Industrial relations

Germany: Developments in working life 2017

Disclaimer: This working paper has not been subject to the full Eurofound evaluation, editorial and publication process.

Developments in working life in Europe: EurWORK annual review 2017
Contents

Political context affecting working life aspects..........................................................1
Labour market reforms or major packages of working life regulations .........................2
Developments in industrial relations 2017 .................................................................3
National social dialogue in 2017 – Scope and Contribution ......................................4
Collective labour disputes in 2017 ..............................................................................10
Working time 2017 ......................................................................................................11
Health and well-being at work 2017 ..........................................................................11
Employment status 2017 ............................................................................................11
References ..................................................................................................................12

Author: Marc Breitenbroich and Sandra Vogel (German Economic Institute, IW)

Eurofound reference number: WPEF18029

© European Foundation for the Improvement of Living and Working Conditions (Eurofound), 2018
Reproduction is authorised provided the source is acknowledged.
For any use or reproduction of photos or other material that is not under the Eurofound copyright,
permission must be sought directly from the copyright holders.

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a
tripartite European Union Agency, whose role is to provide knowledge in the area of social,
employment and work-related policies. Eurofound was established in 1975 by Council Regulation (EEC)
No. 1365/75 to contribute to the planning and design of better living and working conditions in Europe.

European Foundation for the Improvement of Living and Working Conditions

Telephone: (+353 1) 204 31 00
Political context affecting working life aspects

The federal government, in place from fall 2013 until fall 2017 was formed by the Christian Democratic Union (CDU) in alliance with its Bavarian sister party Christian Social Union (CSU) and the Social Democrats (SPD). In the beginning years of the coalition several labour market reforms were introduced. The most important ones were the introduction of a statutory minimum wage, a package of legislative amendments for strengthening collective bargaining, new retirement regulations and new regulations on parental leave. In 2016 and 2017, however, the dynamic in legislative reforms was low compared to the previous years; a long standing dispute was solved by an amendment to the Act on Temporary Agency Work. Amongst other things, the legislator defined the length of hiring time and clarified rules on equal pay (Vogel and Kraemer, 2016).

In 2017 regional elections took place in Lower Saxony, Saarland, Schleswig-Holstein and North Rhine-Westphalia. Elections in 2017 prompted governments composed of established partners such as the CDU and SPD (Lower Saxony and Saarland) as well as the CDU and the Liberals (FDP) in North Rhine-Westphalia. In Schleswig-Holstein, however, a Jamaica-coalition was formed by, the CDU, the FDP and the Greens (Grüne), which is only the second of its kind in German history.

Federal elections were held in September 2017. The ruling coalition parties CDU and SPD suffered big losses (8.6% and 5.2%) compared to the elections in 2013, whereas the far-right Alternative for Germany (AfD) gained 7.9% and will be entering the Bundestag for the first time. After exploratory talks between the CDU/CSU, FDP and the Greens failed in November, the SPD announced that they are open to discuss a possible coalition with the CDU. Negotiations started in January 2018. On 7 February 2018, both parties announced that their talks were successful and presented a new coalition agreement for their next term in office.

Table 1: Federal Election results in 2017

<table>
<thead>
<tr>
<th></th>
<th>CDU</th>
<th>SPD</th>
<th>Greens</th>
<th>Left</th>
<th>FDP</th>
<th>AfD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal election</td>
<td>32.9</td>
<td>20.5</td>
<td>8.9</td>
<td>9.2</td>
<td>10.7</td>
<td>12.6</td>
</tr>
</tbody>
</table>

Source: tagesschau.de

In 2018, there will be regional elections in Bavaria and Hesse.

Social partners reactions following changes in governments

In a first reaction to the new coalition agreement, the BDA judged that included labour market and social policy measures to be ‘largely disappointing’ and a ‘dramatic deterioration for German business’. In a press statement from 7 February 2018, the employer organisation highlighted that the new agreement was economically unsound, meant less flexibility, but greater burdens for companies. The BDA welcomed the measures laid down in the area of education (such as providing for more spots in child-care facilities) and a new regulation of immigration. Many other important issues, such as the demographic challenges, securing German business competitiveness and keeping future generations’ burdens in check, lacked vision or progress.

