures, which were classified into four types: working hours and telework (70% of the total); company services (11%); allowances and benefits (18%); and support during career interruptions (2%).
The most interesting working hours and telework measures identified were:

- forms of paid and unpaid leave to deal with various kinds of family issues, such as paternity leave for fathers on the birth of a child, time off for employees to care for sick family members, disabled or drug-addicted children, and bereavement leave;
- flexible clocking-on and clocking-off times;
- self-management of shifts by production workers;
- paid leave for parents using childcare services for the first time (parents may be required to be present with the child during the first few days at a nursery, for example);
- the option of working at home during the child’s first year;
- the introduction of an ‘hours bank’ system whereby overtime can be set aside for use as time off according to personal needs.

Notable among company services for the family are the following:

- the establishment in many cases of company crèches, baby parks, and play areas (especially in the Milan metropolitan area) within large organisations, especially those with a high proportion of female employees, such as hospitals, call centres and insurance companies;
- the organisation by numerous companies of seaside, mountain or city holidays for employees’ children;
- the provision by one company of a take-away evening meal service run by its canteen;
- the introduction by one company of a counselling service for employees with family problems.

Allowances and benefits identified include:

- advances on the end-of-service allowance (Trattamento di fine rapporto, Tfr – a portion of a worker’s pay set aside by the employer and then paid as a lump sum at the end of the employment relationship) for employees taking unpaid parental leave;
- loans to employees in financial difficulties;
- mortgages for employees’ house purchases;
- payment of workers’ kindergarten and nursery fees;
- study grants for employees’ children;
- reimbursement by one company of the care expenses incurred by employees during travel for work (for childminders or carers hired to look after elderly/ill family members).

Finally, among career interruption support measures, particular mention should be made of the creation by several companies of maternity and paternity counsellors, who maintain contact with absent employees or organise tutoring or refresher courses for employees returning after maternity leave or long spells of parental leave.
Latvia

The reconciliation of work and family life is dealt with in a separate guideline of the 2003 National Action Plan (NAP) for employment, though no specific measures are indicated. The NAP provides measures to make working time more flexible, and training measures to enhance reintegration into the employment market after maternity leave. A paternity leave and benefit scheme, paid for by the state, was introduced in 2003. It allows fathers to stay at home with the mother and child for 10 calendar days, while receiving 80% of their average income, subject to social insurance contributions.

Lithuania

In Lithuania, reconciliation of work and family life is mostly tackled by means of part-time work.

In 2004, amendments to Article 146 of the Labour Code (Darbo kodeksas, DK) were adopted and came into force. These liberalised the regulation of part-time work, allowing deviations from the legal framework in terms of the length of part-time work. Thus, more freedom is given to the social partners to negotiate a more favourable organisation of working time as well as to better reconcile professional and family life.

Moreover, measures aimed at regulating parental leave were introduced. Amendments to Article 180 of the Labour Code state, for instance, that mothers (or adoptive mothers), fathers (or adoptive fathers), grandmothers, grandfathers or other relatives bringing up a child, as well as employees appointed as guardian of a child, shall be awarded childcare leave until the child reaches the age of three years. However, this Article did not define time limits within which employees must notify their employer of taking or cancelling the leave. It was, therefore, amended to state that employees must give written notice of at least 14 days of their intention to take childcare leave or return to work from childcare leave. Collective agreements may set a longer notice period. However, it is thought that this amendment will make it easier for the employer to plan staff fluctuations. It is significant that, rather than enhancing work-life balance, the purpose of these measures is to contribute to more flexible employment relations. However, it is too early to assess whether the introduction of flexible arrangements has contributed to the development of family-friendly measures/practices.

Luxembourg

Reconciliation of work and family life is not often on the agenda of collective bargaining in Luxembourg. Company collective bargaining focuses mainly on traditional issues such as pay and less on working time changes, while the issue of working time flexibility was in a number of sectoral agreements. Family leave and parental leave has been a subject for Luxembourg’s legislation.

A specific example is the cleaning sector, where the three-year collective agreement signed in December 1999 introduced a three-month reference period for averaging working time, guaranteeing that workers may not be obliged to work more than five days a week and setting out regulations related to part-time working.

The pay agreement signed in the civil service in May 2000 introduces part-time working. According to the agreement, two options are available:

- part-time working of 25%, 50% or 75% of normal working time;
- a possibility for civil servants to apply to work part time from the age of 55 years.

In addition, annual holiday entitlement for civil servants was increased by one day from 2000.
With regard to legislative developments pertinent to reconciliation of work and family life, the laws that were adopted in recent years are outlined below.

In its report published in July 2004, the CES stated that a regulation negotiated by the various parties involved in working time management was the best solution for finding appropriate responses to individual demands. The CES proposes drawing up a framework law that will set out statutory rules whereby the introduction of a system of life-long time banking schemes will have to be carried out on the basis of a national agreement. Earlier (August 1999), the government proposed to introduce life-long ‘time banking’ schemes to enable employees to build up paid leave that they can use subsequently for personal reasons without having to rely on unpaid leave, and asked the Economic and Social Council (Conseil économique et social, CES) to look into the matter.

A law of 1 August 2001 (final version published on 9 October 2001) made a number of changes to the previous law of 3 July 1975 governing the protection of pregnant workers, and new and breast-feeding mothers. In addition to providing better protection for pregnant women against dismissal, the revised law addresses a number of issues including health and safety protections, maternity leave, and working time. It should also be noted that, while measures contained in the previous law applied only to employees and apprentices, the 2001 law also brings within its scope pupils and students working during academic holidays.

The law specifies certain jobs that are deemed dangerous for the health and safety of women who are pregnant or breast-feeding. These jobs come under two headings:

- tasks such as lifting objects weighing more than five kilos, jobs in which there is a danger of falling or slipping, and jobs that are performed in a crouching or permanently bending position;
- jobs that involve women coming into contact with chemical substances such as lead and its derivatives, or biological agents such as toxoplasma or rubella.

Ante-natal leave commences eight weeks before the expected date of confinement as stated on the medical certificate. If the woman gives birth before the expected date of confinement indicated on the medical certificate, the amount of ante-natal leave not taken is added to the post-natal leave. If the woman gives birth after the expected date, the ante-natal leave is extended as far as the date on which the birth actually takes place, but post-natal leave may not be reduced. Post-natal leave lasts for eight weeks for the birth of a single child, and for 12 weeks in the event of a premature birth or the birth of more than one child, and if the mother is breast-feeding. During ante-natal and post-natal leave, the woman is entitled to a cash benefit equal to the cash benefit payable in the event of sickness; it is borne by the state. The employer is obliged to keep the jobs of women taking maternity leave, or equivalent jobs, open for them. When the woman’s maternity leave runs out, she may ask to go on unpaid special childcare leave. In these circumstances, she may also refuse to return to work without having received prior notice. If a woman on unpaid leave asks to return to work, the employer is obliged, for a period of one year, to give priority to employing her on jobs that her skills permit her to perform and, if she is re-employed, to give her all the benefits to which she was entitled when she left.

An overtime ban for pregnant women, and new and breast-feeding mothers, was contained in the 1975 law and is retained.

Under the new law, a pregnant woman is only exempt from night work if she expressly asks her employer, if there is a risk to her health and safety. This risk shall be examined by the company’s medical adviser, whom the employer must consult. If a risk is confirmed, the employer is obliged to transfer the woman to a day job with no loss of pay. The same system applies to women who are breast-feeding until their child’s first birthday. If there is no risk to health, the woman may continue to work at night.
The employer must give a woman who is breast-feeding, if she so requests, breast-feeding time paid at the normal rate. This consists of two periods of 45 minutes each at the beginning and the end of normal working hours, or a single period of 90 minutes when the working day is broken by a break of less than one hour.

The law of 1 August 2001 puts an end to an old legal controversy concerning workers who become pregnant during a trial employment period. When an employee is working under a contract of indefinite length that includes a trial period, the clause relating to the trial period is suspended from the day that the employer is handed the medical certificate establishing that she is pregnant to the point when maternity leave commences. The amount of the trial period not worked is resumed at the end of the period, during which the woman is covered by the special maternity protection against dismissal.

In February 1999, new legislation relating to parental leave provided a framework for agreements at sectoral and company level on this issue. Specifically, this legislation, which forms part of Luxembourg’s National Action Plan (NAP), states that employees who are parents – and working either full time or part time – may take six months’ parental leave (or 12 months’ part-time leave) in respect of all children born after 1 January 1999. One parent may opt for this leave immediately after the period of maternity leave, while the other parent may take it at any time up to the child’s fifth birthday. During parental leave, the employee receives a benefit equivalent to €1,496, paid by the National Family Allowances Fund. This legislation also provides a right for parents to take up to two days’ leave per year per child under a new family leave scheme covering sickness, accident, or other urgent reason involving a child under the age of 15 years.

In March 2003, Luxembourg’s national Tripartite Coordination Committee decided that the parental leave scheme introduced on a time-limited basis in 1999 would be continued for the time being. The government is to draft new legislation on the issue and, while there will be amendments, the duration of parental leave will remain fixed at six months.

Also forming part of the Luxembourg NAP, new legislation on working time was adopted in February 1999. While maintaining the principle of a normal eight-hour working day and 40-hour week, the law allows variation around this average within a statutory four-week reference period. A collective agreement may extend or reduce the four-week reference period, as long as it does not exceed a 12-month maximum. In the absence of a collective agreement, the Minister of Employment and Labour may, at the request of an enterprise, authorise a special reference period after seeking the opinion of representative trade unions and employer organisations at national level.

In June 1999, Luxembourg introduced a new framework law designed to support and develop continuing vocational training. This law allows people on any kind of leave to take advantage of training measures. This is particularly relevant for women who envisage a return to work after long periods of leave.

A work organisation plan must be negotiated at company level prior to each reference period if employers wish to vary daily and weekly hours during the period. In addition, the policy statement made by the government that took office in August 1999 stated that new forms of employment, such as teleworking and homeworking, would be encouraged so as to achieve better reconciliation between family and working life. For this reason, the government undertook to study the use made of these new forms of working and their practical application, in order to identify shortcomings and difficulties as well as any requirements that flow from them.
Malta

In December 2002, the Employment and Industrial Relations Act (EIRA) brought Maltese legislation into line with EU law. It is intended to enhance the general quality of life by balancing work and non-work obligations, and addresses both the gender gap and the skills gap in the Maltese labour market. More specifically, it seeks to: introduce family-friendly measures at the workplace; eliminate discrimination; introduce gender mainstreaming policies; and increase the protection of workers on fixed-term and part-time contracts.

