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Leave and family responsibilities



5.1 Introduction

At present, family leave policy is a widely discussed policy issue. Although the debate is ongoing, many countries report that significant changes in this area have marked recent years and will continue to be introduced in the near future⁽¹⁾. Policy reform aims at three things mainly: increase the scope of leave entitlements, extend fathers' rights and allow for more flexibility in terms of leave take-up (Moss and Wall 2007).

There are numerous examples. In Germany, whereas paid parental leave was shortened, the level of payment was pulled up and fathers were given more incentives to take up their share of leave. So far leaves in all their possible forms remain to be taken primarily by women. Within this general framework, economic literature shows that the impact of birth leaves on mothers' labour supply is very ambiguous. In general, there exists agreement on the fact that a well organised maternity leave offering a high replacement income strengthens mothers' labour market attachment in the short run.

However, as birth leaves, be it maternity or parental leaves, become long, they risk jeopardizing women's long-run employment perspectives, particularly in terms of promotion and on-the-job training opportunities, which in turn will decrease their earning capacity. Indeed, in both countries, maternity leave was extended. On the contrary, as in Germany, father incentives were strengthened in Spain with the introduction of 15 days of paid paternity leave. Recent developments of leave systems throughout Europe illustrate that different approaches are being adopted across countries. Some develop towards a system of leave via individualised savings schemes whereas others prefer to increase the level of leave payment. An example of the former is the Netherlands whereas Germany follows the latter logic.

This chapter aims at presenting the current leave systems of all Member States of the EU, Norway and Iceland. Maternity, paternity and parental leaves are analysed in terms of a wide set of components such as entitlement criteria, length of leave, payment level, and so forth.

⁽¹⁾The legal framework is still likely to evolve, following the new proposal of revision of 1992 EU directive on maternity leave (see <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=402&furtherNews=yes>) and the European social partners decision to negotiate a revision of the existing EU 1996 directive on parental leave that followed the consultation of the European social partners (see http://ec.europa.eu/employment_social/gender_equality/legislation/new_legislation_en.html)

5.2 Maternity / Paternity leave

5.2.1 Length of leave and financial benefits

Different regulatory settings for maternity leave according to two basic criteria are compared: (i) the length of the leave and (ii) the replacement rate of earnings during the leave. A combination of these two indicators yields a third one, full-time equivalent (FTE) paid maternity leave. Moreover, attention is given to two other aspects of maternity/paternity leave systems, the length of the qualification period and other eligibility conditions on the one hand and the degree to which one's job and pension is protected during the leave on the other. Indeed, the right to maternity leave (mostly payment) is in some countries made conditional upon a former period of employment or payment of social contributions. Therefore, the shorter this period, the more limited access to maternity leave will be.

The length of maternity leave is necessarily equal to or above fourteen weeks, the minimum period required by EU legislation, which is believed to be the necessary minimum in medical terms to allow mothers to fully recover after childbirth. In 2007, all EU-27 Member States offer a longer leave than that set forward by the European Commission, except for Germany and Malta (Figure 5.1). Iceland, Norway and Switzerland also offer shorter leaves.

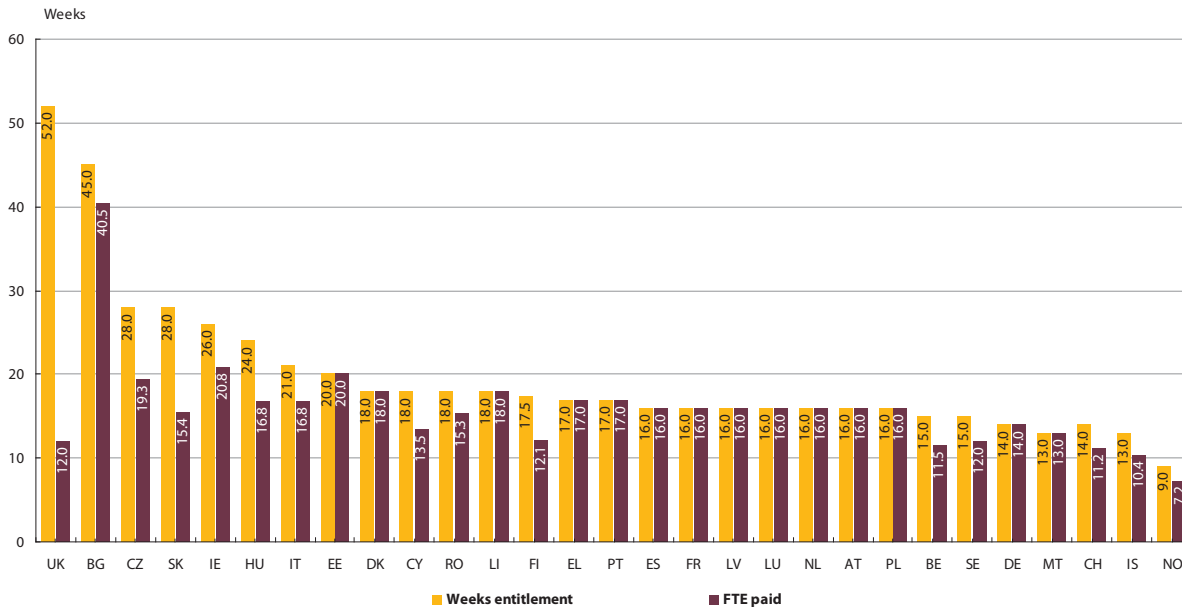
The length of leave needs to be compared with the level of wage replacement. The replacement rate is quite high in most countries (Figure 5.1), except in the United Kingdom where it is lower than 50 per cent and Slovakia where it is at 55 per cent of previous earnings.

The length of the leave and the replacement rate can be combined to obtain a new indicator that expresses the maternity leave in an equivalent number of working days that are fully paid. In roughly half of all Member States, the entire

leave is fully paid and thus available leave and fully paid leave coincide. Even in the Southern European countries maternity leaves are long (but not too long to harm mothers' future employment perspectives and conditions) and associated with a high level of payment. On the contrary, countries such as the United Kingdom, Hungary, Slovakia and the Czech Republic offer a long leave but a large part of which is not compensated. For example, in the UK, earnings-related payments last for 6 weeks, with a further 33 weeks of benefit payment at a flat-rate, leaving the remaining 13 weeks unpaid (Moss and Wall 2007). However, it is not a general fact that countries offering a long maternity leave are those for which the difference between the available and the fully paid leave is largest. Indeed, Bulgaria is at the top with 45 weeks of maternity leave and during the whole of this period the wage replacement rate is at 90 per cent.

Countries further diverge in terms of the organism responsible for the payment of maternity leave. In most countries, maternity leave is funded by social security contributions, mostly health insurance (in the Netherlands, maternity leaves are paid as unemployment benefits). However, in some countries tax revenue is called upon to finance the maternity leave system. This is for example the case in Ireland, Portugal, Slovenia and Spain. Finally, it may be the employer who is responsible for earnings replacement during the period of maternity leave. This is a feature of the Danish system. Such a financial organisation entails a substantial cost for employers who might be tempted to pass it on to women in the form of a lower wage. Employers' intervention in maternity leave payment may therefore be regarded as a tax on female labour (OECD 2002, 2007).

Figure 5.1: Child-related maternity leave periods, 2007



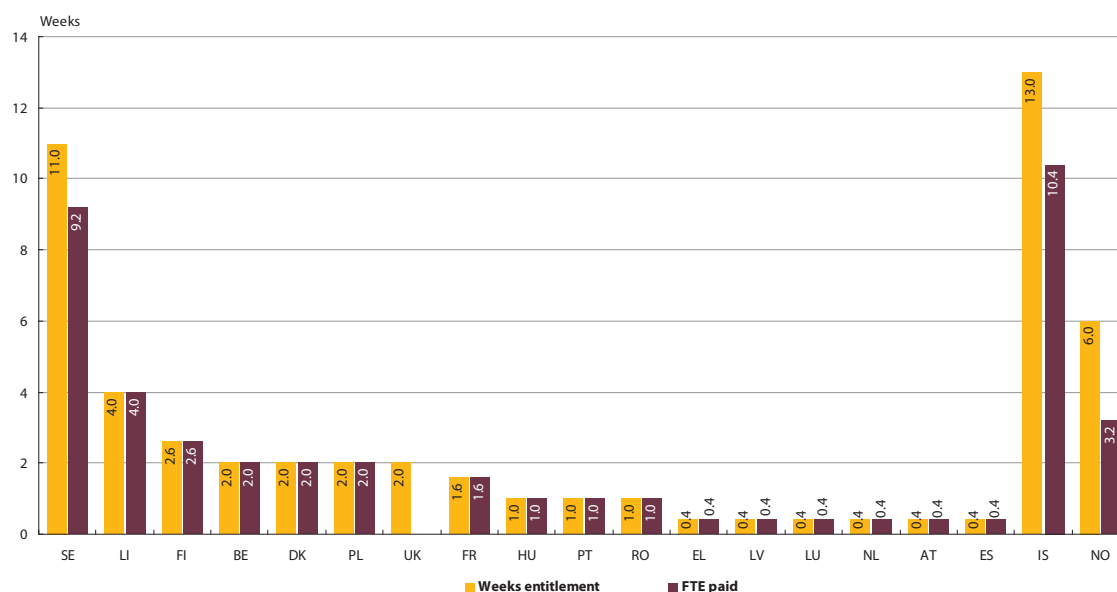
Note: Child-related maternity leave periods by duration of unpaid leave and the duration of the full-time equivalent of the leave period if paid at 100% of last earnings, situation as of 01.07.2007 – FTE: Full Time Equivalent.

Sources: OECD, MISSOC database, "Reconciliation of work and private life: A comparative review of thirty European countries," section on leave facilities.

For fathers, still not all countries offer paternity leaves. As of mid 2007, there was no general statutory entitlement to paternity leave in Ireland, Poland, Bulgaria, the Czech Republic, Germany, Italy, Cyprus, Malta, and Slovakia, i.e. 9 out of 27 Member States offer no paternity leave as such. There is no statutory right to paternity leave in Austria either but collective agreements may provide a few days off for fathers immediately after the birth of a child. During this leave earnings are fully replaced. In Poland, fathers can take part of the maternity leave. The mother has to take 14 weeks but the

remaining 2-4 weeks may be taken by the father⁽²⁾. At the present, there is no legal entitlement to Paternity leave in Ireland, and it is provided only at the employer's own discretion. A paid paternity leave of 10 calendar days is granted to Latvian fathers. In the remaining countries, paternity leave varies between 2 days of paid leave in Greece and the Netherlands and 28 days (in Lithuania). In Iceland fathers are entitled to a 3-month paternity leave and in Norway they can take the so-called "daddy days", two weeks after birth.

