

UNI Europa Vienna Declaration

It is Our Time: Working Time in the New World of Work

Working Time and Collective Bargaining Policy

(Draft)

1 Introduction – The involvement of workers in shaping working time models

The current culture of working time is harming the fabric of society. In many cases, a worker's desired working time does not correspond with actual working hours. There is an increasing polarisation in the duration of working hours in many countries. More workers have to work increasingly longer hours, while others, often and involuntarily so, only have short working hours. Moreover, being constantly connected online creates mounting pressure to work excessive hours. Burnouts are on the rise, young parents experience problems to combine paid work with parental responsibilities and older workers often feel unable to cope with the challenges of digitalisation. At the same time, almost 18 million Europeans are out of work, representing more than 10% of the European work force. The youth unemployment rate of 18.7% adds to the absurdity of the working time situation.

For UNI Europa, it is essential that working time is adjusted to better serve the needs of workers and their families and to the changing world of work. For instance, we have seen a shift from the traditional setting of a (typically male) main breadwinner to that of the dual earner. At present, 64% of women in the EU participate in the labour market, bringing the need to balance work and family responsibilities to the forefront. All too often, working time arrangements still do not allow workers with caring responsibilities, most often women, to play a full and active part in the labour market.

Digitalisation, automatisisation and restructuring are taking place at an ever-increasing pace. Skills will quickly be outdated and many workers, especially the low- and medium-skilled, could face disruption and increased precariousness. This is a worrying outlook, however, collective working time reduction has the potential to be an antidote. New technologies will only be introduced if productivity gains are more likely and if higher time efficiency paves the way for work-sharing models.

Working models are also becoming increasingly precarious: posted work, labour lease, temporary work, service contracts, out- and in-sourcing, self-employment and other forms lead to unstable and unpredictable working hours. Our workforce is also ageing at an increasingly rapid rate. Therefore, we need to strengthen lifelong learning as a way of keeping workers up-to-date with the latest technologies, throughout their entire working lives.

To this end, UNI Europa envisages three crucial objectives to ensure that workers can better shape their working time through collective bargaining policy:

First, through a fair distribution of working hours. A collective reduction and redistribution of statutory working hours will benefit both overworked full-timers as well as underworked part-timers, whilst creating new employment opportunities for the almost 18 million unemployed people in the EU. A redistribution of work must target, in particular, the imbalance between men and women, as part-time and in-work poverty still predominantly affects women. It is also essential that when working time is reduced it is, in principle, without any loss of salary. An effective regulatory framework on working time is needed based on laws and collective agreements that ensures fair working conditions and discourages precarious work.

Secondly, working time arrangements should be adjusted according to the phases of life. Many workers have important care responsibilities and struggle on a daily basis with the so-called 'double shift' of paid and unpaid work. For UNI Europa, work/life balance is essential.

Finally, more emphasis must be put on lifelong learning. Employers need to invest more in the training of their workforce, which will in turn increase productivity and improve employability, both in their existing sector or another one. Moreover, every worker should be given the right to well-paid time off for a wide range of training opportunities.

UNI Europa is convinced that collective bargaining, in the first place at the sectoral level, can offer a variety of specific solutions for issues regarding working time. Trade unions, worker representatives and the workers themselves must be involved and empowered to negotiate proper working time models for the future world of work. Together with employers, they are the closest to the workplace and have direct knowledge of what is needed in an ever more rapidly changing world of work. Nevertheless, trade unions must also strengthen their efforts to reach workers not (yet) covered by a collective agreement, especially those in a precarious form of employment.

Considering working time is foremost determined by different national legal and institutional settings, UNI Europa policies need to be adapted to the specificities of each country. Collective bargaining is fundamentally a matter for national unions. With this resolution, UNI Europa, affiliates working together in solidarity, endeavours to strengthen the ability of its trade unions, in particular through collective bargaining, to use working time as a tool for achieving fair working conditions for all workers.

2 Working Time Arrangements: Fairness in distribution

Whilst some workers suffer from long working hours, too much overtime or too high a workload, others are caught in involuntary part-time contracts. UNI Europa is calling for a fair distribution of working time, which can be achieved through a collective reduction in working time with a simultaneous workload reduction, without any loss of salary. Working time reduction must not lead to a higher work intensity, as sometimes workers experience that their workload remains the same whilst they have much less time available within which to complete their tasks.

The world of work is constantly changing. Workers are often expected to be reachable around the clock and work does not necessarily have to be done in an office building. Digitalisation and new working methods provide workers with more flexibility but also demand more flexibility from them in return. However, humans are not infinitely flexible and many workers are already facing high levels of stress and strain at work. They deserve the right to decent living conditions and to a proper work/life balance with leisure, rest and private time (including a common day of rest). This means the right to lower working time limits whilst still being able to earn a decent, collectively agreed wage.

Workers in certain sectors in particular face divided shifts, with uncertainty over when and where these will take place. Without extra compensation, they are obliged to be mobile, flexible and able to carry out extra shifts at very short notice as well as to work often very early in the morning or late in the evening.