The Netherlands

In the Netherlands, the reconciliation of work and family life remains at the top of the agenda, in both bargaining – sectoral and company level – and government policy. The key issue is flexible working time that would allow the reconciliation of work and family life for both working parents. Special leave and the expansion of childcare provisions are viewed with interest by employees, employers and the government.

Although overall working time remained unchanged in the Netherlands, at a 37-hour average working week, by 2002, two-thirds of collective agreements contained clauses aimed at encouraging part-time work.

An important development in work flexibility for Dutch collective bargaining was the withdrawal by AbvaKabo, the largest union for public service employees, of its opposition to a longer working week. Despite the fact that the union continued to consider its workers’ 36-hour working week as a norm, it reached the conclusion – based on research findings published in August 2000 (see below) – that employees’ demands to have the option of working a longer week should be accommodated.

The agreement signed on 28 April 1999 by employees and employers within the bipartite Labour Foundation (Stichting van de Arbeid, STAR) on a policy document entitled ‘Moving towards customised conditions of employment’ – increasing the options available to individual employees within collective agreements – had implications on working time flexibility. While the essential lines of collective agreements would be retained under the Labour Foundation’s recommendations, certain conditions of employment could be swapped within a company on a multiple-choice basis. The policy document also laid down a number of conditions for implementing the multiple-choice model. Generally, the introduction of a multiple-choice system offers individual employees more opportunity to put together a package of conditions of employment best suited to their personal needs. In particular, STAR, based on experiences at companies using the multiple-choice model over a longer period of time, anticipated the following effects:

- employees in higher-level function groups will be more inclined to sell their time, and employees in lower-level function groups will be more likely to buy time;
- single employees will be more likely to sell time, while the opposite will be true for those with partners;
- employees with small children will be more likely to buy time, while parents of older children will opt to sell theirs.

Innovative developments were included in the agreement signed on 9 April 1999, for 118,000 officials in central government. This agreement includes provisions for education, daycare, improving personnel management policy and recruiting young people.
In 2000, temporary agency work was not on the agenda of collective bargaining. There was limited discussion on the rights of temporary agency employees to hold seats in works councils at temporary agencies. The subject of temporary agency work had featured prominently in 1998 and the beginning of 1999 because of the new Flexibility and Security Act, which strengthened the position of temporary agency workers.

The same observation is made of teleworking. By 2002, there had been no important developments on negotiations during recent years. On the other hand, unions increasingly recognise the importance of self-employed workers, and have opened up their organisation to self-employed people not employing personnel (zelfstandigen zonder personeel, ZZP). Self-employed workers are a rapidly growing group in the Netherlands: by mid–2000, there were some 100,000 such workers.

The most important recent legislative developments that have implications for reconciliation of work and family life are detailed here below.

A new Basic Childcare Provision Act (Wet Basisvoorziening Kinderopvang, BWK) will group the different types of childcare under a single scheme. Parents will always pay the childcare bill and, through the tax system, they will then receive income-linked monthly compensation worth roughly a third of the costs. The Act assumes that parents will receive further compensation of a third of the costs from their employers. However, employers will not be obliged to pay this share and, if they fail to do so, the state will provide a second income-linked contribution. The new Act was originally due to come into force in 2004, but this was postponed for a year in spring 2003 because the costs for government would be far higher than originally estimated. In 2004, there would have been a funding shortfall of €400 million, with the government’s share of the financing €260 million greater than estimated and the predicted employers’ contribution €132 million below the figures previously forecast. While the funding had to be sorted out for the Act to take effect in 2005, the government had no intention of releasing further resources. The Minister of Social Affairs, Aart Jan de Geus, requested that the social partners include childcare provisions in more collective agreements.

In 2002, the centre-right coalition government led by Prime Minister Jan Peter Balkenende proposed the introduction of a ‘leave purse’ (verlofknip) scheme, whereby employees would be entitled to save a certain amount of money, with tax advantages and a government contribution, in order to finance a subsequent period of unpaid leave from work. The tripartite advisory Social and Economic Council (Sociaal-Economische Raad, SER) was asked by the government to draw up recommendations on such a ‘life-span regulation’. According to SER’s 2003 report, there is a consensus across various political parties and between the social partners that the work and care issue should be dealt with as a question of a lifelong organisation of working time and leave. However, opinions differ regarding the precise form of any life-span regulation and the extent to which the respective parties should contribute financially. The general idea is that a voucher system should allow working less during a particular period of one’s life, compensated for by working for a longer period overall.

Following that in 2004, political discussion focused on the government’s plans to introduce a ‘life-span leave’ arrangement, giving workers greater scope to save for periods of time off during their careers. Care, education and training, leisure time and early retirement are all included and mutually exchangeable in this proposal. The present different types of care leave, combined in the general Work and Care Act (see below), will coexist with this new arrangement. Financially, the proposal is directed at reducing government expenditure by giving employees more responsibility and choice in whether to save for time off for care or for early retirement, or even not to save at all. This topic was one of the contested issues between the trade union federations and the government, as only employees with a longer working history and with higher salaries can afford to save enough to take time off for any substantial leave period.
Earlier in November 2001, a new Work and Care Act passed the First Chamber of parliament and came into force on 1 January 2002. The legislation brings together various existing and new leave provisions, and seeks to facilitate the reconciliation of work and family responsibilities. In addition to the amendment of existing regulations, such as those governing maternity and parental leave, new provisions cover:

- the right to adjust working hours if personal circumstances require;
- two days of paid paternity leave;
- four weeks’ leave for couples who adopt a child;
- two days of paid leave per year for urgent personal reasons, along with 10 days of paid leave a year to care for family members.

The Part-time Employment Act was passed in the lower house of the Dutch Parliament in February 2000. This Act awarded employees the right to increase or reduce their working hours. The legislation is part of the framework of the Work and Care Act.

The Flexibility and Security Act took effect on 1 January 1999. This Act aims to bring about a new balance between employers and employees in the labour market. It has made fixed employment more flexible and increased the security of flexible employees.

Research results
The issue of reconciliation of work and family life is also a subject of research in the Netherlands, which both social partners and government use in their negotiations and decisions. The results of four studies are outlined below.

In a report published in 2003, the Forum for Economic Research (NYFER) asserts that the existing Dutch labour system still caters insufficiently to a changing social reality, in which it is no longer single-income households but double-income households that form the majority, including among families with children (Even pauze in de levensloop. Internationale ervaringen met verlofregelingen en lessen voor Nederland [Take a life-span break. International experiences with leave regulations and lessons for the Netherlands], NYFER, Breukelen, 2003). Comparisons with other countries in western Europe, especially in Scandinavia, indicate that the Netherlands still invests relatively little in terms of helping employees with their care responsibilities, while participation in the labour market among women is now on a par with the European average. This results in tensions between the obligations arising from paid employment and those stemming from relationships in which caring plays a role. This in turn is manifested in a high rate of absence from work, rising numbers of occupational disability benefit claimants and a high number of very small-scale jobs occupied by mothers. Most employees are not in a position to accumulate sufficient time off to take leave, given their income levels and the time at which leave is most required, generally during the initial years of the career.

At the end of 2002, three-quarters of Dutch employees were covered by collective agreements containing childcare arrangements. However, in 2003, in anticipation of new childcare provision legislation due to come into force in 2005 (see above), employers cut back the proportion of childcare costs that they meet under such agreements. At the same time, the cost of childcare is increasing as market forces take hold in the childcare sector and labour costs rise because of the abolition of state-subsidised employment and wage increases for regular staff. The social partners treat childcare provision for employees as a secondary employment condition (or fringe benefit) in collective bargaining terms. Nonetheless, since 1990, there has been a marked increase in the number of collective agreements containing provisions on childcare. Larger-scale collective agreements are more likely to contain provisions on childcare than smaller ones – 85%, compared with 40%. Since 1990, when 21% of the larger collective agreements contained arrangements on
childcare, the figure has increased fourfold, according to figures from the Labour Inspectorate (Arbeidsinspectie) (Kinderopvangafspraken in cao’s [Childcare provisions in collective agreements], 2003). Company size is also a factor in the likelihood of employers offering childcare facilities to employees: less than 20% of companies with fewer than 10 employees had any such arrangements in place in 2002, though 25% of them intended to include such provisions in a collective agreement in the future.

As noted, many employers are now reducing their financial contribution to employee childcare, in anticipation of new legislation on the issue. Such cuts are being negotiated in collective bargaining. For example, the 2003 collective agreement for the light engineering industry, covering 380,000 employees, reduces the employers’ contribution to childcare costs to one-sixth of the total.

According to the Labour Supply Trend Report (The Hague, 1999), published by the Organisation for Strategic Labour Market Research (Organisatie voor Strategisch Arbeidsmarktonderzoek, OSA), employees themselves request to change their working hours. A recurrent theme is that men wish to work less than they have been doing while women want to work more. The Central Bureau of Statistics (Centraal Bureau van de Statistiek, CBS) has also charted requests for changes in working time over recent years, but at the level of individuals rather than couples. According to CBS data, it is predominantly older and female employees employed in full-time positions who express a desire to work fewer hours (see also Meer of minder werken [Work more or less], CLE Schobben, in Sociaal-Economische Dynamiek, 1998). This research has been used by the Dutch government in designing the Part-time Employment Act.

In the framework of research conducted in 1999, on behalf of AbvaKabo (by the University of Amsterdam’s Institute of Labour Studies), almost 40% of some 1,000 public sector employees interviewed stated that being able to choose to work longer hours for additional payment was important to them. However, those concerned often already work longer hours for no extra pay. Some 45% of respondents expressed a willingness to work for less pay in exchange for more time off. On balance, therefore, employees seem more eager to work less than to extend their working week. In the light of these findings, AbvaKabo would like to offer a greater variety of choices for employees in collective agreements – something already achieved in agreements covering the national defence force and hospitals. In the former, it is customary for staff to work for two hours less or more than the norm per week. Under the terms of the latter, employees can work for four hours more a week and accumulate these extra hours to be taken in the form of extended leave. The research findings revealed that 60% of the employees interviewed would clearly like more leave.

Norway

In Norway, issues regarding reconciliation of work and family life in collective bargaining usually deal with working time flexibility. Working time flexibility in Norway includes a variety of working patterns: a time account scheme, part-time work, teleworking, and hiring employees.