The Confederation of German Trade Unions (DGB) saw ‘Strengths and Weaknesses’ in the new coalition agreement. The DGB welcomed results on investing more money in education, housing, sustainable transport and mobility and also the European perspective. In addition, the union umbrella organisation welcomed the rules on working part-time for a limited period of time and judged ideas on restricting unfounded fixed-term contracts to be a step in the right direction. The confederation however criticised new rules on mid-i-jobs as an extension of precarious work. The DGB was also critical of keeping the federal budget aligned to a “black zero” and stated that it would not tolerate the postponement of planned investments or not realising them altogether.
Labour market reforms or major packages of working life regulations

There were no major labour market reforms in 2017. However, CDU/CSU und the SPD presented further labour market reform projects in their latest coalition agreement. Measures to be realised in the coming legislation period include amongst others:

Fostering full employment: Long-term unemployed shall be supported in their efforts to re-enter the first or second labour market. The agreement foresees the creation of a new instrument called ‘Labour market participation for everyone’. It seeks to reach some 150,000 people and includes wage subsidies for private and public employers as well as not-for-profit organisations. Overall, coalition partners plan to spend some € 4 billion (2018-2021).

Limits for fixed-term work: The coalition agreement states to introduce a quota for unfounded fixed-term contracts. In companies with 75 or more employees, only maximum 2.5% of the staff shall be able to receive an unfounded fixed-term contract. Maximum length of such contracts will be reduced from 24 to 18 months during which they can be prolonged once (today three times).

Part-time work: Introducing a right on limited part-time work. Employees will be able to request part-time work for a limited period of time (1-5 years guaranteed, if outside this threshold, the employer can say no) and return to their full-time jobs afterwards. During this time, the employee has no legal right to change the agreed new working time arrangement. The new rules will apply to all companies with 200 or more employees. For companies with 45 to 200 employees, a quota will be introduced; meaning companies will have to grant one out of 15 employees such a working time scheme. Beyond this threshold, they will be allowed to deny any such request.

Opening clause for the Working Time Act: The coalition partners want to ease statutory working time regulations under certain circumstances. If regulated by a collective agreement and subsequently backed by a works agreement, employers will be able to deviate from the statutory maximum working time currently resting at 48 hours per week (with one day off). CDU/CSU and the SPD hope to provide more working time flexibility for companies bound by a collective agreement.

On-call contracts: Coalition partners want to create a statutory regulation on additional on-call work. Their coalition agreements states that given an agreed minimum working time, employees can fall short of agreed hours by maximum 20% and exceed them by a maximum of 25%. If no weekly working time was agreed, 20 hours will be taken as a base for such calculations and also for calculating the income average over the last three months in case of illness or for public holidays.

Easier set up of works’ councils: Adopting the simplified works’ council election in establishments with 5 to 100 employees eligible to vote (today in companies with up to 50 employees eligible to vote and in companies with 51-100 employees eligible to vote, if both works’ council and management agree on the simplified procedure). Bigger companies with up to 200 employees eligible to vote will get a choice between the simplified and the regular election procedure. On the differences see here.

Further Training: Development of a national further training strategy to improve occupational advancement of the population at large, secure Germany’s skilled labour pool and people’s employability. This is described as joint effort by the federal government, federal states’ governments and social partners against the background of digitalisation’s challenges. Employees shall receive a legal right on further training (to be implemented by the Federal Employment Agency (BA). Further training measures in active labour market programmes will be focused more strongly on the topic of digitalisation and financial incentives for such measures will be introduced.