⁽²⁾ 2 weeks in the case of a first birth and 4 in the case of subsequent births.

Figure 5.2: Child-related paternity leave periods, 2007

Notes: Child-related paternity leave periods by duration of unpaid leave and the duration of the full-time equivalent of the leave period if paid at 100% of last earnings, situation as of 01.07.2007 – FTE: Full Time Equivalent.

Sources: OECD, MISSOC database, "Reconciliation of work and private life: A comparative review of thirty European countries", section on leave facilities.

As for maternity leave, information regarding the length of the paternity leave and the wage replacement rate could be combined to obtain the equivalent of the leave in fully paid working days. Given that in most countries fathers are paid their usual wages during paternity leave, available length and fully paid leave tend to be identical. There are exceptions to this overall rule. In Belgium, there are 10 days of paternity leave, three of which are compulsory with full earnings replacement. For the remaining 7 days, Health Insurance replaces 82% of earnings. Figure 5.2 is thus a bit misleading in this sense. It could also be slightly confusing as regards the Finnish "father's month". In Finland, during the whole period of paternity leave, an earnings-related benefit is paid that amounts to 70% of annual earnings with a lower percentage for earnings above a given ceiling. In Iceland, the 3-month paternity leave is paid at 80% of earnings up to a ceiling (which exists in most countries) and only to those who have been in the workforce during the preceding 24 months. In Norway, following a birth, fathers are entitled to two weeks of leave, the so-called "daddy days". These are not paid by the government so that pay entirely depends on individual or collective agreements. In Sweden, payment of paternity leave

corresponds to 80% of earnings. The two weeks of paternity leave in the UK give rise to a flat-rate payment of approximately EUR 165 a week. Such a form of payment exists also in Estonia where during 14 days fathers receive a daily benefit of EUR 4.2. Finally, in Latvia, the benefit paid for the whole period of paternity leave is equal to 80% of the insured's average earnings during the last 6 months. The benefit is payable for 10 consecutive days.

A combined look at the data on maternity and paternity leaves allows some general conclusions. The lengthy maternity leave may have an impact on women's labour market perspectives in countries such as the UK, Bulgaria, Ireland, the Czech Republic and Slovakia. Moreover, with the exception of the UK, these countries combine a long maternity leave with no paternity leave whatsoever. In general, it seems that, from a gender point of view, maternity and paternity leaves are far from being equal in length in all countries. There is a non-EU exception to this, Iceland, where maternity and paternity leave are entirely identical, 13 weeks and with a high level of payment (80% of earnings).

Table 5.1: Employment-protected statutory maternity and paternity leave arrangements

	Maternity Leave	% rate of allowance	FTE paid maternity leave*	Paternity leave	% rate of allowance	FTE paid paternity leave*
BE	15 weeks	82/75 ⁽¹⁾	11.53	2 weeks	100	2.0
BG	315 days (45 weeks)	90	40.5	:	:	:
CZ	28 weeks	69	19.32	:	:	:
DK	18 weeks	100 of wage with max 459 EUR/week	18	2 weeks	100	2
DE	14 weeks	100	14	:	:	:
EE	140 days (20 weeks)	100	20	:	:	:
IE	26 weeks	80	20.8	:	:	:
EL	17 weeks	100 % with max (no dependants): EUR 45.18 per day and max. (4 dependants): EUR 63.26 per day.	17	0.4 weeks	100	0.4
ES	16 weeks	100	16	0.4 weeks	100	0.4
FR	16 weeks	100% with a max. 71.80 EUR/day	16	11 days (1.6 weeks)	100%, with a max. of 71.80 EUR/day	1.6
IT	21 weeks (5 months)	80	16.8	:	:	:
CY	18 weeks	75	13.5	:	:	:
LV	112 days (16 weeks)	100	16	10 days (0.4 weeks)	100	0.4
LT	18 weeks	100	18	4 weeks	100	4
LU	16 weeks	100	16	0.4 weeks	100	0.4
HU	24 weeks	70	16.8	1 week	100	1
MT	13 weeks	100	13	:	:	:
NL	16 weeks	100	16	0.4 weeks	100	0.4
AT	16 weeks	100	16	0.4 weeks	100	0.4
PL	16 weeks	100	16	2 weeks	100	2
PT	17 weeks	100	17	1 week	100	1.0
RO	126 days (18 weeks)	85	15.3	1 week	100	1
SI	:	:	:	:	:	:
SK	28 weeks	55	15.4	:	:	:
FI	105 days (around 17.5 weeks)	90/70 ⁽²⁾	12.1	18 days (2.6 weeks)	100	2.6
SE	15 weeks	80	12	11 weeks	100/80 ⁽³⁾	9.2
UK	26 weeks for all the women and 26 weeks if employed for 26 weeks with same employer	90 for the first 6 weeks - 20 weeks at flat rate of 167 EUR/week (4)	12	2 weeks	167 EUR/week or 90% of earnings if this is less	:
IS	13 weeks	80	10.4	13 weeks	80	10.4
NO	9 weeks	80	7.2	6 weeks	80	3.2
CH	14 weeks	80	11.2	:	:	:

Notes: situation as of 01.07.2007.

(1) Paid at 82% for first 4 weeks and 75% for the remaining 11.

(2) Paid at 90% (of earned income up to 45.221 € annual) for first 56 days and 70% (of earned income up to 29.392 € annual) for the remaining 49.

(3) Calculated at 100% for the first 2 weeks and then at 80%.

(4) Calculated at 90% for initial 6 weeks and then flat rate (approx. 33% of average wage) for 20 weeks, 26 weeks is unpaid.

* Full Time Equivalent (FTE) = Duration of leave in weeks * payment (as per cent of APW earnings) received by the claimant.

Sources: OECD, MISSOC database, "Reconciliation of work and private life: A comparative review of thirty European countries", section on leave facilities.

5.2.2 Eligibility conditions and job/pension protection

Eligibility conditions

In most countries, there is a statutory right to maternity leave. In Iceland and Sweden, such a right does not exist. In these countries, leave is available at the time of birth but it is not restricted to mothers, being subsumed into the parental leave scheme. Whether or not a statutory right to maternity leave exists, eligibility is generally made conditional upon meeting a number of qualifying requirements. Most often, only women who have been in some form of economic activity before birth or who have paid social security contributions during a given period prior to delivery are eligible. The more these qualifying conditions are tough, the more access to maternity leave will be restricted. There is just one country where there are no qualifying conditions at all: Romania.

The strictest conditions are observed in France, Ireland, Slovakia, the Czech Republic and Sweden where a mother needs to have worked for more than 240 days before the expected date of delivery. In Greece, the insured woman must have 200 days of contributions in the last 2 years (Moss and Wall 2007). In Norway, Hungary, Portugal⁽³⁾, Luxembourg, Bulgaria, and Cyprus, the qualification period is around 6 months (Moss and Wall 2007, Prechal et al. 2007, Beleva 2005, Panayiotou 2005).

In contrast, qualifying conditions are easier to meet in Denmark, where, unlike in many other Member States (e.g. Poland, Belgium, Estonia, Hungary), maternity leave entitlement is not restricted to employees and self-employed workers⁽⁴⁾. Indeed, even people on a vocational training or students are eligible. However, previous employment conditions differ according to professional status. The Danish maternity leave system is thus a very encompassing one (Moss and Wall 2007).

⁽³⁾ Self-employed workers who contribute to social security and unemployed women receiving unemployment benefit are also entitled.

⁽⁴⁾ Note that in the Netherlands, even the self-employed are excluded. In Belgium, self-employed workers can take maternity leave but have a separate system which is less advantageous compared with employees.

A less complex but just as encompassing system is in place in Finland and Malta where entitlements are based on residence only. Conversely, in Lithuania, only workers have a right to leave and payment is based on the social security contributions (Prechal et al. 2007, US Social Security Administration 2006). In the Netherlands, eligibility was tightened recently, and since August 2004, self-employed women are no longer included. In Germany, self-employed workers are eligible (benefits are paid on the basis of the average monthly net income in the calendar year preceding the year of birth) while all women employees, including part-time workers have a right to maternity leave (Moss and Wall 2007).

In Austria female part-time workers may be penalised. Indeed, short-time employed women and free-lance workers are eligible only if they have a voluntarily health-insurance. In Estonia, women with temporary contracts are eligible if they are employed for more than three months (Prechal et al. 2007).

In a number of countries, professional status and the length of employment prior to childbirth are not taken into account and all employees and self-employed workers are entitled to maternity leave. This is the case in Italy, Estonia, Latvia, Iceland, Austria, Poland, and Slovenia⁽⁵⁾ (Moss and Wall 2007, Prechal et al. 2007).

In Spain, all employed women are entitled to maternity leave (flat-rate payment for 42 days after delivery), but specific conditions must be met to qualify for the earnings-related maternity leave benefit. Similarly, in the UK, all women employees are eligible for 26 weeks 'Ordinary Maternity Leave' (OML) plus a further 26 weeks of 'Additional Maternity Leave' (AML) (Moss and Wall 2007).

⁽⁵⁾ All women are entitled to leave but payment depends on the number of months prior to birth during which social contributions were paid.

Employment and pension rights' protection

In terms of dismissal, most countries provide a very strong protection and in some countries the prohibition against the dismissal of a pregnant worker or a person on maternity leave is close to absolute. In other words, there are a limited and exhaustive number of specific reasons that are accepted in order to dismiss a pregnant worker or a worker on maternity leave. In Bulgaria, for instance, a pregnant woman can only be dismissed if the enterprise goes bankrupt. The dismissal of a pregnant worker or a woman on maternity leave is even sometimes presumed unlawful. In some countries, the restriction on dismissing workers has been extended beyond the period of maternity leave, until the child has reached a certain age (Prechal et al. 2007).

In most States, a worker returning to work after her maternity leave is protected not only against dismissal but also against unfavourable treatment. Workers are generally guaranteed by law to return to the same job or, if this is not possible, to a similar job. However, a few countries do not provide such a guarantee.

In some countries, pregnant women are not permitted to work at night. This prohibition is sometimes also extended to the period of breastfeeding.

In terms of pensions, in most countries, leaves are regarded as active services and thus pension rights continue to accumulate. Leave time is taken into account for the purposes of promotions and pensions (Prechal et al. 2007).

5.2.3 Supplementary provisions: Maternity allowances and birth grants

Besides wage-related compensation during statutory maternity leave, 10 of the 14 EU Member States for which the OECD provides data offer a maternity allowance. In Germany, Greece, Italy, Luxembourg, Austria, Slovakia, Slovenia and the UK (but also in Norway), this maternity allowance is aimed at women who are not entitled to statutory maternity leave because they are self-employed, unemployed, and so forth. This allowance is usually means-tested and is granted as a social assistance measure for which no social contributions need to have been paid in advance.