Particular cases of innovative provisions are the agreement in the private sector signed in 2000, which includes an extension of annual leave entitlement (to a total of five weeks), to take place over 2001 and 2002, and the public sector agreement that subsequently followed suit.

New forms of work are discussed regularly at a general level. Although there is as yet no legal regulation of home-based teleworking, this form of work has gradually become an issue for negotiations among the social partners, and there are now several agreements covering the subject. The proportion of temporary employees in the workforce has decreased in recent years. Labour force surveys also show that there has not been a measurable increase in the proportion of employees stating that they work during evenings or weekends, nor in the amount of overtime work carried out.
In terms of the legislative environment, the following developments are the most important:

- New regulations concerning private employment agencies and the leasing of labour, which came into force on 1 July 2000. These provisions constituted a liberalisation of existing rules on the leasing of labour, while the general ban on private employment agencies was abolished;

- Several EC directives on social policy issues (which generally apply to Norway through the operation of the European Economic Area (EEA) agreement) were considered in 2000;

- The transposition of 97/81/EC Directive on part-time work, implemented during the first half of 2001;

- The opening hours act, which came into effect on 1 January 1999, regulating Sunday and evening trading;

- The introduction, in June 1998, of a cash child benefit scheme for parents with small children. Under the terms of the scheme – which was implemented step by step – parents received NOK 3,000 (€373) a month for one-year-old children from 1 August 1998, provided they do not occupy places in state-supported daycare centres. From January 1999, the scheme applied to two-year-olds. Parents may choose to stay at home with their children, hire childminders or use daycare centres that are not receiving government funds, or they may choose to adopt a time account arrangement whereby they receive reduced cash benefits and part-time places for their children in a daycare centre.

Research results

In its annual report for 2003, the Norwegian Gender Equality Ombud highlights an increasing number of applications for assistance from women claiming discrimination at work. In the course of a five-year period, the number of cases doubled. In 2003, 476 cases were registered. Of these, 190 cases concerned working life, while 74 involved discrimination on grounds of childbirth or maternity leave.

More evidence for persistent discrimination can be found in a report published by the Institute for Social Research in 2004. Despite significant legislative effort in recent years to promote a healthy balance between work and family life, this area remains by and large a problem for women in Norwegian working life. The report has shown that the more children a woman has, the lower her wage will be in comparison to other women who are childless or have fewer children. Beyond discrimination, a structural problem seems to be the remuneration and benefits system itself in Norway, which encourages longer periods away from employment, which may have a significant effect on wage developments in the future. A second finding is that childcare responsibility provides only a partial explanation for the wage gap between men and women, insofar as the wage gap between women with and without childcare responsibilities is smaller than the wage gap between women and men. A new collective agreement signed between the Confederation of Norwegian Business and Industry (NHO) and the Norwegian Association for Salaried Employees (NOFU) aims at overcoming this problem by encouraging women on maternity leave to participate in company-level wage formation.

Finally, in 2003, the Norwegian government elaborated a proposal on ‘father friendly’ changes to parental leave regulation. Indeed, the father quota has been a complete success reflected by the take up rate of 85%. It has not, however, had the desired effect of encouraging more men to take parental leave beyond the four compulsory weeks. One of the more important obstacles is the gender wage gap that still exists. The extent of part-time work among women is an equally important problem. In its attempt to remedy this problem, the centre-right government proposes that the father should be given a more independent standing vis-à-vis the mother in terms of parental leave.
Poland

Work-life balance has not been a major issue in Poland thus far. Nevertheless, some legislative changes might have an impact, albeit an indirect one, on the reconciliation of work and family life. Equality and diversity issues, for instance, have been a focus of attention for legislators several times in recent years. In 2003, the draft of a new Equal Status Act was prepared and handed over to a parliamentary committee for further work, while a number of new rules were adopted on equal treatment and discrimination, such as sick leave, working time, and annual and childcare leave. Moreover, Poland has transposed EU laws on telework and part-time work into its legislation. Those new forms of work are, however, introduced with the aim of achieving greater labour market flexibility rather than in a context of the national debate on reconciling work and family life.

The most relevant measure for work-life balance that has been taken might be the statutory instrument accompanying Poland’s national budget for 2002, which abolished the ‘pre-retirement allowance’. Aimed at counteracting unemployment, the 1994 Act regarding employment allowed people meeting certain age and employment requirements to cease work before retirement age with a pre-retirement benefit set at 90% of the pension. This benefit has been cut, which has an impact on work-life balance since it reinstitutes an incentive to work longer.

Portugal

In recent years, the debate regarding reconciliation of work and family life in Portugal has been high on both bargaining and government policy agendas, centred on maternity and paternity leave, flexibility of working time, and, to a lesser degree, new forms of work.

Some non-remuneration provisions have been more likely to be dealt with in intersectoral/sectoral collective agreements, e.g. maternity and paternity cover, while other issues, such as flexibility of working time, are more commonly dealt with in company-level agreements. The vast majority of the changes to non-remuneration provisions in collective agreements are merely the reflection of alterations made to labour legislation. This is the case, for example, for the provisions on length of working time and maternity/paternity leave.

The issue of working time was regularly debated during recent years. In January 2002, an innovative company-level collective agreement was signed at Portugal’s BCP banking group. The deal creates institutionalised mechanisms for the resolution of conflict (such as arbitration); allows for a more flexible organisation of working time; improves supplementary pension provisions; and enhances career development. The seven-hour day and 35-hour week (already in effect for several years) may be varied around this average over a reference period of two months, though working time may not exceed 45 hours per week and nine hours per day. The working hours of establishments have been fixed between 08.00 and 20.00. These measures have resolved long-standing disagreements over the issue of overtime working.

A number of sectors negotiated gradual reductions in working time, such as a 39-hour week in 2001 in ceramics production and a 38-hour week for administrative employees. During 1999 in some sectors such as radio broadcasting, working time was set as low as 35 hours per week, especially for those engaged in shiftwork. A number of agreements have increased annual leave entitlement to 25 days and allow a certain flexibility, taking into consideration issues such as the worker’s age and the time of year at which holiday is taken. Annualised hours systems (in metalworking) and a four-day working week (in winemaking) are still relatively rare; working time is usually calculated on a weekly basis. There has also been a trend (1999) toward reducing the length of lunch breaks (as at the Petrogal oil-refining company and in the tobacco industry), and introducing Saturday work.
The subject of new forms of work has been high on the trade union agenda for a number of years. The trade unions have focused primarily on progressively eliminating forms of work that do not fit into the traditional wage relationship. Teleworking in Portugal still represents a tiny part of the labour market. It started to come into the debate in late 2000, with some parties seeking bargaining on the issue and others taking a more negative view. The signatories of the tripartite 1996–9 Strategic Concertation Pact (Acordo de Concertação Estratégica) considered teleworking as a form of work that might lead to the creation of precarious employment if it were not linked with measures designed to prevent this and to promote a secure working relationship. They recommended that adequate legislation on teleworking should be drafted.

In some company-level agreements, new forms of work have been introduced as attempts to reconcile family and work life. An agreement signed by management and the workers’ commission at the VW Autoeuropa car plant in Portugal prevented 570 redundancies among the 3,200 employees or lengthy shutdowns, threatened as a result of a fall in production. Under a new time account scheme, workers had to forgo a 3.3% pay rise in 2003 and convert it into 10 days off per year, to be taken on days when the plant was shut down. The agreement came into effect in June 2003.

The case of the Portuguese national broadcasting company, Rádio Televisão Portuguesa (RTP), which participated in an equal opportunities project as part of the Work and Family (Trabalho e Família) scheme, is of particular interest because it promotes a better balance between work and family life. Specifically, the aim of the project was to raise the issues of equal opportunities for men and women, and of reconciling family and working life. As part of the project, RTP tried out new ways of managing working time, such as flexible timetables, a compressed working week, shiftwork and teleworking, and established a pool of carers and babysitters.

The project was assessed in February 2001 and, according to its coordinator at RTP, it was a positive experiment, despite a certain amount of initial resistance. It helped to:

- disseminate information on rights and responsibilities;
- enable the company – in addition to demonstrating its social concern – to help to change the way people think, in favour of equal opportunities and better reconciliation of family and working life.

Thus, the RTP and the trade unions started negotiations on new ways of organising working time, and the equality experiment led to an exchange of ideas within the company concerning the continuation of the project. No significant problems stood in the way of a compressed working week. However, teleworking led to a more negative reaction from both supervisors and employees – the need for new skills, new evaluation methods, and the fear of losing benefits and opportunities and even visibility were issues that were raised during the experiment and required further consideration.

In terms of legislative developments, a wide range of significant changes took place between 1999 and 2002. The most important of these were:

- the law on fixed-term contracts published in July 2001. One of the aims of the law, which established new rules governing the conclusion and termination of such contracts, is to ensure that employees who have, in effect, permanent jobs can benefit from a standard open-ended employment contract;
- Law no. 9/2001 on gender equality, aimed at reinforcing mechanisms to monitor and punish discriminatory employment practices;
- Law no. 10/2001, providing for an annual assessment of equal opportunities for both sexes in Portugal;
- Law 70/2000, amending law 4/84 on the protection of parental rights;
the law published at the beginning of September 1999, broadening the potential use of temporary agency workers beyond their use in activities that are seasonal in nature or have irregular annual production cycles. In addition, a number of changes were made to contractual conditions;

the 1999 legislation aimed at improving existing provisions for family leave and protection in cases of high-risk pregnancy. The legislation, which partly transposes the EC directive on parental leave, also creates a special regime for time off for grandparents and increases parental leave for adoptive parents;

Law 96/1999 on night work in accordance with the EC working time directive and International Labour Organisation Convention no. 171 on night work. The Portuguese legislation states that night work is to be established and regulated through collective bargaining;

legislation on part-time work, in 1999;

Law no. 159/1999 of 11 May 1999, which requires self-employed workers to carry insurance in order to guarantee these workers and their families the same compensation to which other workers are entitled in the event of a work-related accident or illness.

Portugal’s 2001 National Action Plan for employment in response to EU Employment Guidelines (under the pillar of equal opportunities) provides for:

initiatives that will enable workers to reconcile their work and family lives. This will involve a number of measures, such as promoting the idea, within society and company culture, that a better balance between work and family life is a right and a duty for both male and female workers, as well as a responsibility that society must undertake. Furthermore, measures will seek to improve the living and working conditions of women, enabling them to better sustain a family life, and to promote more sharing of household tasks and responsibilities between men and women;

measures to reintegrate workers after a prolonged absence – on maternity leave, for example;

the development and promotion of programmes to support the family. These include baby-sitting and childcare services, different types of parental leave, as well as other kinds of leave.


