

FACT SHEET

WORKING TIME IN THE METALWORKING SECTOR IN EUROPE



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INTRODUCTION TO WORKING TIME TRENDS IN THE SECTOR

The metalworking unions across Europe have achieved a general reduction in working hours over the last decade. More recently flexible working hours schemes including flexible working time accounts, short-time work, part-time work, temporary unemployment and training and education provisions, have dominated union collective agreements. During this time unions in the sector have continued to press for a reduction in standard working time to 35 hours a week.

The main focus on working time since 2007 has been the introduction of working time measures to reduce job losses in the sector, following the onset of the economic crisis. Short-term working schemes have been a key feature of bargaining in the sector in a large number of Member States since 2007, which aim to implement statutory schemes to prevent job losses and to negotiate for further compensations in the pay of workers for these reductions.

The ongoing revision of the Working Time Directive has also been addressed as a key issue of concern for metalworking unions, particularly in light of the pressure from employers to cut labour costs through greater flexibility in working time.

EMF Position on the Working Time Directive, 2010

The EMF is concerned that the ongoing revision to the Working Time Directive contains provisions that are regressive and allow too much flexibility. This is particularly worrying as 16 Member States currently make use of the opt-out clause.

The following are the main elements of the decision of the EMF Executive Committee, agreed in 2010, on the Working Time Directive.

- » Phasing-out of the individual opt-out clause, which is incompatible with the objectives of the Directive and the Charter of Fundamental Rights.
- » Ensuring at the very least concrete safeguards and conditions for establishing reference periods for the counting of the average 48 hours when and if they exceed the normal 4-month period as foreseen today in the directive.
- » Stopping the exclusion of certain categories of workers from the provisions of the working time directive.
- » Rejecting any notion that the inactive parts of on-call work should be considered as rest periods.

The 4th European Working Conditions Survey (2005) found that around 12% of workers in the manufacturing sector worked more than 48 hours a week, mainly as a result of overtime working. The impact of working longer than 48 hours a week, of working shift work, evening and weekend work, led to an increased risk on health and safety at work, and a negative impact on workers health, well-being and work-life balance.

EMF WORKING TIME CHARTER

In July 1998 the European Metalworkers' Federation (EMF) concluded a 'Working Time Charter', which stated that working time in Europe should not exceed an annual maximum of 1,750 hours, a 35 hour week, and a maximum of 100 hours overtime per year to be compensated by payment. The EMF's electronic database encourages the exchange of bargaining information by affiliates. A survey on working time was carried out in 2004 and 2005 as a basis for monitoring the Charter.

The 2005 survey highlighted the fact that the main forms of collective agreements on working time consist of national level sectoral bargaining and legislation that regulates the maximum daily, weekly and yearly working hours, and company level agreements on working time arrangements. The survey found that significant working time issues were facing trade unions, including the growing flexibility in working time arrangements.

Overall the survey found that in 2003 **an average of 226 days are worked in the year and an average of 1,724 hours worked per year, with variations below and above these daily and hourly average across Member States. Working time ranged from between 1,700 and 1,800 hours per year in seven countries (Austria, Belgium, Czech Republic, Netherlands, Portugal, Slovak Republic, Sweden and Switzerland), which was in line with the**

EMF Charter on Working Time of 1,750 hours a year. The countries below the average were Germany (1,544), Finland (1,560), France (1,582), Denmark (1,613) and Norway (1,688), while several countries were above the average: Greece (1,832), Hungary (1,832), Italy (1,840) and Slovenia (1,824).

At the time the highest reported working time in Italy was 6.7% above the European average and the lowest reported working time in Finland was 11.8% below the European average. However, overall the survey found that there has been a substantial decrease in working time in many countries between 1997 and 2003, where a reduction of 114 hours a year took place in the Czech Republic, 164 hours in Finland and 355 hours in Slovak Republic, while an increase of working hours had taken place in Slovenia and Italy. In practice, the survey also found that real declared working time is often substantially higher than these hours.

From 2004 unions reported that employers were putting increasing pressure on workers, and their trade union representatives, by using cost-related arguments and threats to relocate jobs. This has resulted in an increased emphasis on concession bargaining, for example, as achieved for workers in Siemens and DaimlerChrysler factories in Germany, and in Bosch in France.

INCREASED FLEXIBILITY IN WORKING TIME

Since the EMF's 2005 survey was carried out it is apparent that there have been significant changes in the way that unions have approached working time, not least because of the increasing flexibility of working time arrangements in the sector and a growing offensive by employers to increase working time without compensation of pay. Trade unions in the sector are also very well aware of the fact that the general collective reduction in daily, weekly or annual working time has come to an end, and that new forms of flexible contracts and short-time contracts have predominated since the economic crisis.

The EMF Working Time Charter states that:

“The introduction of flexibility in working time can only occur through collective agreements. Flexibility must be implemented in respect of the average contractual working time and in pursuit of the overall aim of a working time reduction”.

In 2009 bargaining in the Austrian metalworking sector, led to unions preventing employers from introducing a flexible working time scheme in exchange for pay increases, although this did lead to an agreement to enter into negotiations about future working time flexibility measures. The negotiations on working time flexibility were terminated by the employers in 2010. The unions refused an extension of the reference period for paying overtime, which would have allowed companies

more flexibility in times of economic uncertainty, on the basis that this would lead to a loss of earnings for workers.

SHORT TERM WORKING SCHEMES IN THE SECTOR

The economic crisis across Europe has led to an increase in legislation and collective agreements concerning short time working in the sector. Some collective agreements provide for supplements to short-time allowances that maintain net earnings at between 75% and 100% of workers' regular wage level. For example, in the metalworking industry in the north Baden-Württemberg bargaining district in Germany, the guaranteed wage level for short-time work was collectively agreed at a rate of 80%. The agreement signed in April 2009, which resulted in a new model for compensating employees on short working time, also aimed to cut employers' costs, delay redundancies for as long as possible, as well as providing training for the workers affected. The unions also entered into an agreement to allow companies to employ staff on fixed-term contracts for up to four years, which is twice the statutory maximum duration of fixed-term contracts.

EMF Position Paper on the Economic Crisis, 2009

"The trade unions' goals are to avoid plant closures and redundancies. Working time policy is an instrument which can secure employment in the current crisis. The spectrum includes flexible instruments like flextime accounts, short-time work, part-time work, temporary unemployment, training and education provisions, but also the reduction of standard working time, which is arranged via collective agreements. All systems should be backed up by access

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to unemployment benefit. The budgets for these flexible instruments must be enlarged in order to avoid a dramatic increase in unemployment and a social disaster in the EU".

Agreed at the EMF 6th EMF Collective Bargaining Policy Conference "*Jobs, Rights and Collective Bargaining*" Madrid, 17-18 November 2009.



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