There is great disparity between countries as to the amount of this allowance and the period over which it is paid. With the exception of Sweden and the United Kingdom where it is wage-related, this allowance takes the form of a lump-sum

amount. It is highest in Belgium (EUR 889 per month in 2006) and Luxembourg (EUR 740 per month in 2006) and much lower in all other countries.

A birth grant is offered in 12 of the 14 countries for which data are available. Only in Austria and Sweden does such a grant not exist. Again there are some noticeable differences in the way this birth grant is conceived across the countries. It may be means-tested or based on previous work and thus social contribution payments. It may be offered for all children or just from the third child onwards. There is also great variety in the amount of the grant. Clearly, Luxembourg and Italy stand out from the other countries with a birth grant to the amount of EUR 1 740 and 1 813 respectively. Least generous are Poland and Slovakia.

Table 5.2: Maternity allowance and maternity grants 2005/2006

	Allowance			Grant		
	Allowance	Eligibility	Details	Grant	Eligibility	Details
BE	Yes	Self employed maternity leave	EUR 889 p/m for three months	Yes	Birth grant	EUR 945 for first child EUR 711 for subsequent children
DE	Yes	To women not entitled to statutory maternity allowance	EUR 210 per month	Yes	'Entbindungsgeld' for mothers in statutory maternity leave	
EL	Yes	Not entitled to social insurance. Means tested State aid.	500 euros in two parts (half for a period of 42 days before birth, half for the 42 days after birth)	Yes	Insured mothers having worked at least 50 days in the year before birth	30 days minimum wage (but amounts vary highly in other social security regimes)
ES	No	-	-	Yes	Birth of third or more children and multiple births, income-related child benefit EUR 450	
FR	Yes, No in 2004	Means tested (around 80% of families are eligible)	During 9 months from the 5th month of pregnancy; EUR 168 per month	No, Yes in 2004	New scheme in 2004, means-tested, such as to include 90% of families	EUR 840 once at birth
IT	Yes	No employment records and not entitled to statutory maternity leave Means tested at household level	238 euros per month during 5 months for each child born or adopted (EUR 1419 in total). Paid by State through municipality	Yes	To employed and atypical workers not entitled to statutory maternity leave (also to a certain extent to those entitled)	EUR 1 740 paid by health insurance
LU	Yes	Not entitled to insured maternity benefit.	Allowance paid for 16 weeks, Non-cumulative with similar benefits (185 per week)	Yes	Mother and child have medical examination	EUR 1 740 divided into three: EUR 512 lump sums: prenatal, birth and postnatal (child's 2nd birthday)
HU	No			Yes		
AT		Women not covered by statutory maternity (1) Self employment in agriculture, trade and industry ; (2) others (part time, contract workers)	(1) EUR 23 per day for 16 weeks leave in order to hire a substitute (2) EUR 6,91 per day for 16 weeks	No		
PL	Yes	Social assistance recipients	Four first months of child's life Minimum: PLN 50 per month	Yes	Social assistance recipients (in the past: all mothers)	EUR 129 (one time childbirth benefit)
SK	Yes	Women not entitled to paid statutory maternity leave	Paid leave (lower amount)	Yes	For each child born	Lump sum payment EUR 118
FI	No	-	-	Yes	All residents (pregnancy over 154 days)	Choice between a generous maternity pack or lump sum payment (EUR 140)
SE	Yes	Pregnancy leave	80% pay up to maximum (see tables on maternity and parental leave)	No	-	-
UK	Yes	Employed or self employed for a certain period and not entitled to statutory maternity pay or under min. earnings requirements	26 weeks: 90% of av. weekly earnings up to a max. of £100/week	Yes	Either partners getting income support, income based jobseeker's allowance, Child Tax Credit, Working Tax Credit	Lump sum payment: EUR 728. Can claim from the 30th week of pregnancy until 3 months after
NO	No	-	-	Yes	Women not entitled to statutory parental leave (3)	NOK 33584 (around 4077 euros)

Notes: Measures in place of or in supplement to statutory maternity pay - Maternity allowance: amount of money paid at interval for a certain period after a child is born - Maternity grant: lump sum amount paid once or around the childbirth.

Source: OECD.

5.3 Parental leave

The European Commission has emphasised that parental leave is a key component of a strategy aimed at facilitating the work/life balance. Indeed, in 1996, the EC issued a Directive (EC/34/EC) requiring Member States to offer at least three months (following the birth of a child) of parental leave to all employees. Such a leave is to be added to a minimum of fourteen weeks of maternity leave granted by 1992 EU Directive.

This forms part of the Directive concerning equal opportunities for men and women that is concerned with mothers' integration in the labour market and men's in the family sphere.

Following the 1996 EU directive on parental leave, the EU definition leaves enough room for each Member State to implement its own rules in terms of leave duration, payment, flexibility, and so forth. Table 5.3 provides information on the different legal frameworks for parental leave in Europe (basically applicable to employees).

Table 5.3: Employment-protected statutory parental leave arrangements, 2007

	Parental leave	% rate of allowance	FTE paid parental leave*	Parental leave (unpaid)	Total parental leave	Payment
BE	12 weeks (i) (3 months)	20	2.4	:	26 weeks (6 months)	Flat rate: + 550 EUR/month
BG	24 month (f) incl. maternity leave	:	:	:	24 months	Minimum wage level
CZ	156 days (f)	10	15.6	:	156 days	113 EUR/month
DK	32 weeks (i)	90 of wage limited to 32 weeks	28.8	:	64 weeks	:
DE	156 weeks (f) (36 months)	11	17.16	:	:	Max 300 EUR/month/child (first 24 months) or 450 EUR/month/child (12 first months)
EE	239 days (f) (34 weeks)	100% with min. and max.	34	:	239 days (34 weeks)	:
IE	14 weeks (i)	:	:	28 weeks	28 weeks	:
EL	14 weeks (i) (3.5 months)	:	:	28 weeks	7 months	:
ES	156 weeks (f) (36 months)	:	:	156 weeks (f) (36 months)	136 months	:
FR	156 weeks (f) (36 months)	25.8	40.2	:	36 months	:
IT	11 months (when father takes 3 months)	30	13.2	:	:	:
CY	13 weeks (i)	:	:	:	26 weeks	unpaid
LV	36 months (f) (incl. maternity leave)	:	:	:	36 months	Flat rate payment, 15 LVL/ month
LT	36 months (f) (including maternity leave)	70	109.2	:	36 months	:
LU	26 weeks (i) (6 months)	62	16.12	:	52 weeks	Minimum wage (1 840 EUR/month)
HU	104 weeks (up to a child's 2nd birthday) (f)	70	72.8	:	104 weeks (Up to a child's 2nd birthday) (f)	:
MT	3 months (i)	:	:	6 months	6 months	:
NL	13 weeks (i)	:	:	26 weeks	26 weeks	:
AT	104 weeks (2 years)	21	21.84	:	24 months	436 EUR/month for 18 months. If fathers take part of leave, payment up to 24 months
PL	156 weeks (f) (36 months)	14.6	22.7	:	:	:
PT	26 weeks (i) (6 months)	:	:	26 weeks	12 months	:
RO	24 months (maternity leave incl.)	80	76.8	:	24 months	:
SI	:	:	:	:	:	:
SK	156 weeks (f) (36 months)	24	37.44	:	36 months	:
FI	26 weeks (158 days)	75/70 (†)	25.6	:	:	:
SE	68 weeks (480 days)	390 days: 80% - 90 days: 60 EUR/day	44.5	:	480 days	:
UK	13 weeks (i)	:	:	26 weeks	26 weeks	:
IS	13 weeks (3 months)	80	10.4	:	:	:
NO	44 weeks	100	44	:	:	:

Notes: Situation as of 01.07.2007 - (†) Paid at 75% (of earned income up to 45221 € (annual) for first 30 days and 70% (of earned income up to 29392 € (annual) for the remaining 128 - *Full Time Equivalent (FTE) = Duration of leave in weeks x payment (as per cent of APW earnings) received by the claimant - (f) family right (i) individual.

Sources: OECD, MISSOC database, "Reconciliation of work and private life: A comparative review of thirty European countries," section on leave facilities.

As for maternity and paternity leaves, parental leaves are discussed from two angles: duration and payment. However, job protection and the guarantee of pension and seniority rights during the leave will also be discussed, as well as the proportion of leave that can be transferred between parents and the part reserved for the father only, the possibilities to divide the leave, and the child's upper age limit at which the right to parental leave expires.

5.3.1 Length and benefits

Length of parental leave substantially differs across countries: from the minimum period required by the EC directive of three months per parent (Belgium, Cyprus, Ireland, Malta, the Netherlands, Portugal, and the UK) to leaves up until the child's 3rd birthday (the Czech Republic, Germany, Estonia, Spain, France, Hungary, Lithuania, Poland, and Slovakia).

The way the leave is available to each parent plays a key role through potential incentives for fathers to take up part of the leave. The right to leave can be individual (Benelux, Anglo-Saxon countries, Mediterranean countries, France, Romania, Cyprus and Malta) or family-based (remaining countries). In case parental leave is an individual right, each parent is entitled to a period of leave that is not transferable to the spouse. In other words, if a parent does not take the leave to which he/she is entitled, it is lost for the family. In case entitlement is family-based, parental leave is a family right and can be shared by both parents more or less freely depending on the country (see below).

Besides these two particular cases, some countries have introduced a mixture of individual and family-based rights. In Hungary and the Czech Republic, the right to leave is individual but payment is family-based. In the Czech Republic parents can alternate or take leave together but only one parent receives the parental allowance. Similarly, in Hungary, each parent is entitled to unpaid leave but when the mother is on leave and receives the childcare allowance then the father can only take unpaid leave. In Italy, each parent is entitled to six months with a maximum of ten months per family but, as soon as the father takes at least three months, he is entitled to an additional month bringing his total leave right to seven months. However, the right to benefits is limited to six months and is family-based. In Norway, Iceland, Denmark, Finland, Sweden and Lithuania, entitlement to parental leave is family-based but with individual quotas for one or both parents.