Romania

Reconciliation of work and family life is not a major issue in Romania and has only been tackled indirectly.

In March 2004, for instance, the latest in a series of measures was adopted revising the system of leave and benefits for pregnant women and new mothers (RO0404102F). The aim is to provide better protection for women during maternity and child raising, but some of the changes only benefit women earning below average wages. The context for the various amendments is an attempt to address the country’s falling birth rate rather than a way to enhance work–life balance.

The new Labour Code adopted in 2003 introduced legal regulation of atypical forms of work for the first time. The new forms of employment contract regulated by the Code include temporary agency work, part-time employment, employment on fixed-term contracts and home-based work. It remains to be seen to what extent these measures can have an impact on reconciliation of work and family life.
National developments

Slovakia

There is no integrated approach in relation to reconciliation of work and family life in Slovakia. In 2002, however, the following main changes related to work–life balance were introduced in the Labour Code:

- enforcing the principle of equal treatment of employees, and extending the prohibition of any discrimination (employees who believe that they have suffered discrimination can take the case to court);
- comprehensively regulating working time and its structure, and increasing the flexibility of the employment relationship by providing employees with the opportunity to engage in agreed work at home;
- introducing a new statutory parental leave entitlement, which applies equally to both parents after a child is born.

Moreover, in 2001, the government adopted a concept on equal opportunities for women and men – the country’s first comprehensive elaboration of the gender equality issue. The document set out a range of measures, including initiatives relating to equal opportunities in the labour market and reconciliation of work and family life. In order to ensure a better balance between work and family life, the concept document included the following measures:

- expanding and increasing the quality of social services provision aimed at care for children, older people and people with various types of disabilities, in order to give a respite to families that have an excessive burden of caring;
- ensuring that the Ministry of Labour, Social Affairs and Family’s annual ‘family and employment’ audit of employers is focused on rewarding the most family-friendly employers;
- supporting the inclusion of measures aimed at reconciling work and family life in both the tripartite general agreement and collective agreements, in cooperation with AZZZ SR (Federation of Employer Organisations of Slovakia) and KOZ SR (Confederation of Trade Unions of Slovakia).

Relevant central and regional state administration bodies (the Ministry of Labour, Social Affairs and Family, and its regional and district offices) are responsible for the implementation of particular measures. An annual report on the implementation of these measures should be presented to the Ministry of Labour, Social Affairs and Family by 30 April each year (SK0209102F).

Since 2001, the Ministry of Labour, Social Affairs and Family, in cooperation with the International Centre for Family Studies, has held a national competition entitled ‘The employer supports the family’ to reward companies that strive towards the reconciliation of work and family life. Under the scheme, registered employers compete in three categories: family policy; equal opportunities for women and men; and most original measure to help to balance work and family life.

Research indicates that women have a higher preference than men for family duties to be shared on a partnership basis by both parents. Men tend to prefer that the bulk of such responsibility should be borne by women. This causes difficulties for women in returning to work after maternity leave, or extended maternity leave, and in adapting to employment after longer absence due to childcare, or looking after other family members, as it often results in a double burden of work for women.

In order to address this issue, the Confederation of Trade Unions of Slovakia (Konfederácia odborových zväzov Slovenskej republiky, KOZ SR) prepared and implemented a project on equal opportunities policy for women and men in trade unions. The aim is to enforce the gender equality principle in the activities of the trade unions and at all levels of the collective bargaining process (SK0407103F).
The EU-level social partner agreement on telework, concluded in July 2002 (EU0207204F), was neither reflected in Slovakian labour legislation nor applied in collective agreements during 2002. Telework has not yet been discussed with the social partners. However, as noted above in reference to the new Labour Code, a provision was introduced allowing employees to work at home on conditions agreed with the employer.

Finally, the incidence of part-time work is limited in Slovakia, at 2.3% of all employees in 2001. The low level of wages is one of the main reasons for the low incidence of part-time work.

**Slovenia**

There has been increased awareness in recent years among the Slovenian government and the social partners regarding the importance of reconciliation of work and family life.

In April 2003, the government and social partners signed a social agreement for 2003–5, setting the general direction for economic and social development over the following two years and defining the tasks of the signatories. The main stated aim of the agreement is to achieve a balance between economic efficiency and social and legal security. With regard to work-life balance, the agreement states that the possibility of successfully combining work and private/family life is one of the conditions for balanced social and economic development. The government thus commits itself to developing policies, programmes and measures that will ensure and promote reconciliation of the work and family obligations of women and men, by: establishing a network of services for all generations; adjusting childcare provision to changes in working and business timetables; offering services to facilitate parenthood; enabling flexible forms of employment for people with young children; and implementing a family-friendly company campaign. Employer organisations will encourage their members to take a more active attitude towards reconciling work and family life, and to prevent discrimination in recruitment and employment. Trade unions will offer their members the necessary support for resolving problems related to combining work and family obligations, and propose possible solutions for the resolution of those problems to employers.

New regulations on part-time work came into force in 2003 in Slovenia. Part-time work, however, is still relatively rare in Slovenia, Hungary and – generally speaking – in the central and east European countries. In the former Yugoslavia, part-time work was only introduced in 1989. According to former legislation, a worker had the right to work part time until the child was three years old and only if the child needed additional care because of health problems. The new regulations do not fundamentally change the opportunities for part-time work. Women may work part time when this benefits a pre-school child. When part-time work is no longer justified on these grounds, employees are expected to work full time. One of the reasons that part-time work is little availed of is that women and men simply cannot afford this type of employment. Moreover, societal factors rooted in the socialist organisation of work and employment should also be taken into consideration.

Despite the rarity of part-time work in Slovenia, the draft National Action Plan for 2004, issued in November 2003, included a measure to promote part-time work and, in some cases, also refers to the reconciliation of work and family life. For example, the distribution of working time was to be determined by agreement between the worker and the employer where a worker is working less than full time because this benefits their child, or where the parent of a child up to the age of 17 months is working half time.

The tripartite social agreement for 2003–5 (SI0307101F) makes a contribution to gender equality in work and employment. The social partners committed themselves to the tasks and activities identified in this agreement, such as developing policies, programmes and measures to ensure and promote the combining of professional and family obligations of women and men, organising training and using examples of good practice in order to enforce equal opportunities for women and men.
Spain

Reconciliation of work and family life in Spain is mainly laid down in the Spanish legislative framework and, more recently, in the Spanish National Action Plan for employment, in response to the EU Employment Guidelines. Although collective bargaining – at sectoral and company level – is dealing with working time flexibility and new forms of work, it focuses on company competitiveness and maintaining employment levels (e.g. Delphi Diesel Systems plant at St Cugat del Vallès in Spain). Thus, the difficulties for employees in achieving reconciliation of work with family and social life may even be increased.

In particular, collective bargaining on working time during recent years was characterised by a very moderate reduction in working hours and a significant increase in flexibility. The 35-hour week was introduced in a minority of organisations, mainly in public administration and public services, although the first sectoral collective agreement establishing the 35-hour week was signed in 2000 for the automobile repair shops sector in the region of Asturias.

Greater flexibility in the organisation of working time was introduced in various ways. In some cases, collective agreements established mechanisms for varying working hours, limiting the timeframe during which workers needed to be available, and allowing more trade union participation. In the majority of cases, however, the discretionary powers of employers were increased with or without compensation in other areas. Also, it is widely accepted that, in certain types of companies and sectors, real working time tends to be far higher than that laid down in collective agreements.

As regards new forms of work, an important development during recent years was the law on temporary work, which came into effect in 1999. This established equal wages for workers supplied by agencies and workers of the user companies. Following this, in July 2000, a national collective agreement covering temporary work agencies was signed, resolving the ambiguity of the legislation: the agreement established full equality of wages because it defines pay as the wages actually received by the workers of the user company, regardless of whether they are regulated by collective agreements (as defined by law) or by company agreements.

The recruitment of self-employed workers has become a major issue for trade unions. Specifically, the unionisation of self-employed workers – which the Trade Union Confederation of Workers’ Commissions (Comisiones Obreras, CC.OO) and the General Workers’ Confederation (Unión General de Trabajadores, UGT) support – is still at an early stage, but it is a first step towards the organisation of an expanding group of workers who are highly diversified and suffer from a loss of influence in terms of professional status and individual bargaining capacity.

Teleworking has not been an issue of collective bargaining in Spain mainly due to the fact that only 2.8% of the workforce are teleworkers.

By 2002, the issues of special leave and child and elder/sick care had not often been on the agenda of collective bargaining. In November 2000, in the context of the presentation of a report entitled Necessary labour reform (La reforma laboral necesaria), the Circle of Employers (Círculo de Empresarios) – composed of about 200 employers and top executives of mainly private companies that, according to its own sources, employ over 715,000 workers – suggested that women of child-bearing age should pay employers’ maternity leave costs. A proportion of the monthly wages of these women should be paid into an insurance policy that would cover the wages and contributions that companies pay to women on maternity leave. If the women had no children by the age of approximately 56 years, these contributions would be returned to them with the corresponding interest. The proposal, presented as an innovative approach to gender equality in a context of ‘managerial excellence’, was not accompanied by data or economic estimates.
The major legislative changes that took place during recent years affecting reconciliation of work and family life are:

- a new tax measure, introduced in January 2003 by the Spanish government, which gives working mothers a subsidy of €100 per month for each child under three years of age. The stated aim of the scheme, which was expected to benefit 500,000 women, is to facilitate the reconciliation of working life. The government feels that this measure, known as ‘€100 for working mothers’ (€100 para las madres trabajadoras), falls within a wider programme of actions to improve the reconciliation of work and family life, based on the 1999 legislation on this issue (ES9911165F). Furthermore, the new measure is ultimately aimed at reducing the fall in the Spanish birth rate, currently one of the lowest in the EU. However, it did not meet with unanimous approval. The trade unions expressed their dissatisfaction with the content of the subsidy and the definition of its potential beneficiaries, and question the contribution of measures of this type to the reconciliation of work and family life. Organisations representing women who work unpaid in the home (‘housewives’) point out that this measure benefits only mothers who have jobs or are self-employed rather than all mothers, a point on which the trade unions agree;

- the package of five laws, in June 2000, on the liberalisation of shop opening hours;

- the Law on combining family life and work, of 7 November 1999, which completes the transposition of EC directives on maternity protection (1992) and parental leave (1996) into Spanish labour legislation. The main objectives of the law are: to improve protection of health at work; to provide legal guarantees against dismissal of pregnant women; and to establish a legal situation that allows maternity leave to be transferred to the father, in order to facilitate a greater sharing of domestic and family work between men and women. In summer 2001, the law and its effects were assessed after being in force for approximately 18 months. There were criticisms that it is not sufficiently ambitious, because it covers only the working environment rather than adopting the integrated approach laid down in EC directives on the subject;

- the reform of the Law on temporary work agencies (TWAs), on 1 July 1999, which brings the wages of TWA workers into line with those of the user companies. The 1994 legislation had established that the wages of TWA workers should be regulated by the agreement applying to the TWA and that their contract could be temporary or permanent. Most TWA workers were employed on temporary contracts and their wages were far lower than those of permanent workers. The 1999 law remedied this difference in wages by establishing that TWA workers should be paid according to the user company’s collective agreement;

- the ‘zero cost’ measure that came into force in September 1998, intended to eliminate the additional cost of maternity leave for employers. In fact, it eliminates the costs of the employers’ social security contributions for new staff hired to replace those on maternity leave in the private sector, as the temporary contract is exempt from employers’ social security contributions for the 16 weeks of maternity leave.