Improving transition from school to working life: The grand coalition wants to improve the data exchange between all institutions involved at this junction. In addition, it wishes to spend €50 million each year (2018-2021), in order to support disadvantaged youngsters’ integration in the labour market.
Developments in industrial relations 2017

Changes affecting the national-level actors and institutions of industrial relations and social dialogue in 2017

Representativeness
Since 10 July 2015, the Act on Collective Bargaining Unity (Tarifeinheitsgesetz) is in force which stipulates that in case more than one trade union cover the same group of workers in a company, in case these trade unions do not cooperate in collective bargaining for reaching a joint agreement and in case the employer concludes conflicting collective agreements with these trade unions, only the collective agreement reached by the trade union with the largest membership in the company shall be applied. The legislation is backed by some, but not by all trade unions. The latter fear that the legislation affects their right to strike for an agreement and their right to conclude an applicable collective agreement. Several trade unions filed complaints with the Constitutional Court. In July 2017, the Federal Constitutional Court declared the Collective Bargaining Unity Act largely constitutional, but emphasised that the law should provide protective measurements regarding certain occupational groups and minority unions until the end of 2018. In addition, the court also stressed that the right of minority unions to strike had to be ensured. For more details, see here.

Actors
There were no major developments affecting the main actors. The Confederation of German Trade Unions (DGB) reported a continuing decline in members. At the end of 2016, DGB member unions counted in total 6,047,503 members. Membership fell to 5,995,437 persons at the end of 2017. The United Service Union (ver.di) had to report the biggest losses with over 24,600 members leaving the union; followed by the German Metalworkers’ Union (IG Metall) with a loss of over 11,000 members.

The membership decline in Germany’s two biggest unions as well as shrinking collective bargaining coverage provides the background for a larger debate on the German industrial relations system. Whilst all parties agree that collective bargaining autonomy needs to be strengthened, unions and employers are largely divided on how to achieve this goal. The DGB has outlined 14 measures in a position paper and called amongst other things for abandoning the so-called OT-membership in employer associations and thereby make sectoral collective agreements binding for all members of an employer organisation or strengthening extension mechanisms. The Confederation of German Employers’ Associations (BDA), on the other hand, emphasises each company’s right to decide for itself whether to take part in collective bargaining or not. Employer organisations like the Federation of German Retail (HDE) call for a modernisation of their collective agreements to stay interesting for companies and thereby increase collective bargaining coverage.

Institutions
There were no major changes in 2017.

Changes in the social dialogue processes
There was no major change in practice of national level social dialogue processes.
### National social dialogue in 2017 – Scope and Contribution

#### Main social dialogue topics and outcomes in 2017

<table>
<thead>
<tr>
<th>Themes</th>
<th>Description of issue (in 20-30 words max.), with links to relevant material, if available</th>
<th>Code(s)-interaction</th>
<th>Type of Interaction – Brief description</th>
<th>Code(s)-Outcome</th>
<th>Outcome - Brief description</th>
</tr>
</thead>
<tbody>
<tr>
<td>General labour market topics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skills, training and employability</td>
<td>Changes regards financial support for further training courses for employees of small businesses (&lt;10 employees) were introduced.</td>
<td>10</td>
<td>Certain changes (such as adjusting social welfare benefits according to the income and price development or minor changes in active labour market legislation) are daily business, in this case of the BA. Social partners sit on the BA’s board. They are not involved in daily management, but “have an eye” on major developments.</td>
<td>2</td>
<td>Co-financing by the business is no requirement anymore starting 1 January 2017 – making further training more attractive for small businesses. Before, they had to co-finance further training courses.</td>
</tr>
<tr>
<td>Benefits (unemployment, sickness schemes, minimum income)</td>
<td>Level of social welfare benefits (HARTZ IV) were adjusted. New rules for including care persons in the statutory unemployment insurance were introduced.</td>
<td>10</td>
<td></td>
<td>2</td>
<td>Social welfare benefits were raised. Persons who take care of relatives for a certain period of time receive improved coverage by the statutory unemployment insurance scheme. Both measures came</td>
</tr>
</tbody>
</table>
Germany: Developments in working life 2017