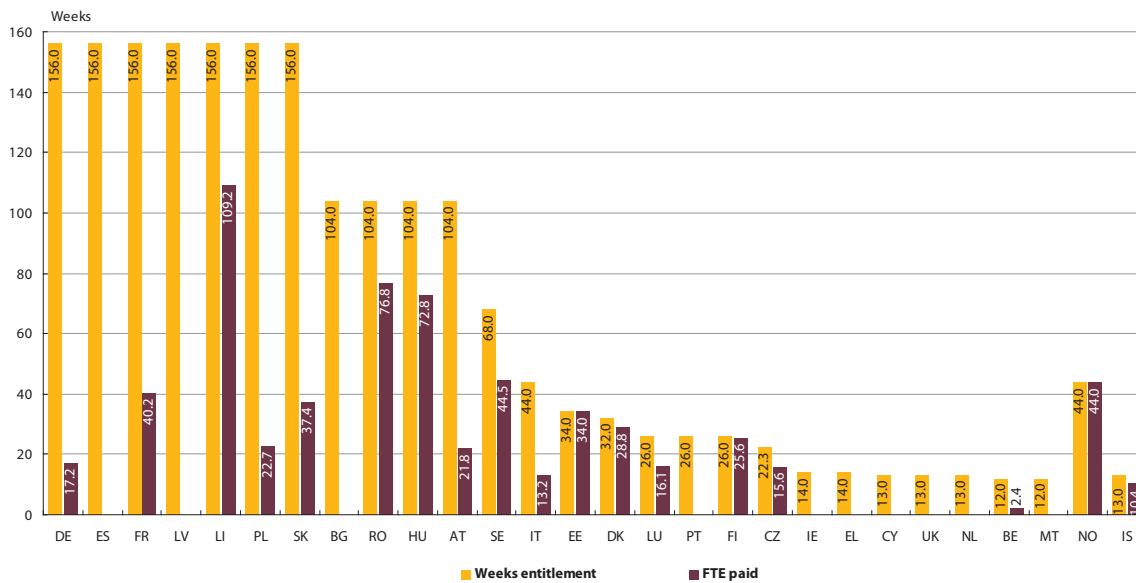
In case entitlement is family-based, the degree of flexibility as to how parents can share the leave depends on the country. In Germany, where parental leave is very long, parents can either take leave together or alternate in taking leave (as in Finland, each parent can take up to 2 periods of leave). In

Empirical and theoretical findings advanced in the economic literature agree on the fact that parental leave can be characterised by a gender bias that strengthens the traditional role models of mothers and fathers and as such, may have a negative impact on mothers' participation and career prospects. Different features of the leave are related to this issue and will be discussed in detail.

Austria, the whole leave can be split into 3 parts at most so that parents can alternate taking leave to some extent. However, unlike in Germany, they cannot take leave simultaneously (except for 1 month). In Denmark, parents freely choose whether to take leave separately or jointly. In Estonia, parents can alternate as often as they like but should inform their employer 15 days ahead. In Spain as well leave can be taken in as many blocks as desired without minimum period. Such flexibility in leave-sharing is discussed in greater detail below.

Another important issue is the payment policy during the various available periods of leave. Some countries do not grant any replacement income during the leave (Greece, Spain (although some regions offer some form of financial compensation), Ireland, the Netherlands (although collective agreements may confer some earnings-related payment), Portugal (except for 15 daddy days), the UK, Cyprus, and Malta). Half of the remaining countries pay a flat-rate amount (Austria, Belgium, Bulgaria, the Czech Republic, Denmark, France, Hungary, Luxembourg, Poland, and Slovakia), which, except for Denmark and Luxembourg, is lower than half the National Average Female Earnings. A wage-related payment, as in Germany, Estonia, Iceland, Lithuania, Latvia, Norway, Romania, Slovenia, Sweden or Finland (the same logic underlies the Italian system but the wage replacement rate is much lower – although on average higher than in many other countries), helps to weaken the effect of the wage differential between women and men which weighs negatively on mothers' employment when households decide which partner should take parental leave. The issue of the intra-household gender wage gap is linked to that of the overall gender wage gap: if the first gap partly explains why women take up parental leave more often than their partners (on top of other reasons), their more prevalent career interruptions then form part of the causes of the second gap, as shown by many empirical studies, and as such reinforce the incentive for families to let leave take-up be gender unbalanced. Note that in Germany only the first year of leave (parental leave lasts for 3 years) gives rise to earnings replacement. This provides parents with quite an incentive to opt for a shorter leave, although childcare options afterwards are limited.

Figure 5.3: Child-related parental leave periods, 2007



Note: Child-related parental leave periods by duration of unpaid leave and the duration of the full-time equivalent (FTE) of the leave period if paid at 100% of last earnings, situation as of 01.07.2007.

Sources: OECD, MISSOC database, "Reconciliation of work and private life: A comparative review of thirty European countries", section on leave facilities.

Parental leave payment is often regressive in time (especially Finland and Lithuania but also Sweden). Portugal applies an unusual type of father incentive. Fathers taking parental leave immediately after maternity leave or immediately following the fifth day of paternity leave are paid 100 per cent of their earnings during the first fifteen working days ("daddy days"),

while mothers are not paid at all when on parental leave.

In Germany, parental leave payment (Elterngeld) takes the form of a "parental" wage because it is open to all parents, whether at work or not, as long as they are not employed for more than 30 hours a week.

5.3.2 Timing and fractionability

Flexibility as regards take-up of parental leave is understood in three ways:

- (i) parental leave becomes more flexible as the limit on the child's age before which leave must be taken increases;
- (ii) parental leave becomes more flexible as the number of fractions in which it can be taken up grows;
- (iii) parental leave becomes more flexible as it can be taken up at a part-time rate allowing parents to keep working reduced hours.

In Bulgaria, the Czech Republic, Slovakia, Hungary, Romania, Estonia, Lithuania, Denmark, Austria, Spain, Finland, and France, parental leave policies emphasise the fact that parents should be able to care for their children themselves in their first years of life. Leave needs to be taken immediately following childbirth. Note that in Austria 6 months (3 by each parent) of the 2-year parental leave can be saved up to use after the child's 2nd birthday and before it reaches 7 years of age. Similarly in Denmark, 8-13 weeks can be postponed until

the child's 9th birthday. In Greece, the same logic is followed but leave is much shorter (3.5 months). In Iceland, the 9 months of parental leave need to be taken before the child reaches 18 months. In Poland, the 36-month parental leave needs to be taken before the child's 4th birthday. In the remaining countries, the age limit is much higher, up to 8 years in Sweden, Italy, the Netherlands, Ireland, Latvia, Malta and Germany.



Most leaves are fractionable (meaning they can be split into different periods across time) but to different degrees. For example, in France, leave has to be taken in periods of at least one year (9 months in Poland) while in the Czech Republic, Estonia, Spain, and Sweden, leave can be taken by the day. Take-up by the day is also possible in Slovenia but then the total duration of leave is shortened by 30%. Leave can be split in blocks with a minimum period of one week of leave in Denmark, Cyprus (maximum 4 weeks of leave can be taken per year), and the UK. In Finland, the minimum period is 12 days. Leave can be taken by the month in Belgium (if it is taken at a full-time rate), the Netherlands, Portugal, Germany, Hungary and Slovakia. In Ireland, parents should at least take 6 weeks at a time. Finally, blocks of at least three months should be taken in Austria and Poland. To sum up, there is just one country where parental leave is not fractionable: in Malta it has to be taken as a continuous block. In a number of countries, the right to split parental leave is a conditional one, depending on the employer's agreement (e.g. Iceland, the Netherlands).

In most countries, leave can be taken on a part-time basis (with a proportional extension of its duration). There are a number of exceptions: Austria, Bulgaria, Cyprus, Hungary, Greece, Malta and Romania. This part-time take-up possibility exists in order to avoid that parents become totally

disconnected from the labour market. Nevertheless, the extent of flexibility varies greatly across countries. For example, in Luxembourg, it is only possible to take half-time leave (i.e. in half days) whereas in Belgium parents can reduce their working hours by 50% or by 80%, so that they may take one day of parental leave per week. In Spain, daily working time can be reduced by between 30 and 50%, in Finland by 40-60% and in Sweden hours can be reduced to $\frac{3}{4}$, $\frac{1}{2}$, $\frac{1}{4}$, or $\frac{1}{8}$ with corresponding benefit. Similar more flexible formulas of this kind further exist in Denmark, France, Germany, Ireland and Iceland. In Denmark, parental leave could initially be taken only on a part-time basis in order to ensure that parents continuously stayed in touch with the labour market. In 1997, this measure was revised and hence it is possible to take periods of full-time leave provided the employer agrees (Bruning and Plantenga 1999).

In Poland, one can work while on leave but then one cannot claim the parental allowance. On the contrary, in the Czech Republic, parents are allowed to work part-time while they are on full-time parental leave and receive the parental allowance. In Hungary, to receive the child care allowance parents cannot engage in work until the child reaches 1 year but work may be performed without time restrictions if the child is older than one year.

5.3.3 Employment protection and safeguard of pension rights

The 1996 European Directive on parental leave requires that a job guarantee be offered, that is the right to return to the same or an equivalent job. This is a very important issue. If a parent's employment contract is merely suspended but not terminated then social security contributions continue to be paid during parental leave so that once the leave has ended, he or she can return to his or her previous job and the leave will not have affected pension rights. Such job and pension protection is provided by most national legislations. However, there are a few striking exceptions. In Austria, dismissal protection is granted for 24 months only, whereas the leave may be extended up to 30 months. This may go against the right to return to the same or equivalent work. In Spain, during the first year of parental leave, return to the same job position is guaranteed. After the first year, job protection is restricted to a job of the same category. As regards pension rights, they continue to accumulate during the first 2 years of parental leave only. In France, during parental leave, the employment contract is suspended without any special

protection against dismissal. However, after parental leave, the worker has the right to return to the same job or, if this is not possible, to an equivalent or similar job, where the same advantages as before apply. In Ireland, the right to return to one's job is guaranteed but rights related to pay, pensions, superannuation benefits are not legally guaranteed but left to the discretion of the employer. In Malta, there is a guarantee to return to the same job after leave but parental leave does create a gap in national social insurance contributions and as such affects pensions. Finally, in Romania, only women taking parental leave are legally protected against dismissal but not men.

In sum, in most countries, parental leave cannot impact on future employment and pensions. In some countries, job and pension guarantees cover only part of the available parental leave period (e.g. Austria). Finally, job and pension protection are safeguarded legally in most countries but are left to the discretion of the employer in some (e.g. the Netherlands, Ireland).

Regarding qualification conditions, some parental leave schemes impose employment and seniority conditions, usually one year of work, most often with the same employer (Belgium, Greece, Ireland, France (only to receive the parental allowance not the flat-rate benefit), Luxembourg, the Netherlands, and the UK) but sometimes only 6 months (with the same employer: Cyprus, Norway; not necessarily with the same employer: Iceland, Sweden, Poland and Portugal). A weaker condition merely stipulating that the person wanting to take a parental leave be employed exists in Austria, the

Czech Republic, Germany, Denmark, Spain, and Italy. A residence condition is applied in Finland and Malta. In France, qualifying conditions with respect to the flat-rate parental leave payment become stricter as the number of children decreases. More precisely, a parent needs to have worked for 2 of the 5 years preceding birth if there are 3+ children, 2 of the 4 years preceding birth if there are 2 children and 2 years of the 2 years preceding birth if there is just one child.