Research results
Numerous reports and surveys have been written regarding work-life balance in Spain. Summaries of a few notable examples are outlined below.

Two studies published in 2005 provide information and analysis on the development of collective bargaining relating to work-life balance. The first study is entitled *Discourse and practices on work-life balance in collective bargaining* (Discurso y prácticas sobre la conciliación de la vida laboral y familiar en la negociación colectiva, Carrasquer, P., Massó, M., and Martín Artiles, A., Número monográfico Revista Papers, 2005) and forms part of a collective project directed by Faustino Miguélez of the Quit Research Centre (Centro de Estudios Quit) at the Universidad Autónoma of Barcelona, under the title *Work and time: Work–life balance* (Trabajo y tiempo: conciliación de la vida laboral y familiar). The second study, commissioned by the Women’s Institute (Instituto de la Mujer), is entitled *A study of work–life balance: the current situation, needs and demands* (Estudio sobre la conciliación de la vida familiar y la vida
laboral: situación actual, necesidades y demandas, GPI Consultores, Instituto de la Mujer, Madrid, 2005). According to research published in the first report, centralised collective bargaining at sector level in Spain favours the inclusion in agreements of provisions on work-life balance issues, whereas decentralised bargaining favours dispersion and an unequal treatment of the subject. Furthermore, EC directives in this area have played an important role in introducing the subject of work–life balance onto the Spanish bargaining agenda.

The study by the Women’s Institute, based on a survey of 200 companies with a high proportion of female employees, finds that the main measures used for reconciling work and family life (beyond those laid down in legislation) are: flexibility in the times of starting and finishing work (35%); free choice of shifts and exchanging shifts (31.6%); part-time work with the possibility of returning to full-time (26%); flexible distribution of hours over time (24.6%); longer maternity leave than the legal minimum (8%); teleworking (5.3%); financial aid for the care of dependants (2.8%); and nurseries in the workplace (1.4%). However, the research by Carrasquer et al indicates that these findings present an optimistic view of the situation, which has little relation to the content of collective agreements with regard to work–life balance. In practice, the priority in collective bargaining is given to the traditional topics, such as pay and jobs. Trade unions state that the specific priority is the conservation, maintenance and extension of employment. Subjects related to work–life balance, according to the research, take second place and tend to be framed within and subordinated to the issue of equal opportunities (ES0410204F). Furthermore, trade unions and employers have a different understanding of work–life balance. The unions attempt to define it as a harmonisation of work, family and personal life that is subject to collective regulation because it affects the whole workforce, despite the great diversity of situations. The employers tend to understand work–life balance as a personal, individual question because of the variety of situations and family burdens. These two ways of understanding the issue represent an obstacle to collective bargaining, it is argued.

An indication of the importance of having a centralised structure in order to promote bargaining on work–life balance is provided by a finding in a recent report by the Economic and Social Council (Consejo Económico y Social, CES): ‘Around 60% of the national agreements include some regulation of work and family life’ (Memoria sobre la situación socioeconómica de España, CES, Madrid, 2004). Centralised sectoral agreements, such as those in chemicals, paper and card pulp, flowers and plants, textiles, clothing and leather goods are those that have most incorporated the 1999 law on reconciling work and family life. They have also included notable clauses (or good practices) on pre-maternity leave and parental leave. In the decentralised agreements at regional/provincial and company level, on the other hand, less importance is given to improving on the provisions of the law, and of course their coverage is narrower.

Another recent study (‘El tiempo de trabajo y la conciliación de la vida laboral y familiar’, Otaegui, A., in La negociación colectiva en España, Escudero, R. (coordinator), Tirant lo Blanch, Valencia, 2004) argues strongly that the 40 national sectoral collective agreements offer quantitatively and qualitatively the greatest technical and legal recognition, guarantees and protection based on the 1999 law on reconciling work and family life. Agreements at this level have the highest number of clauses on paid leave, special arrangements during breastfeeding, the recognition of common law couples, and paid time off for visits to the doctor or to accompany children on such visits. On the other hand, agreements at provincial and company level have the greatest number of irregularities, sometimes with conditions that are worse than those established by law and, therefore, illegal. This is indicated by the fact that many of these agreements still refer to the old text of the Workers’ Statute (Estatuto de los Trabajadores), which limited leave for workers to ‘surgical illnesses’, a more restrictive term than ‘hospitalisation’, or fail to mention leave related to ‘serious accidents’. They may include clauses that are illegal under the 1999 law, such as the reduction of entitlement to leave to care for close relatives, and, in some agreements, entitlement to special leave is restricted to workers on open-ended contracts, or who have a minimum seniority. In addition, some company agreements fail to recognise the right to pre-natal examinations, do not deal with breastfeeding arrangements, and do not provide for paternity leave.

In general, collectively agreed working time has undergone significant changes in Spain in recent years. The annual duration of working time has been falling at a moderate rate, while there has been increasing flexibility in the
organisation of working time, through methods such as annualisation and the irregular distribution of hours over the year. For example, in September 2003, a working time flexibility agreement was reached by management and worker representatives at SEAT, the Spanish motor manufacturer. The agreement provides for 10 additional Saturdays to be worked, in order to deal with increased demand. Several studies reflect this trend.

The Spanish Confederation of Employer Organisations (Confederación Española de Organizaciones Empresariales, CEOE) published the findings of its 2002 company survey on collective bargaining in spring 2003 (Balance de la encuesta de CEOE sobre la negociación colectiva 2002. Estructura y contenido de los Convenios Colectivos en España [Evaluation of the CEOE survey on collective bargaining in 2001. Structure and content of collective agreements in Spain], Informes y Estudios No. 89, CEOE, Madrid). This is a panel study that follows the development of collective agreements on a yearly basis. A major trend appears to be that qualitative aspects – i.e. the flexible distribution and organisation of working time – are gaining importance over quantitative ones – i.e. the number of hours of work. The context is that the major labour market reform of 1994 allowed the content of collective bargaining to be extended. In the area of working time, this covered issues such as the irregular distribution of working time over the year and the concept of working time as an element of efficient and flexible management.

The CC.OO secretary for women conducted a specific study on a sample of agreements in 2001, and reached the following conclusions:

- of the new aspects regulated by the 1999 law, paid leave for family reasons is the one that receives most attention in collective bargaining. Some agreements merely incorporate the new legislation, but others have introduced improvements, mainly aimed at increasing the number of days of leave, recognising paid leave for dealing with adoption and fostering procedures, and establishing a new type of leave for accompanying children and dependants to visit doctors;
- most of the agreements that include improvements with regard to the reduction of working time for family reasons refer to breastfeeding breaks, increasing such breaks by 30 minutes or increasing the age of babies for which this right is granted. In other cases, the number of hours of reduced working time for family care is increased, or the accumulation of this time is permitted;
- other improvements include the recognition of family-related time-off rights for common law couples; exemption from flexible working time arrangements for persons whose presence in the company is limited due to care of children, breastfeeding or pregnancy; and making maternity leave compatible with holidays. In some cases, financial improvements established by an agreement in relation to sick leave are extended to situations of suspension of contract during pregnancy;
- in the case of leave of absence, most agreements reflect the law, but in some cases they introduce limitations to the exercise of this right, such as requiring a certain length of service, establishing a minimum period of leave, or restricting the possibility of leave to only one parent.

According to the Survey on the Active Population in Spain, part-time employment has grown sharply since the labour market reform of 1994 that eased the wider use of this form of employment. Part-time work in Spain largely involves women. The labour market reform of 1997 further accentuated the increasing part-time work levels, and its take-up by women. More recently, the March 2001 reform, which abolished the definition of part-time work as less than 77% of normal working hours, seems also to encourage this tendency. The growth of part-time employment in Spain in the 1990s (at an average annual rate of 7.5% between 1992 and 1999), was basically due to an increase in employment in certain service sector activities: large-scale retailing; telemarketing; forms of home delivery such as those related to fast food; care services; and more traditional activities such as cleaning or domestic service, and hotels and catering.
According to this survey, there are three characteristics that differentiate the current Spanish situation from that of other EU countries. Firstly, recent figures indicate that part-time employment as a proportion of total employment has ceased to increase. This stagnation was particularly apparent in 2000: 37,100 part-time jobs (the vast majority taken by women) were created in the second quarter of 2000, compared with 60,200 in the first quarter of 2000 and 85,000 in the second quarter of 1999.

A second characteristic of part-time employment in Spain relates to the reasons that lead people to accept a part-time job. Rather than personal choice, which has been a main reason in the rest of the EU, 41% of Spanish part-timers claimed that their employment status was due to the type of activity involved.

Finally, the third specific Spanish characteristic is the high rate of temporary employment among part-time workers – 57.8% of part-time workers were on temporary contracts in 1999.