Research shows that overtime work, irregular working hours, work on demand and work-related stress lead to more accidents at work and can drive people into illness. This not only goes beyond what the workers concerned can bare but is also costly for the health system and for the employer. In addition, workers are clearly more efficient and productive when they work shorter hours and have more time to rest and recover.

Obviously, workload and working time have to be distributed more equally. In the face of current and future challenges linked to the changing world of work, there is no doubt that innovative, worker-oriented forms of working time arrangements must be developed. Collective bargaining is key to achieving, in particular, sector-specific solutions that have the worker at heart and, crucially, cover people in all forms work.

Therefore, UNI Europa calls for:

- The reinforcement of each worker's autonomy in determining worker-friendly working hours and arrangements, in the first place based on (sectoral) collective bargaining agreements;
- A Europe-wide strengthening of working time as a tool for fair working conditions, for example through reduction of working time and a simultaneous reduction of workloads with full wage and personal compensation;
- Policies bringing the ongoing increase of overtime hours to an end;
- A right for those in involuntary part-time work to increase their contractual hours;
- A right to minimum hours of employment, abolishing zero-hour-contracts;
- A profound and unconditional participation of trade unions in the design and implementation of new working time arrangements at all levels, in the first place through sectoral collective bargaining;
- Workers in non-standard forms of employment also to be covered by collective bargaining agreements;
- The restriction and abolishment of precarious forms of employment (such as unfair rules and practices with posted work, labour lease, temporary work, self-employment and other forms that lead to unstable and unpredictable working hours). Companies have a responsibility for their supply chain, too.

3 Working time arrangements: Taking into account life phases and an ageing workforce

In a European labour market with an ageing workforce, UNI Europa is calling for a working time pattern that takes into account a sound, fair and varying balance between work and private life.

Throughout the course of an entire worklife, workers will pass through various phases, both in private and professionally, that require different working time flexibility so that workers can maintain a fair and appropriate balance of work and private live. Work patterns should be compatible with workers building a family, taking on additional care responsibilities, experiencing a change in their private situation, enhancing their skills and qualifications or decreasing their hours towards the end of their working life. Career interruptions, especially for women, may moreover require more flexibility to enable them to return to the workplace.

Therefore, working time must be arranged so that workers are able to effectively do their jobs, without any loss of income or negative effects on their pensions, in a way which is compatible with the evolving phases of modern life and an ageing workforce.

Working time regimes across Europe have been very slow to adapt to these realities. Against this backdrop, there is a need to promote the legitimate wish of workers to find a better balance between their working time and their private lives, while guaranteeing decent wages. Access to public care provisions is also crucial to ensuring this.

Consequently, UNI Europa will work towards schemes that strengthen the autonomy of every worker to choose their working time in relation to their different life phases. Such adaptability to the life-cycle cannot and should not just be brought about by part-time employment or short-term contracts but must be part and parcel of full-time employment on open-ended contracts.

In UNI Europa's view, such changes to traditional working time will be best achieved through collective bargaining, especially at the sectoral level, with collective agreements better suited to embracing the specificities of the single workplace and employment relations than top-down legislation.

In addition, public investment in universal social security and welfare systems must be promoted, as these systems are an essential component in strengthening workers' positions as well as gender and income equality.

Therefore, UNI Europa calls for:

- A right to adapt one's working time to one's current life situation. This may be done by reducing or increasing weekly working hours or as paid leave. This must also take into account child care, nursing care, time abroad, and pre-retirement transition phases;
- Schemes that ensure the right to return to full-time employment;
- Workers to be able to take advantage of these arrangements without any loss of salary;
- The right to documented working hours, predictable working times, decent work contracts as a basis for decent (not precarious) working conditions, predictable working times and reliable collective agreements.

4 Working time arrangements: Promoting lifelong learning to boost employability

European industry, and the services sector in particular, is currently characterised by digitalisation, automatisisation, robotisation and restructuring – transformations that together are accelerating structural changes in the economy and creating more disruption and precariousness for workers. These are leading to an increased need for workers to have access to continuous skill development throughout their working lives, allowing them both to maintain their employability in the labour market while also boosting their personal and professional development.

The pace of these structural changes, resulting in shifting and unpredictable types of labour market and workplace demand, has increased the need for working time arrangements that enable and promote lifelong learning. This can be best achieved by ensuring that continuous skill development and education is closely integrated into a worker's everyday work. In addition, working time arrangements need to enable both shorter and longer periods of education and skill development without harming the worker's career or salary entitlements. Constant upskilling should maintain a close connection to existing employment, before unemployment becomes a reality. Working time arrangements need to enable both shorter and longer periods of education and skill development efforts.

UNI Europa therefore calls for:

- At the workplace level, collective agreements or company agreements to provide working time arrangements that enable skill development and education in the existing employment and position;
- Approaches, either by law or collective agreements, making full-time or part-time leave available for both shorter and longer periods so that workers can participate in education and training activities, in order to develop their skills while maintaining their position in the workplace;
- An enforceable right to training leave for workers, combined with wage compensation;
- A key role for trade unions in influencing work time arrangements that promote lifelong learning.