5.3.4 Take-up of parental leave and influencing factors

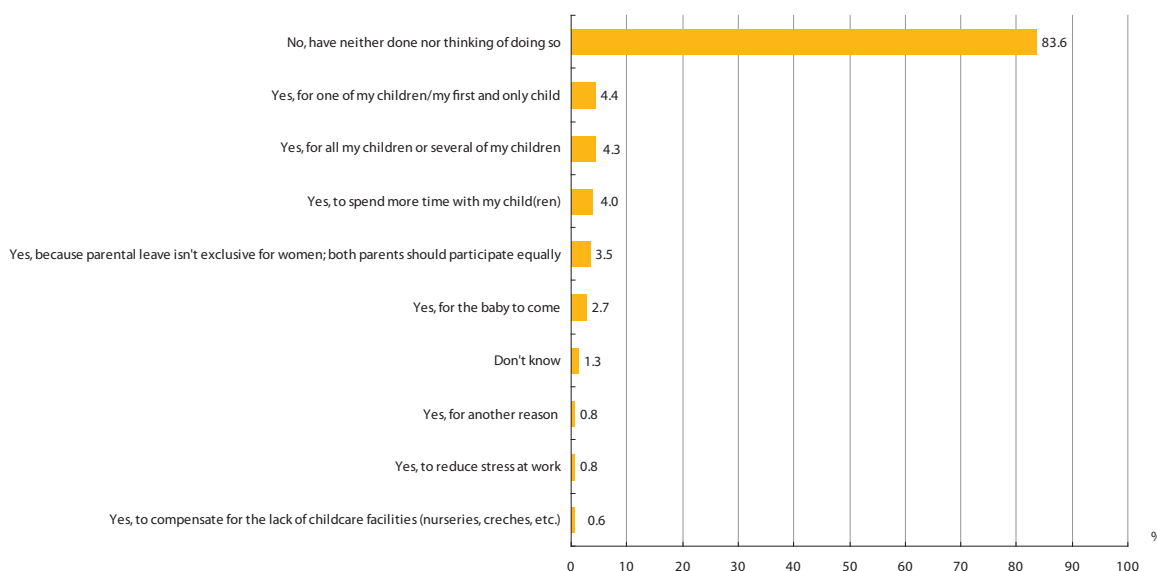
The fact that parental leave exists does not seem to be that obvious, especially not for men. A Eurobarometer survey conducted in 2003 revealed that at the EU-15 level, one quarter (25.2%) of the polled men, limited to those who already had one or more children or whose wife/partner was expecting a baby, was not aware that such an arrangement existed. Whereas the awareness of the possibility of a parental leave was very widespread in countries such as Sweden (97%), Luxembourg (94%) and Denmark (93%), only 57% of the men in Ireland and Portugal and 45% of those in Greece declared to know that this was possible.

Restricted to the same group of men (i.e. with one or more children, or wife/partner expecting a baby) the survey

furthermore revealed that at the EU-15 level, 84% did not take or did not even consider taking a parental leave. Percentages were highest in Spain and Ireland (both countries at 95%). Conversely, parental leave was most often taken in Scandinavian countries, explained by the fairly generous arrangements: in Denmark and Finland 30% and 33% of the fathers respectively indeed took a parental leave. Sweden excels here with 67% of the men taking advantage of this arrangement.

It should also be noted that percentages may total more than 100% because of the rounding up of figures or where questions allow for more than one response.

Figure 5.4: Incidence and reasons of men taking up parental leave, EU-15 (%)



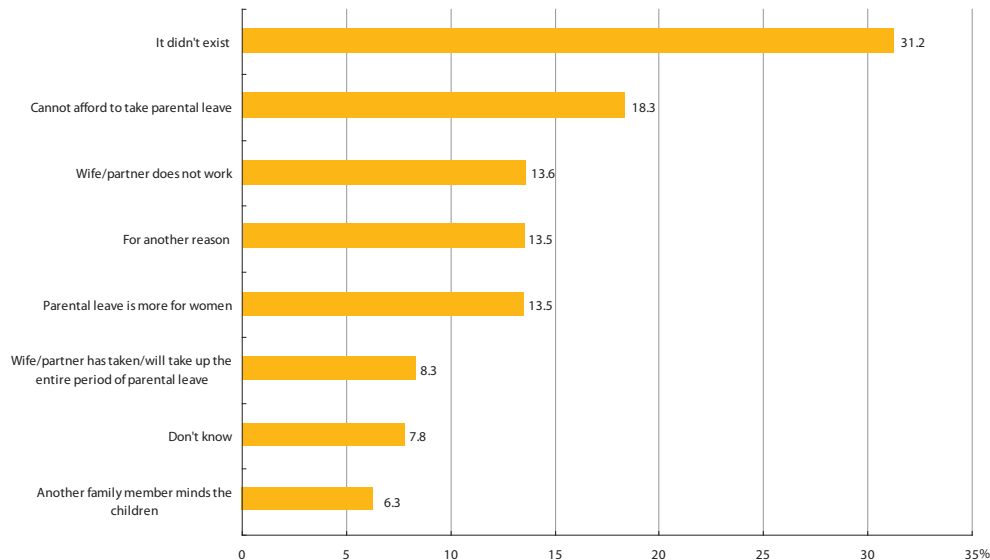
Note: "Did you take, or are you thinking of taking up parental leave?" – Question only asked to men (over 18 years of age and not retired) with one child or more or wife/partner expecting a baby).

Source: Eurobarometer Survey 59.1, 2004.

When asked for the main reasons for not taking up parental leave, 31% of the men questioned at the EU-15 level responded that “it didn’t exist” (with percentages as high as approximately 50% in Belgium, France, the Netherlands and Sweden). 18% mentioned that they couldn’t afford to take a

parental leave. Parental leave is considered a ‘women’s thing’ especially in Austria (37%) and Germany (25%), contrasting sharply against the attitudes in Sweden, where only 1% of the questioned men said so (EU-15 average: 14%).

Figure 5.5: Reasons for men not having taken or not thinking of taking parental leave, EU-15 (%)



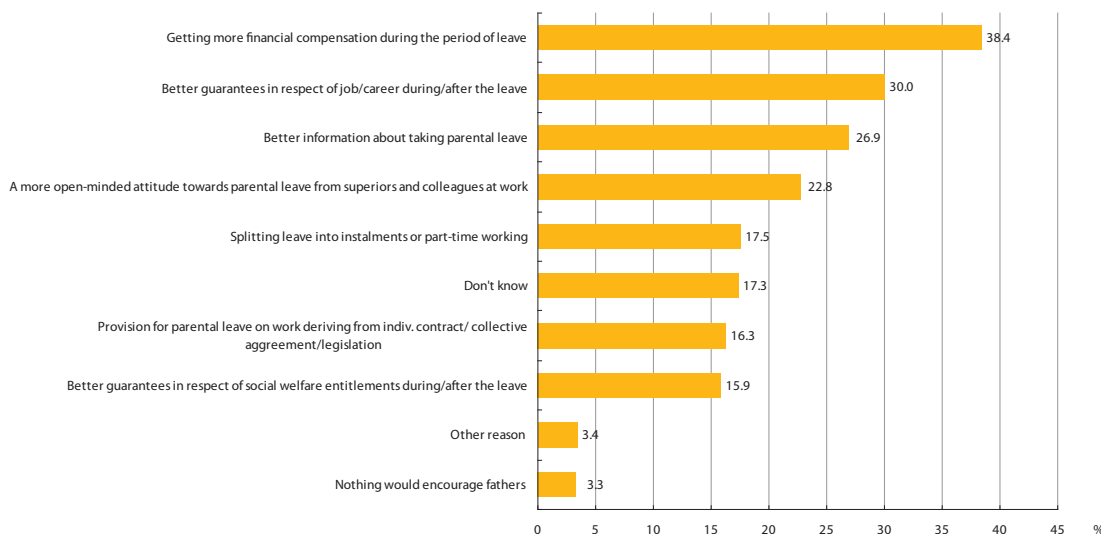
Note: “Which are the main reasons for you not taking nor thinking to take up parental leave?” Question only asked to men (over 18 years of age and not retired) with one child or more or wife/partner expecting a baby).

Source: Eurobarometer Survey 59.1, 2004.

“Getting more financial compensation during the period of leave” is definitely the main reason for encouraging fathers to take parental leave. This was mentioned by 38% of all men polled at the EU-15 level, with percentages as high as 60% in Sweden and the United Kingdom. The fear of undergoing negative job/career effects during a parental leave was an issue

for 30% of the men with relatively little variations across the individual countries. More striking is the lack of information: indeed, 27% of the men polled would feel encouraged to take parental leave if better information would be supplied. The information deficit appeared especially high in Greece (40% of the respondents) and the United Kingdom (37%).

Figure 5.6: Factors encouraging fathers to take parental leave, EU-15 (%)



Note: “What do you think are the main reasons that would encourage fathers to take parental leave?” - Question only asked to men over 18 years of age and not retired.

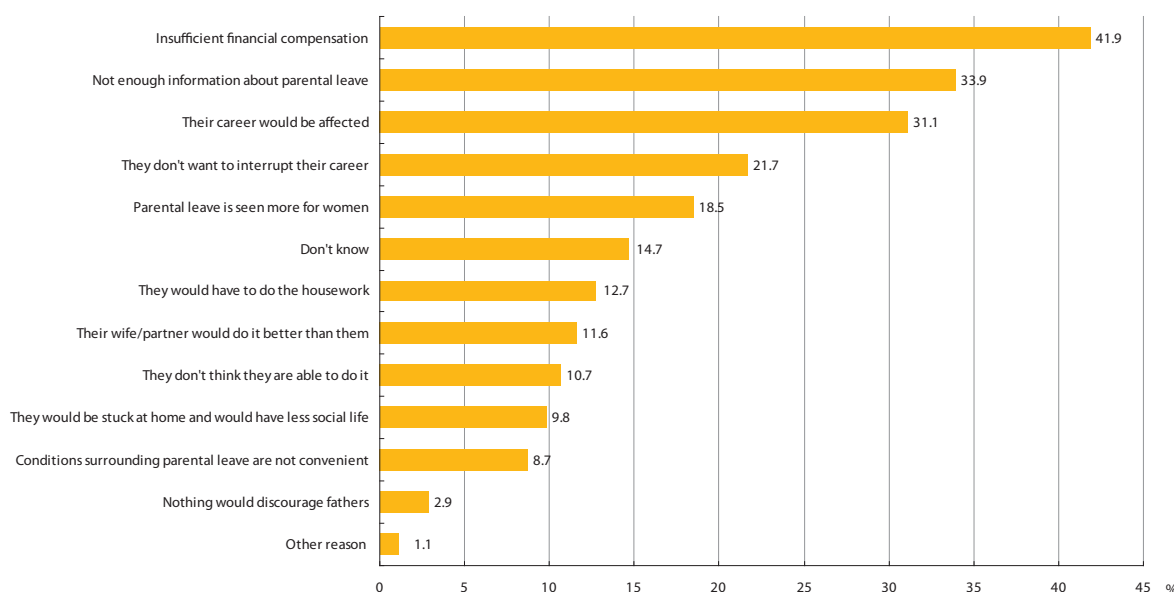
Source: Eurobarometer Survey 59.1, 2004.