Overall, it seems that EC directives have contributed to the developing regulation of equal opportunities and reconciliation of work and family life in Spain, though this happened through legislation and not through collective bargaining. In fact, reconciliation of work and family life is a trade union objective, but only a minor issue for employer organisations. Even though collective agreements increasingly refer to reconciliation of work and family life, their provisions tend to be declarations of principles, without specific actions to support them. Just 17% of companies apply measures aimed at reconciling work and family life, including measures such as flexible working hours for childcare, work from home, and paid and unpaid maternity leave. The SEAT agreement of 2003 (ES0406206F), for example, provides leave to attend the marriage of in-laws on the same conditions as already provided for blood relations. Furthermore, it provides leave for the birth of grandchildren on the same conditions as provided for the birth of children. Common law couples also enjoy the various rights provided to married couples. Further leave is provided to attend trials and for parents of children with serious disabilities. Finally, time off for breastfeeding may be accumulated in the company’s hours pool arrangements.

Moreover, it is significant that the management of this issue is polarised: arrangements apply mostly to management, technical and administrative staff and less to production workers. Reconciliation of work and family life is still a rather unusual concept in Spain, whose public expenditure on support for families is third lowest among EU countries (ES0410204F). Spanish society has traditionally seen the burden of social cohesion placed on the family. Today, however, the model of a single income family is no longer sufficient, particularly among poorer people for whom the price of housing and the cost of living becomes less and less affordable (ES0302106F). This makes it necessary for several members of the family to obtain an income. In this sense, the flexibilisation of working time does not necessarily facilitate the reconciliation of work and family life. According to the 2002 CEOE survey on working time flexibility, working time has become more flexible, but there has not been any reduction either in working time nor in overtime. Against the background that Spain is a low-pay country, workers prefer to take paid overtime rather than time off. For women, this means that they have to suffer the double burden of housework, childcare and paid work.

**Sweden**

Even though most of the issues regarding reconciliation of work and family life have been covered by Swedish legislation for approximately 20 years, the topic has been high on both the bargaining and policy agendas during recent years.

In particular, the issue of working time was included in the 1998 bargaining round, when almost all agreements, apart from those for state employees, introduced new provisions on both the length and the organisation of working time. On the other hand, in December 2000, the Swedish government established a working commission to examine the entire system of legislation on working time and leave, and proposed changes that allow greater individual choice.
Regarding new forms of work, temporary agency work has been growing steadily and a number of important collective agreements were concluded in recent years, concerning salaried employees in the temporary agency work sector.

In addition, regarding parental leave as a measure that is directly related to the reconciliation of work and family life, a number of company agreements provide additional payments for parents who want to stay at home to look after their children. A motivation for this provision is the high level of competition between companies and their desire to attract qualified workers. Thus, such provisions are contained in the agreements of the telecommunication company Ericsson, the oil company Statoil, and the Folksam insurance company. The government sector has the most generous rules: employees in this sector receive 90% of their salary, regardless of how much they earn, when on parental leave.

In the context of Swedish legislation, the following developments are most important:

- the approval, on 16 February 2005, by the Swedish Parliament (Riksdag) of the Social Democrat Government proposal (2003/04:180) on making changes in the Swedish Working Time Act in order to implement the EU working time directive (93/104/EC) in a ‘clearer way’. The new rules stipulate, in short, that the average weekly working time should be, at most, 48 working hours. The night–day break between work should be at least 11 continuous hours. Some exceptions will be allowed for public service tasks, for example, in the police force and the armed forces;

- proposed legislation, in May 2001, to implement the EC directives on part-time work and fixed-term work. The new law, which bans discrimination against part-time workers and workers on fixed-term contracts in terms of pay and other employment conditions, should come into force in April 2002. Trade unions would rather have implemented the directives through collective agreements, but employers were opposed to such a move;

- the 1998 Act on Parental Leave that implemented in full the EC directive on parental leave. Sweden’s state parental leave scheme was introduced in 1974 in order to promote greater equality between men and women in the home, at work and in society. Most of the requirements of the EU Council directive were already covered by Swedish legislation and only a few additional rules were necessary to adopt it fully. However, women have consistently used parental leave to a far greater extent than men. A key reason for this is that parents with higher income (usually men) may not be tempted to take leave, as they lose a considerable amount of money when they do so.

**Research results**

A number of committees were also established by the Swedish Parliament to compile reports in relation to the reconciliation of work-life balance. Key recommendations from two completed committee reports are outlined below.

In April 2004, the government appointed a commission to examine the parental leave and benefits system from the perspective of whether it functions in the best way for children and contributes to greater equality between the sexes (Dir.2004:44). The commission was headed by Karl-Petter Thorwaldsson, a senior official at the Swedish Metalworkers’ Union (Svenska Metallarbetareförbundet). The commission presented its proposals on 15 September 2005 (SOU 2005:73). It recommends increasing paid parental leave from the current 480 days to 15 months. This 15-month period should be divided into five (obligatory) months for the mother, five (obligatory) months for the father and five months that may be divided between the parents. All mothers would have the right to 30 days’ leave before the child’s birth. The parents could also take 30 days of leave together after the birth. The ‘3 x 5’ months model is similar to a scheme that has been introduced in Iceland, where initial results are reported to be encouraging.

The existing Swedish parental leave system was established in 1974, as mentioned above, replacing the former maternity leave scheme. The aim of the parental leave was that it should help women with small children to keep their connection with working life and give both parents the possibility of sharing responsibility for the care of their children. Parental leave benefits should also mean economic security for families with small children. In 1998, one month of the parental
leave period was reserved for each parent, which could not be transferred to the other parent. In 2002, this reserved period was increased to two months per parent.

In late 2000, the Swedish government set up a governmental working time committee (Kommittén för nya arbetstids- och semesterregler, KNAS), with social partner involvement, to examine the entire system of legislation on working time and leave and make proposals for reform (SE0101176N). In June 2002, the committee issued a report (SOU 2002:58) proposing new legislation to give all workers an additional five days of leave per year (SE0206105F). On 17 June 2003, it presented its final report (SOU 2003:54), calling for a simplification of current rules on annual and other forms of leave for employees.

Under the proposals, the administration of the various forms of leave would be made easier for employers, and the current seven items of legislation on leave would be consolidated into four. Furthermore, employees taking parental leave would receive more annual leave entitlement in some circumstances, while a group of about 20,000 workers on long-term sick leave would lose entitlement – though the committee believes that, for most people, the changes would be marginal.

The committee’s earlier proposal for an additional five days of annual leave is yet to be dealt with by government. It may be that there is a hesitation to propose such a reform at present, given the poor economic situation and the view that such working time reductions would negatively affect production growth.

Also of interest in the area of parenthood and working life is a survey conducted in spring 1999 by the Equal Opportunities Ombudsman (Jämställdhetsombudsmannen, JämO), charged with the duty of ensuring compliance with the provisions of the Equal Opportunities Act. The survey was carried out among 68 sectoral trade unions and received 81 responses, about half from the national unions and half from unions at local level. The results of the survey showed that many union members have problems reconciling work and parental responsibilities. The most common type of negotiations conducted by trade unions in this area relate to employers’ unwillingness to adapt working hours for parents with small children. The second most common issue for negotiations relates to situations where workers are affected negatively in pay setting after parental leave or where their other employment conditions become worse because of pregnancy or a demand for parental leave.

The survey also shows, according to the Ombudsman, that negotiations conducted by unions over this type of issue often remain at the local level, and that general advice is requested by members more often than negotiations. Members dare not make use of their legal rights for fear of losing their jobs, the Ombudsman concluded. In her annual official letter to the government, sent on 24 August 1999, the Ombudsman wrote, referring to the survey, that it is urgent that the rights of parents in the labour market should be strengthened. the Ombudsman suggests that the Act on Parental Leave should be reinforced by new rules making it more difficult for employers to dismiss pregnant women and parents wanting to use their legal rights to leave, or to make their job situation worse in other ways.

United Kingdom

Work-life balance has been a matter of debate for some years in the UK, focusing on working time, night work, holiday entitlement and childcare provision. It was a subject of collective bargaining – at company level and less so at sectoral level – and government policy. Moreover, working time and parental leave in the UK were the subject of the European Court of Justice in two cases, because current UK legislation was incompatible with the requirements of the EC directives. Surveys still identify problems in relation to long and unsocial working hours in the UK, and employee frustration and stress from pressures at work.
In 2000, the average collectively agreed normal weekly working time was 38.2 hours for manual employees, 36.8 hours for non-manual employees, and 37.5 hours where employers do not distinguish between manual and non-manual groups. Average actual weekly working hours for full-time employees was 39.8 hours.

A notable agreement on shorter working hours was at Peugeot’s Ryton plant near Coventry where the standard 39-hour working week for production workers was reduced to 36.75 hours. Union pressure for new arrangements followed the introduction of the 35-hour week at the parent group’s plants in France. Initial proposals were the subject of industrial action – which commentators saw as being motivated by work–life balance concerns – before agreement was finally reached in September 2000. Also, it should be emphasised that the adoption of more flexible time arrangements has been a key item on management’s agenda across the European car industry.

The 35-hour week is a united demand of the UK’s three main teaching trade unions – National Union of Teachers (NUT), National Association of Schoolmasters/Union of Women Teachers (NASUWT), and the Association of Teachers and Lecturers (ATL). In addition, the issue of more public holidays – from 10 to 12 per year – was recently on the agenda of trade unions.

The number of people working part time, as well as self-employed, for an agency or as other types of temporary worker, or in flexible working practices such as teleworking, has increased significantly. However, a Trades Union Congress (TUC) report, published in June 2000, argued that the significance of such changes in the structure of employment has been overstated, noting that ‘in practice, the vast majority of people work within standard employment arrangements’ and that the ‘traditional job’ is likely to continue to predominate. New, more flexible forms of work organisation have continued to feature prominently in UK industrial relations debates, following company agreements covering issues such as teamworking, working time flexibility, job flexibility and security.

Teleworking was a subject of a few agreements signed in the UK during recent years. One of them was introduced in 1998, at the trade union affiliate Unity Trust Bank. In general terms, the TUC claims: first, that employers are unlikely to cut long hours unless there were changes in the law; and second, that ‘dealing with the problems of the modern workplace is not simply a matter of increasing legal protection for people at work – although the Working Time Regulations show they can make a difference. There needs to be a change of culture, better work organisation and more effective managers as well. What is needed most of all is the spread of partnership relationships at work. Dealing with work–life balance issues is high on the agenda of many existing partnership arrangements.’

During the past years, there has been a succession of important legislative developments and government announcements that have implications on the reconciliation of work and family life. The principal developments are outlined below.