Themes | Description of issue (in 20-30 words max.), with links to relevant material, if available | Code(s)-interaction | Type of Interaction – Brief description | Code(s)-Outcome | Outcome - Brief description
---|---|---|---|---|---
Pension reforms | For years, the CDU and SPD were unable to reach an agreement on reforming the pension system. Finally in June 2017, three bills were enacted. Among these is an act to strengthen occupational pensions (Betriebsrentenstärkungsgesetz). | 6 | Debate between CDU and SPD. Social partners were heard in the debate and commented on the draft law. The final scheme needs to be negotiated in collective bargaining. | 1 | The new law comes into force on 1 January 2018 and focuses on the introduction of a social partnership model, allowing pure defined contribution schemes, i.e. plans with no minimum benefit. However, new schemes are only permitted if negotiated as part of the collective bargaining process. Additionally employers get a 30% subsidy by the state when paying 240€ to 480€ into the company pension for low-income employees while they do not have to ensure a minimum pension. For Further information click here.

Working life related themes

Wage setting systems, including the setting of minimum wages (but excluding the ‘regular’ annual debates about the determination of the level of the new minimum wage) | In 2016, Katarina Barley, Federal Minister of Family Affairs, Senior Citizens, Women and Youth, drafted a new act on wage transparency. | 1 | Act was proposed by the SPD and issue had already been part of the coalition agreement between CDU and SPD concluded at the end of 2013. | 2 | The act on wage transparency was adopted in summer 2017, allowing workers, in establishments with 200 or more employees, to ask for information on the remuneration structure in their establishment and if needed

Disclaimer: This working paper has not been subject to the full Eurofound evaluation, editorial and publication process.
### Germany: Developments in working life 2017

#### Themes

<table>
<thead>
<tr>
<th>Themes</th>
<th>Description of issue (in 20-30 words max.), with links to relevant material, if available</th>
<th>Code(s)-interaction</th>
<th>Type of Interaction – Brief description</th>
<th>Code(s)-Outcome</th>
<th>Outcome - Brief description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working time regulations</td>
<td>Federal Minister for Labour and Social Affairs, Ms Andrea Nahles (SPD), proposed a legislative right to return from part-time work to full-time work.</td>
<td>8</td>
<td>Minister Nahles lobbied for this, topic but was not able to find sufficient support among the other parties.</td>
<td>7</td>
<td>The proposal was rejected. The main point of dispute was: starting from which company size, employees would be allowed to return to full-time work. The CDU supported a threshold of 200 employees, whereas Ms Nahles supported a threshold of 15 employees. The issues was back on the agenda as CDU and SPD sounded out a new coalition government (Jan./Feb. 2018).</td>
</tr>
<tr>
<td>Any other relevant themes/topics addressed in the national level/peak level social dialogue</td>
<td>Unions argued that the Collective Bargaining Unity Act, which was implemented in 2015 jeopardised freedom of association and the right to strike.</td>
<td>1</td>
<td></td>
<td>2</td>
<td>In July 2017, the Federal Constitutional Court confirmed the Collective Bargaining Unity Act (Tarifeinheitsgesetz). Adjustments are however needed regarding protective measurements for certain occupational groups and minority unions. In addition, the court also stressed that the right of minority unions to</td>
</tr>
</tbody>
</table>
No major social dialogue debates were held on the following themes: Job creation, reduction of unemployment, active labour market policies, labour market participation of different groups; Taxation and non-wage related labour costs; Terms and conditions of employment, including different forms of contracts; Health, safety and well-being at work; Work-life balance related themes, incl. family leaves.

Note:
Codes for ‘Type of interaction’:
1 - Tripartite debate;
2 - Tripartite negotiation;
3 - Formal consultation of both social partners;
4 - Formal consultation of trade unions;
5 - Formal consultation of employers organisations;
6 - Bipartite debate;
7 - Bipartite formal negotiations;
8 - Lobbying from at least one side;
9 – Type of interaction unknown;
10 - No direct involvement, but issue tackled within tripartite setting (e.g. public institutions with tripartite boards’).