Turning the question around and asking what is likely to discourage fathers to take parental leave generates broadly the same pattern, with however a number of clearer attitudes appearing. “Insufficient financial compensation” is mentioned by 42% of the EU-15 respondents, 31% think their career would be affected and 22% wouldn’t want to interrupt theirs (ranging from 7% in Portugal to 46% in Denmark). Being

stuck at home with a lack of social life or fears not to be able to assume responsibilities is less of a concern for fathers.

Again, “not enough information about parental leave” comes as the second most often mentioned element with 34%. In Greece, Italy, Portugal and the United Kingdom the information deficit appears to be highest (mentioned by between 40 and 50% of the respondents).

Figure 5.7: Main reasons discouraging fathers from taking parental leave, EU-15 (%)



Note: “And what do you think are the main reasons that would discourage fathers to take parental leave?” - Question only asked to men over 18 years of age and not retired.

Source: Eurobarometer Survey 59.1, 2004.

Multiple evidence exists that almost all eligible mothers make use of their right to parental leave in all countries (De Henau et al. 2007, Plantenga and Remery 2005). The question is rather that of the acute gender balance in take-up rates. If not entirely absent, men usually form at best a small minority among parental leave takers⁽⁶⁾.

The proportion of eligible fathers who actually take parental leave is very low in Germany, France, and Austria. In these countries, traditional family norms are still extremely binding and parental leave continues to be a woman’s affair. Fathers’ low take-up rate might also be explained by the length of the transferable period that makes it possible for mothers to take almost three years of leave so that families do not really rely on fathers.

In Austria, parental leave for fathers was introduced in 1990.

The percentage of fathers taking up parental leave was always very low but since the introduction of the childcare benefit in 2002 the percentage of fathers taking childcare benefit has slightly risen (to 3.47 per cent in 2006).

The German childrearing benefit (Elterngeld) was introduced only very recently (January 2007) so that no sufficient data are available yet as to its impact in terms of take-up of parental leave. First reports indicate however that take-up of parental leave by fathers is higher than expected, and acceptance by employers is increasing⁽⁷⁾.

In France, the small number of fathers who take APE (allocation parental d’éducation) are mostly blue-collar workers or employees with a stable job beforehand and likely to have partners with a higher level of education, a higher status job and higher earnings (De Henau et al. 2007, Moss and Wall 2007).

⁽⁶⁾ Information regarding take-up of parental leave in the remainder of this section is taken from Moss and Wall (2007) except when indicated otherwise.

⁽⁷⁾ Bundesministerium für Familie, Senioren, Frauen und Jugend (2008): Elterngeldbericht – Bericht über die Auswirkungen des Bundeselterngeld- und Elternzeitgesetzes sowie über die gegebenenfalls notwendige Weiterentwicklung. Available through: <http://www.bmfsfj.de/bmfsfj/generator/RedaktionBMFSFJ/Abteilung2/Pdf-Anlagen/elterngeldbericht-2008,property=pdf,bereich=,sprache=de,rwb=true.pdf>



In Greece and Spain, only very few fathers use their right to parental leave. In Portugal, take-up is relatively low even amongst mothers given that leave is unpaid (except for the 15 “daddy days”). In Italy, although leave is short and conceived as an individual right, the fact that replacement income is granted to the family and remains low (30 per cent) probably explains why only few entitled fathers take at least part of their leave.

In most of the countries that recently joined the EU, only few fathers took advantage of the parental benefits offered, be it because of its recent introduction, the low benefit level or because fathers taking over more family responsibilities are not yet an established role model.

In Denmark and Sweden, more men take at least part of their parental leave than in the countries presented above. In Denmark, fathers make up around 16 per cent of leave takers since 2002 but the time taken is far shorter (5.7 weeks in 2004) than that taken by women (22.6 weeks) (De Henau et al. 2007).

There is more gender balance in take-up rates in Sweden but the actual length of leave taken by fathers (28 days) as compared with mothers (109 days on average) reveals huge disparities. (De Henau et al. 2007, Moss and Wall 2007).

In Finland, new arrangements have tripled the number of male leave-takers (from 1 700 men in 2002 to 5 700 in 2005). But at the same time, the average length of the leave taken by fathers has fallen (from 64 working days in 2002 to 37 in 2003 and only 29 in 2005).

Take-up of parental leave is on average lower in the Netherlands, Ireland, and the UK than in the Nordic countries, even for mothers. Disincentives may be the absence of a legal framework for wage compensation and job protection as well as the discretionary power of employers in the organisation of parental leave. In the Netherlands, only 44% of entitled mothers actually made use of their right to parental leave in 2005 compared with 19% of entitled fathers. In the UK, parental leave is not used widely, at least in the first 17 months of a child's life; and if used, it is only taken for short periods. In 2005, 11% of mothers and 8% of fathers had taken some parental leave since the end of maternity leave. Two-thirds of mothers and three quarters of fathers had taken a week or less. In Ireland, a 2001 survey showed that of the 6.74

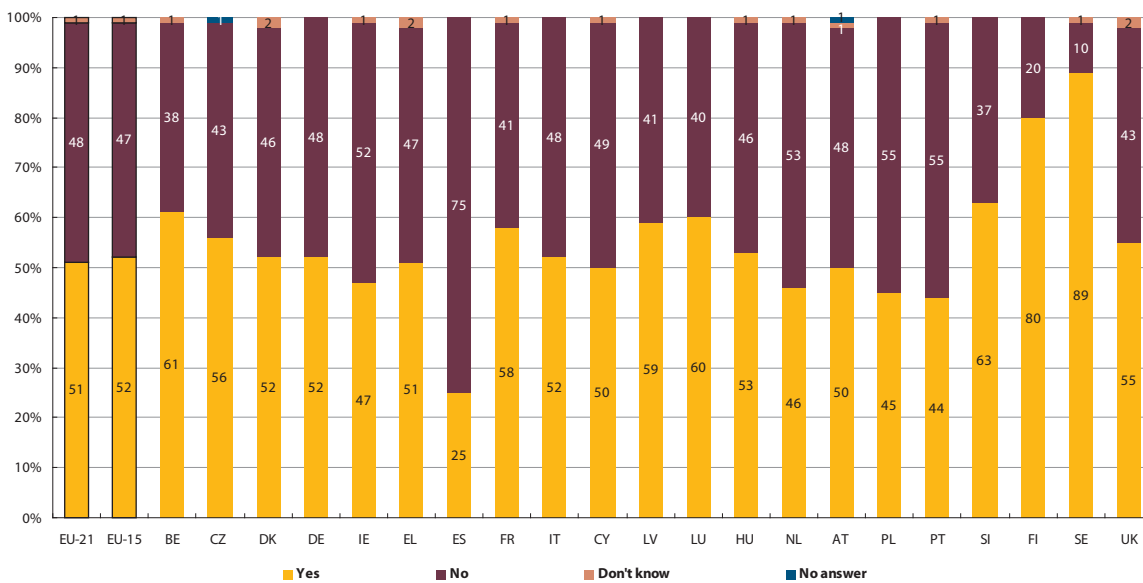
per cent of the work force eligible, 20 per cent used parental leave of which 84 per cent were women (De Henau et al. 2007, Moss and Wall 2007).

In 2002, fathers' share among leave beneficiaries accounted for 19% of the total in Luxembourg (De Henau et al. 2007). An equal share of male users takes leave on a part-time and on a full-time basis while 63% of women take a full-time leave. (De Henau et al. 2007). Men's preference for part-time leave is very pronounced in Belgium where more flexible part-time arrangements are available: 82% took leave for one-fifth of working time in 2004 (compared with 58% of women). Only 15% of all users opted for a full-time leave. In Luxembourg the slightly stronger implication of fathers might be explained by the quite generous level of wage replacement compared with Belgium or other countries.

From the above it becomes clear that the effect of the different types of father incentives is rather small. In fact, the most decisive feature seems to be the level of replacement income as it was also put forward by the Eurobarometer results presented earlier in this section. Besides an earnings-related payment, it appears more attractive to men to have leave that is granted as an individual right, that is not transferable between partners, and that offers parents considerable flexibility in terms of working time reduction.

Finally, it is interesting to take a look at the take-up of parental leave from the point of view of enterprises. The reasoning behind this question is that in certain types of establishments, the general attitude towards men taking parental leave may be more favourable than in other establishments, and might therefore influence the take-up of parental leave by fathers (see the example of Norway above). The Establishment Survey on Working Time and Working Life Balance (ESWT), carried out in 2003/2004 on the initiative of the European Foundation for the Improvement of Living and Working Conditions, revealed that on average (21 European countries), 30% of the establishments with recent experience of parental leave reported that one or more male employees were among those who took parental leave. Nonetheless, the variation across the countries is large, ranging from values as low as 1% or 2% (Cyprus and the Czech Republic respectively) to 69% of the establishments in Sweden. In Slovenia, a percentage close to that of Sweden was reported (66%).

Figure 5.8: Establishments with male employees taking parental leave (%)



Note: Parental leave taken in the past three years.

Source: ESWT - Establishment Survey on Working Time and Working Life Balance 2003-2004.

5.3.5 Mothers' work resumption

When parental leave compensation is flat-rate, it is expected to be more attractive to low-qualified women because of the lower wage level (compared with their partners) they can expect on the labour market. In France, the parental leave system has been shown to have had a negative effect on labour market participation of mothers of two children, especially those who are unskilled, for whom it is likely to be more difficult to resume work after parental leave has ended (Battagliola 1998, Afsa 1999, Piketty 2003).