On 22 September 2004, the European Commission adopted a formal proposal for a directive amending certain key provisions of the existing working time directive. Of particular importance in the UK context is that the Commission’s proposal aims to tighten the conditions under which individual employees may opt out of the 48-hour limit on average weekly working time. UK law currently allows the use of such opt-outs on a general basis. The issue is very controversial.
in the UK context where both social partners have expressed their views on the subject. Echoing its reaction to an earlier Commission consultation document on revising the directive, the Confederation of British Industry (CBI) pledged that Britain’s business community would fight ‘tooth and nail’ against the Commission’s proposal. Similarly, the manufacturers’ organisation EEF feared that the proposal ‘could allow a dangerous precedent to be set whereby trade unions could prevent employees signing individual opt-out agreements’. For the TUC, general secretary Brendan Barber said that the Commission’s proposal was ‘a disappointing decision that will satisfy no one’. He added: ‘People at work will get some slight extra protections against bosses who try to force them to opt out of a 48-hour working week. And union members will be able to negotiate a limit to their maximum hours. But these limited reforms show that the Commission has failed to grasp the scale of the UK’s long hours culture. British employers will still be able to rely on pressuring staff to work long hours instead of adopting safe, efficient and productive working practices.’ The TUC is seeking an end to the opt-out provision altogether.

In April 2003, legislation came into force giving parents of children under six years or of disabled children under 18 years the statutory right to request flexible working and to have their request seriously considered by their employer. Prior to the introduction of the legislation, employer groups had opposed statutory intervention in this area and expressed concern at its potential impact on business performance, whereas trade unions were critical of the scope for employers to reject employee requests for flexible working. However, a survey of employers conducted by the Chartered Institute of Personnel and Development (CIPD), representing human resource managers, and the law firm Lovells, published in October 2003, suggests that the operation of the legislation has proved to be user-friendly for organisations in both the private and public sectors. The survey aimed to assess the impact of the new statutory right after six months in operation. Based on responses from over 500 organisations, the main findings highlighted by the report include the following:

- over a quarter (28%) of employers report an increase in the total number of requests for flexible working since the statutory right became operative in April 2003;
- nearly two-thirds (62%) of the organisations which have received statutory requests have approved at least half of them, either agreeing in full with the employee’s proposal or in a modified form;
- a large majority of employers report little difficulty in the operation of the new right, with 76% saying that the impact of the legislation on their organisation has been negligible, and 90% reporting no significant problems in complying with the new requirements;
- some 60% of employers state that the current package of family-friendly rights does not tip the balance too far in favour of working parents, but nearly half (47%) are concerned that staff without children resent their colleagues benefiting from these rights;
- the vast majority of employers (91%) say that they are prepared to consider requests for flexible working from employees who are not covered by the legislation, and 72% are prepared to accept requests from all staff;
- over two-thirds of employers (68%) believe that the opportunity to work flexibly has had a positive impact on employee attitudes and morale.

Regarding the EC directive on fixed-term work, the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 came into force on 1 October 2002. They provide that:

- fixed-term employees should not be treated less favourably than comparable permanent employees on the grounds that they are fixed-term employees, unless this is objectively justified; and
- the use of successive fixed-term contracts will be limited to four years, unless the use of further fixed-term contracts is justified on objective grounds.
The Employment Act 2002 includes provisions enabling the government to make regulations to prevent pay and pension discrimination against fixed-term employees and implement (UK0108141N) EU Directive (1999/70/EC) on fixed-term work (EU9907181F). The government’s view was that, on account of its Treaty basis, the Directive itself does not cover pay and pensions, so it was necessary to include provisions in primary legislation to give the Secretary of State the authority to address these issues by means of regulations.

In March 2000, the UK’s Labour Party government launched a work–life balance campaign to encourage employers to introduce flexible working practices to enable employees to achieve a better balance between work and private life, and to convince employers of the economic benefits of a work–life balance (e.g. lower absenteeism and staff turnover, better productivity). At the end of its third year, the main focuses of the campaign were on three areas:

1. tackling the long-hours culture;
2. targeting sectors with acute work–life balance problems;
3. providing support and guidance.

The campaign is situated within the Department of Trade and Industry (DTI), which has created a dedicated website to disseminate information to employers and employees, and raise awareness of the supposed economic benefits of work–life balance policies and best practice in the area. According to a report, Balancing work and family life: Enhancing choice and support for parents, launched on 14 January 2003 by the Chancellor of the Exchequer and the Secretary of State for Trade and Industry, best practice policies cover leave arrangements (including maternity, paternity and career breaks), flexible work arrangements (including home-working and job-sharing), childcare support, and training (including retraining for returning parents).

In December 1999, regulations were introduced providing a right to parental leave and improved existing maternity leave arrangements, based on the EC Directive 96/34/EC.

The Employment Relations Act 1999 on time off in case of emergencies involving family and other dependants also reflected the EC Directive 96/34/EC. However, in April 2001, the government announced its intention to extend the statutory right to 13 weeks’ unpaid parental leave to all working parents with children under five years of age. Under the 1999 Maternity and Parental Leave Regulations, statutory parental leave was available only to parents whose children were born on or after 15 December 1999 – the date the regulations took effect. The 2001 change was backdated to 15 December 1999 and meant that all parents whose children were under the age of five years on that date would obtain the right to take parental leave.

Research results
Issues relating to reconciliation of work and family life are, in the UK, the subject of several pieces of research and surveys. The most important of these are outlined below:

On 6 September 2005, the DTI published a report, Managing change – practical ways to reduce long hours and reform working practices, produced in association with the CBI and the TUC. The report looks at how a range of companies have introduced measures such as part-time working, flexitime, job-sharing and annualised hours in a bid to modernise working practices, while maintaining, or improving, productivity. Benefits are said to include enhanced customer service, retention of skilled staff, improved morale and less absenteeism, all of which contribute to improved worker satisfaction and productivity. The report includes case studies from BT, Land Rover, Accenture, PricewaterhouseCoopers, Eversheds, Excel Assemblies, Perkin Elmer, Exel, Rolls-Royce, BNG Sellafield, Unilever Foods, BI Worldwide and Westinghouse.
The report summarises the key lessons from the various case studies in the following top tips:

- A strong business rationale based on improving business performance and raising employee satisfaction is essential.
- Effective employee involvement will deliver appreciation of the need for change and the willingness to embrace it.
- Vision and leadership – visible commitment from senior leaders and line managers – will drive the change agenda throughout the organisation.
- Improving employee relations is key. Productivity improvements are achieved when employee relations are based on mutual trust and respect.
- Empowerment – maximising employee input is vital to driving continuous improvements in productivity at team level.
- Training is frequently a major contributing factor to successful change initiatives and improved business performance usually pays back any investment in new skills.
- Reward – using criteria that reward employees for innovation and the quality and quantity of work produced, rather than for the hours they put in, reinforces the business case for implementing change.
- Measuring, monitoring and evaluating enables employers and employees to review and test the new practices to ensure they are meeting the needs of the business and employees.
- There is no one-size-fits-all model – changing working practices involves realigning culture and people management practices in a way that improves business performance and enhances the quality of employees’ working lives.

Research findings released in February 2005 by the Equal Opportunities Commission (EOC) quantify the extent to which women experience discrimination at work during pregnancy, maternity leave and on their return to work after giving birth. The study forms part of the EOC’s ‘Pregnant and productive’ campaign, and is the first ever investigation into pregnancy discrimination across UK workplaces. The survey was based on telephone interviews with 1,006 women who had recently given birth and worked while pregnant.

Key findings from the research are:

- 7% of working women were either dismissed, made redundant or left their jobs due to pregnancy discrimination;
- 45% of women who had worked while pregnant reported that they experienced ‘tangible discrimination’ such as denial of training opportunities and changes in job description;
- 21% had faced discrimination that may have led directly to financial loss;
- 5% were put under pressure to hand in their notice after announcing their pregnancy;
- only half of the women had a health and safety risk assessment carried out.

The EOC has called on the government to:

- give employers a right to request that employees indicate their planned return date much earlier during maternity leave where possible;
- provide a written statement of maternity rights and employer responsibilities to every pregnant woman.
In February 2005, the DTI published a consultation document entitled *Work and families: Choice and flexibility*. The consultation exercise stems from the Labour Party government’s pre-election commitment to further improve maternity leave and family-friendly working and its aim to give families more choice about how to balance their work and caring responsibilities.

The consultation covered four main commitments:

- to extend maternity and adoption pay from six months to nine as a step towards the goal of 12 months’ leave by the end of this parliament. There are also proposed changes in maternity leave entitlements;
- to enable mothers to transfer a proportion of their maternity leave and pay to fathers, plus options for making the administration of leave and pay simpler;
- to promote the benefits of flexible working as good for parents and good for business. Views are also sought on the impact of an extension in scope to cover carers of adult relatives and/or parents of older children;
- to support more effective communication between employers and employees during maternity leave. Specifically, there are proposals to extend the notice period mothers give when preparing to return to work.

The government will introduce a parental rights bill in the 2005–6 session of parliament, the detailed provisions of which will be shaped by the consultation exercise, which closed on 25 May 2005.

A survey published by the DTI in 2003 reveals that 50% of the employees surveyed valued flexible working hours over other benefits, with one third choosing flexibility over higher pay. Nevertheless, work–life balance is still an ideal rather than a reality. Over 80% of all those surveyed reported that they had experienced a culture of ‘presenteeism’ (staying long hours at work unnecessarily). Publication of this survey was intended to highlight the Employment Act 2002, which gives parents of children under six years the right to request flexible working patterns for childcare purposes. At the same time, new rights to adoption leave and two weeks’ paid paternity leave would be brought into force.

In a report published in November 2002 entitled *Managing workplace change*, Robert Taylor examines the findings of a representative survey of more than 2,000 human resource managers, which highlight the limited provision of more flexible working arrangements. The main findings are:

- 47% of managers stated that their organisations’ working time arrangements were sensitive to the needs of women with school-age children;
- only 3% of organisations provided childcare;
- 40% provided some maternity pay above the statutory minimum;
- only 8% reported that they offered financial assistance with childcare costs;
- over two-thirds of organisations did not allow any paid parental leave beyond the statutory minimum;
- 67% did not offer any opportunities for career breaks;
- only 22% offered term-time working contracts (to match the school year);
- 44% of organisations have a policy of allowing employees to change from full-time to part-time hours.
Taylor concludes from this that there are few signs that most employers in the UK are planning to improve the working lives of employees with family responsibilities. It appears that there is a long way to go before employers adopt work-life balance policies beyond the legal minimum. The result, as Taylor sees it, is that ‘women must expect to pay for their absence from their job by receiving lower wages and benefits if they want to juggle their work and family responsibilities’.