Codes for ‘Outcome as per 1.1.2018’:
1 - Unilateral decision by government;
2 - Legislation passed;
3 - Legislation prepared (in legislative process, not concluded);
4 - Tripartite agreement or joint position reached;
5 - Bipartite agreement reached;
6 - Joint opinion of social partners reached;
7 - Issue not closed, ongoing exchange;
8 - Issue dropped, no concrete outcome, no further exchange;
9 – Outcome unknown, none of these types.
Selected major social dialogue debates

Constitutional Court confirmed Act on Collective Bargaining Unity

In 2015, the Act on Collective Bargaining Unity (Tarifeinheitsgesetz) came into force. The act re-established a long-standing principle in industrial relations that had been brought down by the Federal Labour Court in 2010: In case more than one trade union cover the same group of workers in a company, in case these trade unions do not cooperate in collective bargaining for reaching a joint agreement and in case the employer concludes conflicting collective agreements with these trade unions, only the collective agreement reached by the trade union with the largest membership in the company shall be applied. Yellow and smaller trade unions feared that the legislation would affect their right to strike for an agreement and their right to conclude an applicable collective agreement. Subsequently, several trade unions filed complaints with the Constitutional Court. In July 2017, the Federal Constitutional Court declared the Collective Bargaining Unity Act largely constitutional, but emphasised that the law should provide protective measurements regarding certain occupational groups and minority unions until the end of 2018. In addition, the court also stressed that the right of minority unions to strike had to be ensured. For more details click here.

Wage transparency act coming into effect

The new act on wage transparency was adopted in June 2017 and became effective in January 2018. The act stipulates a right for workers to ask for information on the remuneration structure in their establishment and if needed wage adjustments (also with the support of the works’ council). This affects all women and men, working in a company with a minimum of 200 employees, of which at least 6 employees of the other gender have a similar job. Employers not bound by any collective agreement have three months to reply to an employee’s request. The applicant has the right to know the exact criteria composing his or her wage as well as the average wage of his or her colleagues with a similar job including all additional benefits, for example company cars or other material benefits. Companies with more than 500 employees have to check their wage structure themselves on a regular basis and write reports regularly. The SPD plans to continue to further strengthen women rights regarding same wages as men and criticised the CDU’s reluctance towards the act on wage transparency. The final legislation came only about after lengthy discussions amongst the parties, but also amongst unions, employer organisations and civil society organisations. A former draft was heavily criticised. Whilst unions supported the initiative, employers feared an excess of bureaucracy but finally agreed to the new act. Amendments by the Greens and the Left, who argue that the measurements included in the act on wage transparency are not enough, were rejected.

Unilateral government actions – without social dialogue

No major unilateral action regards industrial relations or labour market issues.

Changes affecting the sectoral and company level social dialogue 2017

In 2015, the Act on Collective Bargaining Unity (Tarifeinheitsgesetz) came into force. The act re-established a long-standing principle in industrial relations that had been brought down by the Federal Labour Court in 2010: In case more than one trade union cover the same group of workers in a company, in case these trade unions do not cooperate in collective bargaining for reaching a joint agreement and in case the employer concludes conflicting collective agreements with these trade unions, only the collective agreement reached by the trade union with the largest membership in the company shall be applied. Yellow and smaller trade unions feared that the legislation would affect their right to strike for an agreement and their right to conclude an applicable collective agreement. Subsequently, several trade unions filed complaints with the Constitutional Court. In July 2017, the Federal Constitutional Court...
declared the Collective Bargaining Unity Act largely constitutional, but emphasised that the law should provide protective measurements regarding certain occupational groups and minority unions until the end of 2018. In addition, the court also stressed that the right of minority unions to strike had to be ensured. For more details click here.

**Innovation in collective bargaining**

The IG Metall and the Baden-Wuerttemberg Employers’ Association of the Metal and Electrical Industry (Südwestmetall) negotiated a pilot agreement for the German metal and electrical industry. After a contested bargaining round, social partners reached an agreement at the beginning of February 2018. Initially, the IG Metall called for a 6% wage increase and had wanted to introduce a new working time option for employees (to reduce weekly working time from 35 hours to 28 hours for a maximum of two years with wage compensation for certain employee groups). However, metal employers had refused such an option that would have meant unequal treatment of staff in the same position and working place. From their point of view, more flexible working time schemes were needed and not working shorter hours when skilled labour shortages persisted and the economy thrived. The final agreement foresees clauses on pay, working time, mobile work and other issues.