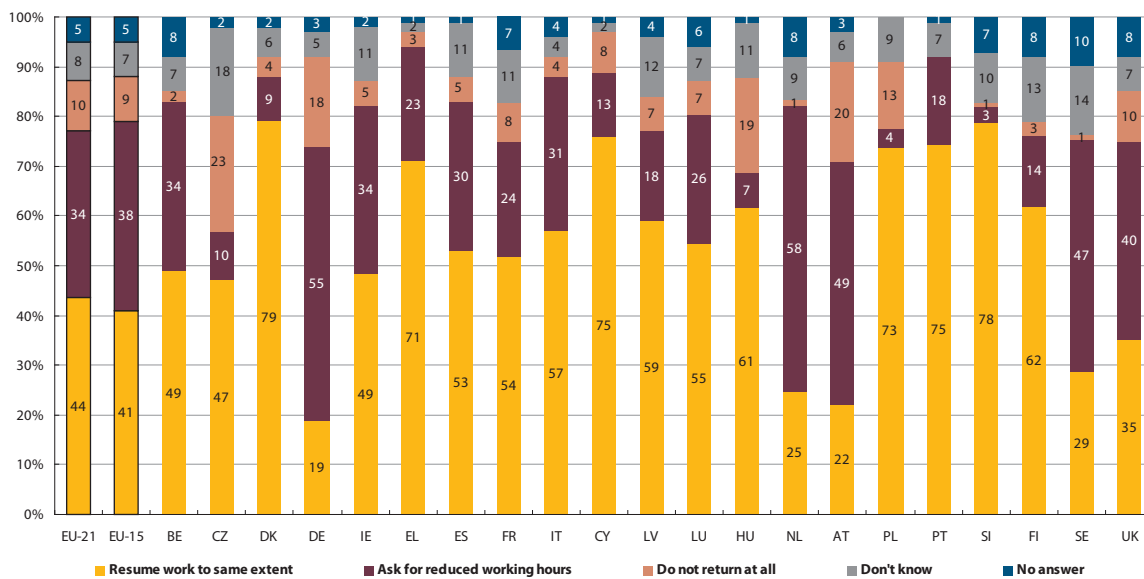
Job protection obviously plays an important role. For example, in Spain, 11% of mothers having used parental leave and 25% of fathers do not return to the same company (Moss and Wall 2007).

In the Nordic countries, work resumption following leave seems much easier. Swedish women are backed up by a wide range of policy initiatives facilitating labour market participation. As a result, they tend not to withdraw completely from the labour market but rather to reduce their working time. The problem is that working part-time still

results in poor career prospects in terms of wage and responsibilities which reinforce the so-called glass ceiling effect (defined as a subtle and informal barrier that does not allow capable professionals to go beyond a certain level despite possessing sufficient skills to merit rising to the top of the hierarchy) (Albrecht et al. 2003, Périvier 2004).

In the earlier mentioned Establishment Survey on Working Time and Working Life Balance (ESWT) carried out in 2004/2005, 44% of the managers from establishments with employees on parental leave stated that the majority of their female employees resumed work afterwards, working the same number of hours as before. A further 34% of the enterprises stated that the majority of the mothers asked for reduced working hours (from full-time to part-time, or a further reduction when already working part-time). Only a relative minority (10%) reported that the majority of mothers did not resume work. But again, considerable differences exist between the countries in relation to a "typical behaviour", as illustrated in Figure 5.9.

Figure 5.9: Women returning to work after parental leave (%)



Notes: Action taken by the majority of the women, as reported by enterprises' management - Base: Establishments with female employees on parental leave in the past three years (management interviews).

Source: ESWT Establishment Survey on Working Time and Working Life Balance 2003-2004.

The most frequently observed type of behaviour is the resumption of work with the same number of hours as before, followed by the wish to reduce the number of hours worked. In 13 out of the 21 countries surveyed, (Belgium, Denmark, Greece, Spain, France, Ireland, Italy, Cyprus, Latvia, Luxembourg, Portugal, Slovenia, and Finland), the managers' answers conformed to this type of pattern. In Germany, the Netherlands, Austria, Sweden and the UK, the most frequently observed type of behaviour is working at reduced hours, followed by resumption of work as prior to the parental leave. Especially Germany and Austria, countries that might be considered having a "conservative welfare regime", show a very pronounced concentration of answers in relation to the resumption of work at reduced hours.

Finally, in a third group of countries, the Czech Republic, Hungary, and Poland, resuming work to the same extent as prior to parental leave is also mentioned most often, but it is followed by a total exit of mothers from the company (and presumably often from the labour market as a whole). Working reduced hours is least common for these latter three countries, all central European new Member States. This fact might be linked to a historical legacy, where full-time employment was most common for both women and men and state-run childcare facilities were widely available.

Working flexibilities



Working flexibilities

This chapter focuses on working time arrangements offered to employed persons aged 25 to 49, designed to allow a better reconciliation of work and family life. It starts with a section outlining different forms of flexible work schemes, the reasons for working as such and finally their incidence on both employers and employees. It is followed by a section focusing on the average length of working time. Also, an overview of the prevalence of part-time work at Member State level and among the various sectors of the economy will be given. Finally, figures are shown on how the choice of working patterns of single- and couple-households is influenced by the presence of children.

Having children at home not only has an impact on the average length of working time, but may also influence the choice of a particular type of work. Indeed, in order to reconcile work and private life, some parents may seek work

that must be performed during atypical hours (evening, night, weekends). Consequently, a section devoted to the impact of children in the prevalence of non-standard working hours has also been included.

Working time arrangements can generally take different forms. The following sections will analyse more in detail three such types of working arrangement, namely the ability to start or leave work earlier or later, the ability to take whole days off without using holidays or special leaves, and teleworking.

Finally, a closer look will be taken at the involvement of employers in flexible working-time arrangements. Their contribution is presumably large but remains difficult to quantify at the level of the individual, as most flexible working time arrangements are settled at enterprise level.



6.1 Working time flexibility: pros and cons

In today's around-the-clock economies, flexibility of working time is not new and is a broad term. It usually refers to working patterns that deviate from the 9 to 5 rhythm on an average weekday. Traditional forms of extending the working week were once regulated (such as working overtime, in the evening, at night, on weekends and during holidays), but have been eased by regulatory intervention or collective agreements. Their incidence is further influenced by structural differences (and notably the relative importance of the services sector) and varies considerably between European countries.

Despite national discrepancies with regard to labour market institutions and performance, national policy choices tend to converge in two areas: the organisation of working time and the liberalisation of employment contracts. Considering the former, which is this section's main area of interest, government actions and/or collective agreements have primarily aimed to introduce flexibility into working time arrangements in order to better respond to business needs and employee demands. Businesses are mostly interested in adapting working hours to variations in workload, whilst employee demands are associated with the wish for an improved work–life balance.

A major factor in the definition of working time arrangements is the status of the jobholder as employee or self-employed. For employees, working time arrangements can generally take the following forms:

- Part-time work;
- Reduced hours, which allow people to trade income for time off;
- Term-time contracts, which allows employees to remain on a permanent contract as either full- or part-time employees, but gives them the right to unpaid leave during school holidays;
- Compressed working week, where weekly hours are compressed into fewer days than normal, for example a 4-day week, giving employees longer weekends;
- Flexitime, which allows employees to vary their working hours within specified limits (core hours) from day to day;
- Shift swapping, which allows employees to rearrange shifts among themselves to suit their needs; or self-rostering,

where employees schedule their own working day to meet the requirements of service delivery or production (often as a team with a mix of skills, accommodating individual preferences as much as possible);

- Staggered hours, where employees have different start, finish and break times (often in large workplaces to cover longer working days).

Such flexible working arrangements, when implemented effectively can provide tangible benefits to both employers and employees, in particular it can help to increase the labour market participation of women.

- From the employer's perspective, flexible working arrangements can help by facilitating the retention and attraction of staff, a factor which is of growing importance in an era of reduced labour supply and increasing demand by employees for arrangements to improve their work–private life balance. More innovative forms of flexible working arrangements can also increase productivity and reduce operating costs. Additionally, the provision of such arrangements can enhance an organisation's image as a 'good employer'.
- From the employee's perspective, flexible working arrangements are desirable, and in many cases essential, as a means of reconciling work and caring responsibilities. Their importance in this context is particularly significant in the light of other growing trends, including increasing commuting times and rising housing and childcare costs. It helps women to gain access to and remain in paid work, allowing them to obtain work experience and promotion possibilities similar to other workers. Furthermore, it allows men to have more time for family, including care-related activities. And finally, it promotes the general well-being of workers.

The Establishment Survey on Working-Time and Work-Life Balance (ESWT) analyses the incidence and specifications of various working-time arrangements at establishment level, the reasons for their implementation and their repercussions on the employees, especially on their work–private life balance.



The Establishment Survey on Working-Time and Work-Life Balance (ESWT)

The Establishment Survey on Working-Time and Work-Life Balance (ESWT) covers 21 Member States (EU-15 in 2004 and six of the ten new Member States in 2005: the Czech Republic, Cyprus, Hungary, Latvia, Poland and Slovenia). It was conducted in over 21 thousand establishments with 10 or more employees (sampling 350 – 1500 establishments per country), covering both private and public establishments from virtually all sectors of economic activity, with the exception of 'agriculture', 'forestry', 'private households' and 'extraterritorial organisations'. Personnel managers and, where available, employee representatives were interviewed about working time arrangements and work-life balance in their workplaces.