The initiative that employers seem to adopt most readily is part-time work. However, this could be characterised as flexibility of employees in the context of a ‘24/7’ service culture – providing a service 24 hours a day, seven days a week – rather than flexibility for employees, because those choosing this solution to work-life balance will always pay a wage penalty, whereas some of the other provisions outlined above would actually increase the total remuneration package.

Mirroring Taylor’s report, a new report published by the EOC in early 2003 found that 80% of employers felt that work-life balance practices fostered good employment relations, yet more than half did not offer any form of flexible working.

A study published in April 2001 revealed that the Working Time Regulations (1998) had had a limited effect on most UK organisations. Long hours continue to be worked consistently by a significant minority of employees, facilitated by voluntary exemptions from the legislation. The regulations were seemingly a matter of little concern for most employers and their workers. However, there was also evidence of some employers flouting the law and exploiting ignorance about the regulations to deprive vulnerable workers of their rights.

Research carried out in 2000 by the Institute of Employment Studies examined the development of teleworking in the bank sector over the period 1997–2000. It found that the number of people working from home in the UK for at least one day a week in their main job, using a computer and a phone link to keep in touch with their employer or client, rose from 1.2 million to 1.5 million (5.5% of UK employees) in the year to spring 2000. Moreover, including people who use a computer and a telecommunications link to work from home but who are not dependent on this technology, the figure increased to 1.8 million or 7% of UK employees. The sector recording the strongest growth in teleworking was financial services, which saw a 34% increase, while the fastest expanding teleworking occupation was management, with a 24% leap in the number of managers working from home.

The 1999 Warwick Pay and Working Time Survey covered four sectors and found that most organisations had introduced some form of change to working time arrangements. In all four sectors, the main changes revolved around changing shift patterns to increase total available hours but, in the NHS and retailing, there was also an increasing trend toward part-time working. In addition, the survey gives some indication as to whether working time issues were the subject of negotiation or consultation: it found that, in more than 60% of cases, working time issues were included.

The Workplace Employee Relations Survey, published in September 1999, documented the distribution of part-time workers across UK workplaces by sector, workplace size and so on. Across all workplaces, full-timers accounted for 75% of employment and part-timers 25%. Part-time workers were in the majority in 26% of all workplaces, notably in wholesale and retail, hotels and restaurants, education and health, and were also more prevalent in workplaces belonging to very large organisations and in private sector workplaces with no skilled employees. The use of subcontracting and other non-standard forms of labour was also widespread.

An opinion poll published in March 1999 by the TUC indicated that 34% of parents (1.7 million) would not be able to afford to take unpaid parental leave, except in emergencies, and only 15% of parents would take full advantage of the parental leave rights to be introduced under the Employment Relations Act of that year. Furthermore, 13% of respondents stated that they were unlikely to take leave except in emergencies, because they were worried that their employer would hold it against them.
Despite all of these measures, one may wonder whether there has been any real progress on work–life balance. In the last 10 years, numerous research projects and policy debates have been launched. Many trade unions and employer organisations run seminars and conferences on the topic. The question that remains, however, is whether there has been a real improvement in the working lives of employees. What is certain is that many policy initiatives are aimed at women with responsibility for children. Moreover, the focus is laid on flexible working time, which does not tackle the structural gender inequalities.
Conclusions

Reconciliation of work and family life today involves the relationship between different activities – certainly paid work and unpaid caring, but also other activities such as social life, personal development and civic participation. It thus involves the relationship between a wide range of stakeholder groups, including families, employers, governments (EU, national, local level), services, carers, the cared-for, and the wider society (Reconciliation of work and family life, DG Employment, 1997). Due to demographic changes, changes in the composition of the labour force, technological development and new forms of work organisation, the restructuring of social protection, and changes in family structure and in the distribution of caring work between women and men, the issue is central to the above stakeholder groups.

In recent years, the emphasis put by the European Union on policies devised to support equal opportunities for women and men and new forms of work organisation has given a major impetus to the introduction of measures associated with the reconciliation of work and family life. In this sense, the provisions included in the EU Employment Guidelines, which coordinate Member States’ National Action Plans for employment, and the European directives, which are transposed to national legislation systems, have supported a change in the prevailing attitudes of governments and social partners, and have resulted in the development of new measures promoting reconciliation of work and family life.

Labour market policies and policy for families are closely related to each other. As with other policy areas, there are variations across countries in terms of reconciliation as well as the means (through legislation or collective bargaining) of regulation. Overall, it appears that collective bargaining in the new Member States (NMS) does not deal with the issue, with the exception of the Czech Republic (regarding leave) and Slovenia (tripartite agreements, including on gender equality). From the acceding countries, Bulgaria seems to have some form of collective bargaining (mainly on leave, maternity leave, benefits, etc). Flexible working is increasingly gaining importance in the NMS but, as in the EU15, the general thrust is to provide labour market flexibility rather than to facilitate employees with family or other responsibilities. While collective bargaining plays a minor role in the NMS, legislation is an important tool in the hands of policymakers for introducing changes that give employees more choice about how to juggle work and family or other responsibilities. Although the differences between the EU15 and the NMS are more noticeable, there are also variations within the EU15, reflecting the different priorities, traditions and systems in these countries.

The contributions of the EIRO national centres show that topics such as new forms of work organisation, special leave, career breaks and childcare support are more or less on almost all Member State bargaining agendas. The negotiations have been carried out at national, intersectoral, sectoral, company and local level (e.g. Italy), and they are influenced by the characteristics of the industrial relations systems and legislative systems in each country.

Reduction of working time and annualised time are expressions of a growing debate on flexible working conditions, which necessarily involves the issue of reconciliation of work and family life. Specifically, in some countries such as Belgium, Greece, Portugal and Spain, the issue of the reduction of working time has remained on the social partner agenda. The exception is France where legislation introduced a 35-hour week in 1999; following this, a large number of sectoral and company agreements reduced working time by combining various approaches, such as flexitime work, caps on overtime, individual ‘time banks’, additional rest days and part-time work. France’s position has influenced bargaining in other countries at sectoral level, e.g. in Belgium, or at company level, e.g. in Peugeot’s Ryton-UK plant. A recent tendency in the Member States is to replace career breaks with the new practice of time credit or working time accounts (e.g. Austria, Belgium, Germany). The idea of the time credit is that, in the ‘active welfare state’, men and women must be given the opportunity to reconcile a professional career with family responsibilities, by allowing flexible entry and exit work options. The workers work more at certain times, thereby ‘saving’ for time off at other times.

Many legislative systems have been busy in recent years regulating new forms of work, such as telework (Hungary, Poland), working time arrangements (Greece, Hungary, Slovakia), fixed-term work (Malta, Romania), part-time work...
(Lithuania, Malta, the Netherlands, Poland, Romania), working time banks (Luxembourg), temporary agency work (Romania), and home-working (Slovakia). Many of these changes have reflected the required transposition of relevant European directives, such as EC directives on night work (in the context of equal treatment for men and women), part-time work, fixed-term work, introduction of the 35-hour week, atypical forms of employment, temporary agency work, teleworking, increase in holiday days and flexibility as to when it may be taken, and the annualisation of working time. Increased working time flexibility has been regulated in countries such as Luxembourg, Norway (trade opening hours), Spain (shop opening hours) and Sweden, where more favourable measures regarding working time have been introduced.

New forms of work as part of the reconciliation agenda – gender equality, gender balance, maternity, paternity leave, work-life balance – have been negotiated in some countries such as France, Germany, Greece, Italy, Portugal, Slovenia and Spain. As far as special leave is concerned (parental leave, maternity leave, family, care leave) and career breaks (and sabbaticals), agreements have been concluded at sectoral level in several states (Austria, Belgium, Denmark, Finland, Germany, Greece, Italy, Luxembourg, Norway and Portugal) as well as at national level in Belgium, Finland, Greece, Ireland, and at company level in Greece, Italy and Portugal. However, agreements on pregnant workers, childcare and elder care are rare. Examples were found in Greece (e.g. OTE), Ireland (the Programme for Prosperity and Fairness supported childcare places and out-of-school hours childcare services), the Netherlands (for officials in central government) and Sweden (e.g. Statol, Ericsson, Folkssam). Some provisions exist also in the National Action Plans. Other leave arrangements (including annual leave) have been negotiated by the social partners in France, Germany, Greece, Italy and Spain.

Similar to the new forms of work cited above, recent legislative measures on gender equality and special leave have dealt mainly with the transposition of EC directives, e.g. maternity protection (1992) and parental leave (1996). The EU Member States, particularly the NMS, have introduced new pieces of legislation on the reconciliation agenda (Hungary and Malta, but also Belgium and Portugal); paternity or other leave (Latvia, Lithuania, Poland and Slovakia, but also the Netherlands and Norway, the latter successfully introducing an obligatory four-week father quota); protection of pregnant women (Latvia, Romania and the Netherlands); family-friendly policies (Malta); equality (Poland, Slovakia and Portugal); and care for family members (Slovakia). Childcare provisions were included in regulations launched by the Dutch, Italian, Latvian and Romanian governments. In Portugal, through the 1999 legislation on family leave, grandparents are also entitled to time off.

In conclusion, the issue of the reconciliation of work and family life has received increased attention in most of the EU15 and Norway, and the influence of EC directives and the Employment Guidelines are obvious both in collective bargaining arrangements and in legislation. In the NMS, European legislation acts as a catalyst in the national debate as well as in the reform of the national legislative systems. However, in most cases, schemes such as working time flexibility, part-time work, telework and flexible forms of work have not been introduced as part of family-friendly policies. Their impact as a potential tool to reconcile work and non-work responsibilities remains to be seen. Above all, there is a need for cultural change. Nonetheless, there is encouraging evidence of increased negotiating activity on the reconciliation agenda and the new forms of work and leave introduced as part of that debate. It appears that globalisation and technological change have contributed in certain cases to the development of more friendly provisions regarding reconciliation of work and family life. This is particularly evident where neither the industrial relations nor the legislative system is highly developed.

Authors: Stavroula Demetriades, Marie Meixner, Adam Barry

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