**Pay clauses:**

- a wage increase of 4.3% (starting on 1 April 2018, a lump sum payment of €100 will be provided for the period January to March 2018)
- starting from 2019, an additional payment will be made in July. The additional payment consists of 27.5% of a monthly wage plus €400 in Baden-Württemberg in 2019 and 12.3% of a set pay category. Establishments in economic difficulties can reduce, postpone or cancel the latter part (if the union agrees).

**Working time clauses:**

- Employees affected by private or occupational strain can opt to receive 8 extra days of holiday instead of the additional payment worth 27.5% of one monthly wage. This option will be available for parents with children not yet 9 years old or taking care of a close relative in need of at least stage 1 nursing (the lowest care level in Germany) and for shift workers having worked shifts for a certain period of time.
- All employees will receive a right to reduce their working time to 28 hours for 6 to 24 months and return to their full-time position afterwards. Wage compensation (as initially called for by IG Metall) will not be granted and companies can deny such a request for operational reasons, such as loss in key qualifications or overstrain of the company by too many part-time requests.

Collectively agreed working time rests at 38 hours in eastern Germany and 35 hours in western Germany. Collectively agreed standards also include that establishments can deviate from this norm and offer 40-hour-contracts to a certain share of their employees (i.e. 13% western or 18% eastern German employees in an establishment). In addition to this rule that will still be available for companies in the industry, social partners also negotiated two new options:

1. Higher shares of employees can work a 40-hour week. Establishments proving a lack in skilled labour can choose this option for up to 30% of their staff. If the majority of employees is in or above the pay grade 12, the quota can even rise to 50%. In both cases, company management and the works’ council have to negotiate a works agreement as a precondition.
2. If companies do not want to use such quotas, they can also choose an alternative model based on the collective working time volume in an establishment. This option means that the working time volume of the whole establishments needs to average 35.9 hours per week. For example, if some employees wish to reduce their working time to 28 hours per
week, other employees in the establishment can prolong their working time from 35 to 40 hours a week (with corresponding change in their pay).

When adopted in other parts of Germany, the agreement will become effective for nearly 4 million employees for one of Germany’s most important and pace-setting industries. It runs for 27 months and ends on 31 March 2020.

The IG Metall chair, Mr Jörg Hoffmann described the latest agreement as being ‘modern, forward-looking and exactly what employees wanted’. Südwestmetall judged the new agreement to be an ‘acceptable compromise with painful elements’.

In North-Rhine Westphalia (NRW), the regional employer organisation in the metal and electrical industry Metall NRW and the German Metalworkers’ Union NRW (IG Metall NRW) were able to agree on a new collective bargaining system for automobile workshops in North-Rhine Westphalia. Starting on 1 January 2018, a new collective agreement, a new pay-framework and a modernised pay system – such as a possible increase in pay without a change in classification - will become effective. The collective bargaining parties hope to establish a new and modern sector-level bargaining system for automobile workshops which will replace more than 300 firm-level bargaining agreements by IG Metall NRW. It is innovative as the level of bargaining was raised from establishment level to sector-level agreement. Given the small business sizes of the branch, it is quite a step. Of course, compared to other (bigger scale) industries, it does not sound much. In addition, the scheme allows to raise pay without a change in the pay scale classification. This is rare in German collective bargaining agreement.

**Collective labour disputes in 2017**

In July 2017, the Federal Constitutional Court declared the Collective Bargaining Unity Act largely constitutional, but emphasised that the law should provide protective measurements regarding certain occupational groups and minority unions until the end of 2018. In addition, the court also stressed that the right of minority unions to strike had to be ensured.

There were some disputes in retail and public service.

In February 2017, the United Services Union (ver.di), the German Union of Education (GEW), the Trade Union for Buildings, Forestry, Agriculture and Environment (IG Bau) and the German Police Union (GdP) signed a new collective wage agreement for the public administration in all federal states except Hesse. The unions organised several token strikes in local public administration (including schools and universities); spread over 5 days at the beginning of February 2017. However, unions and the Employers’ Association of German States (TdL) finally agreed on a wage increase by 2.0% (minimum of 75 Euro). The pay rise took effect in retrospect in January 2017. A further increase by 2.35% took effect in January 2018. The collective wage agreement runs until the end of 2018. It covers over 850,000 employees.

Ver.di also negotiated a new collective bargaining agreement in the retail, mail order and e-commerce sector. After a conflictual bargaining round, agreements were first reached in Hamburg and Baden-Württemberg. The agreements serve as benchmarks for other regions.

The new collective bargaining agreements offered employees a wage increase of 2.3% starting in June 2017 and a further wage increase of 2% from April 2018. Unrest, including strikes, continued over the search for a collective agreement with US company Amazon, with ver.di accusing Amazon of denying employees the right to collective bargaining. The union is calling on the government to extend the sectoral collective agreement. For the first time, ver.di also included a campaign on extending the agreement (at that time still to be concluded) to the whole retail sector in its overall collective bargaining strategy.

Finally, the collective bargaining round of the metal and electrical industry came to a close at the beginning of February 2018. It was one of the most contested bargaining rounds of the last
years. From January 2018 onwards, the IG Metall had organised strike action (including token strikes). The German Economic Institute (IW) estimated a loss in turnover of between €771 to €895 million (preliminary results). This estimation is based on IG Metall’s information that 496,200 employees in nearly 280 establishments had participated in three strike days in the industry. Most affected were bigger companies and the automobile industry. However, overall 2017 was a comparatively peaceful year regards collective labour disputes.

**Working time 2017**

There have been no changes in the regulation of working-time in 2017. However, there was a major debate regarding a right to return from part-time work to full-time work. The Federal Minister for Labour and Social Affairs, Ms Andrea Nahles (SPD), argued that it would help, especially women, to escape ‘part-time work trap’. The main point of dispute was the company size, which would allow employees to return to full-time work. Christian Democrats supported a threshold of 200 employees, whereas federal labour minister supported a threshold of 15 employees. For details click [here](#). Ms Nahles’ claim reappeared in coalition talks after the federal elections. Finally, the SPD and CDU/CSU agreed to introduce such a legal right. The new regulation will give employees a legal right to request part-time work for a limited period of time (1-5 years) and return to their full-time jobs afterwards. Requests outside this threshold can be denied by the employers. The new rules will apply to all companies with 200 or more employees. For companies with 45 to 200 employees, quota will be introduced to make the scheme reasonable (see above).

**Health and well-being at work 2017**

**Physical working environment**

In December of 2016, changes in the Workplace Ordinance Act (Arbeitsstättenverordnung) became effective. The implementation of those changes took place throughout 2017. The goal of the Workplace Ordinance Act is to protect employees at their place of work and to avoid accidents at work as well as occupational diseases. Furthermore, the Workplace Ordinance Act includes minimum regulations for the workplace such as ventilation and lighting. The most important changes include the implementation of telework stations, regulations regarding portable display devices and regulations regarding the line of sight to the outside.

**Psychosocial working environment**

There were no major changes regarding the regulation of psychosocial risks.

**Employment status 2017**

<table>
<thead>
<tr>
<th>Type of contracts</th>
<th>Changes made during 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Standard’ employment contracts</td>
<td>No changes.</td>
</tr>
<tr>
<td>Self-employed</td>
<td>No changes.</td>
</tr>
<tr>
<td>Fixed term contracts</td>
<td>No changes.</td>
</tr>
<tr>
<td>Temporary agency workers</td>
<td>Dating back to April 2017, revisions regarding the Temporary Employment Act (AÜG) became effective. The law stipulates a maximum assignment time of 18 months, which can only be prolonged, if unions and employers have negotiated a collective bargaining agreement in the applicable sector that says otherwise.</td>
</tr>
</tbody>
</table>
Posted workers
No major changes.

Seasonal workers
No changes.

Zero hour contracts
No changes.

References


The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency, whose role is to provide knowledge in the area of social, employment and work-related policies. Eurofound was established in 1975 by Council Regulation (EEC) No. 1365/75, to contribute to the planning and design of better living and working conditions in Europe.