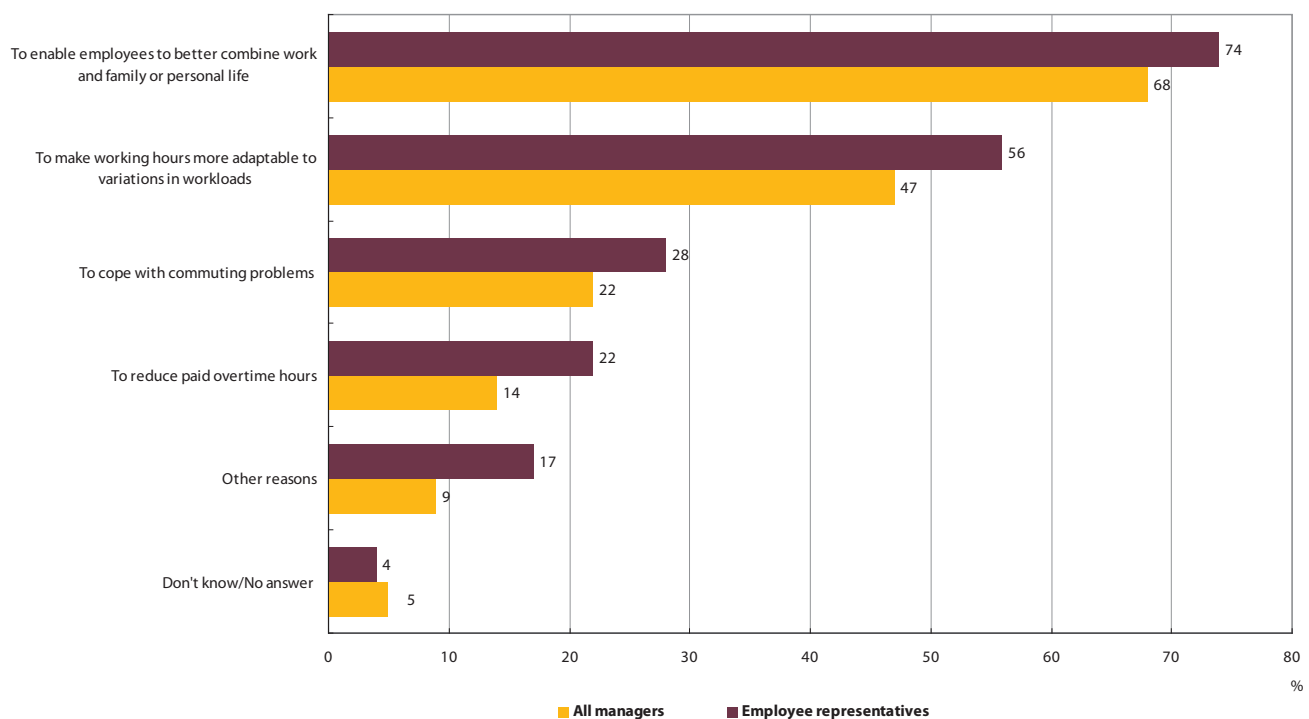
For more details see: <http://www.eurofound.europa.eu/areas/worklifebalance/eswt.htm>.

In the framework of the ESWT, both managers and employee representatives were asked the reasons for the introduction of flexible working-time arrangements. Remarkably, the rankings of the reasons largely coincide (see Figure 6.1). The

first reason evoked by both personnel managers and employee representatives is to enable employees to better combine work and family life. The second reason is to better adapt working hours to the variations in the workload.

Figure 6.1: Reasons for introducing flexible working times (%)

Surveyed companies with employee representation, offering flexible working time arrangements (multiple answers possible)



Note: The structure of establishments with employee representation differs significantly from the structure of all the establishments surveyed.

Source: ESWT, 2004–2005



Introducing such opportunities gives a positive image of the company, both externally and internally. Indeed, enterprises operating flexible working hours reported a reduction in tardiness and absenteeism and consequently an increase in productivity, an improvement in the retention of skilled women at work after childbirth, the possibility of recruiting people who could not work within standard working hours and increased employee motivation.

Nevertheless, flexible working time arrangements can also have drawbacks for employers, such as:

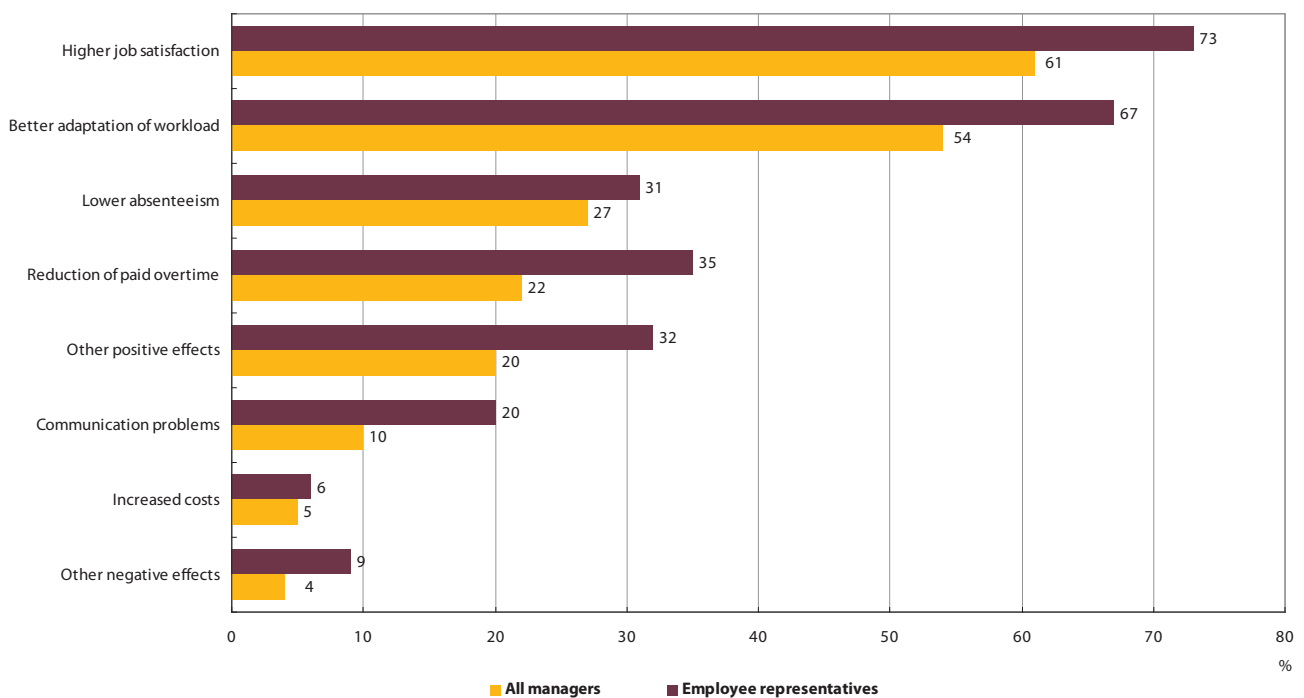
- loss of direct supervision over working hours with some types of measures (e.g. flexitime, time banking);
- the increase in working hour flexibility might be

- accompanied by a greater complexity in scheduling work;
- increased organisational expenditures may occur in some cases (e.g. job-sharing);
- communication problems.

As regards the perceived effects of introducing flexible working-time arrangements (see Figure 6.2), both managers and employee representatives most frequently reported higher job satisfaction following the introduction of flexible working time, followed by a better adaptation of working hours to the workload. In both groups only a minority of respondents reported negative effects.

Figure 6.2: Effects of introducing flexible working time (%)

Surveyed companies with employee representation, offering flexible working time arrangements (multiple answers possible)



Note: The structure of establishments with employee representation differs significantly from the structure of all the establishments surveyed.

Source: ESWT, 2004–2005

6.2 Working hours

6.2.1 Average length of working time

Before broaching the subject of flexible working arrangements, the following paragraphs give an overview on the average length of working time with an emphasis on part-time work, which is considered to be a type of flexibility. Finally, an analysis of children's impact on the length of working time will also be presented.

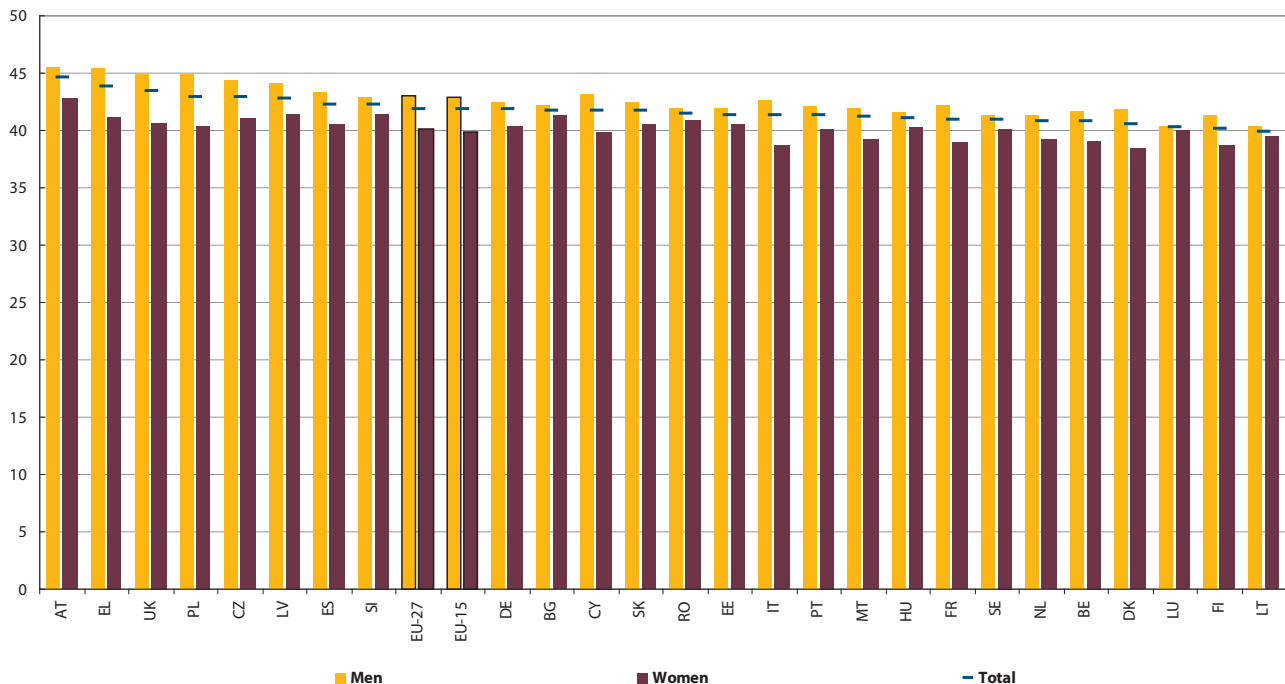
The European Labour Force Survey reveals that the average working week in a full-time job in 2006, irrespective of gender, lasted 41.9 hours at EU-27 level (see Figure 6.3). The longest average was registered in Austria (44.6 hours) and shortest in Lithuania (39.9 hours). The disparity between Member States was not very large. For men, the average working week at EU-27 level lasted 43.0 hours (ranging from 45.6 hours in Austria to 40.4 hours in Luxembourg and Lithuania), while that of women was 40.1 hours (ranging from 42.7 hours in Austria to 38.4 hours in Denmark). The gender

gap was considerable in Poland, the United Kingdom and Greece (more than 4 hours' difference), whereas it was only marginal in Lithuania, Bulgaria and Luxembourg (less than 1 hour).

The average duration of part-time work at EU-27 level amounted to 21.3 hours a week. The gender gap was quite narrow at EU-level, with men working on average 21.9 hours a week, against 21.2 hours for women. Irrespective of gender, the weekly duration of part-time work was the longest in Romania and Sweden and the shortest in Spain and Germany. The gender gap in the number of working hours of employees working part-time was particularly high in the Netherlands and Romania, where men working part-time tended to work 4 to 5 hours longer than their female counterparts, and in Sweden and Denmark where the opposite was true.

Figure 6.3.a: Average weekly number of hours usually worked in full-time employment, by gender, 2006

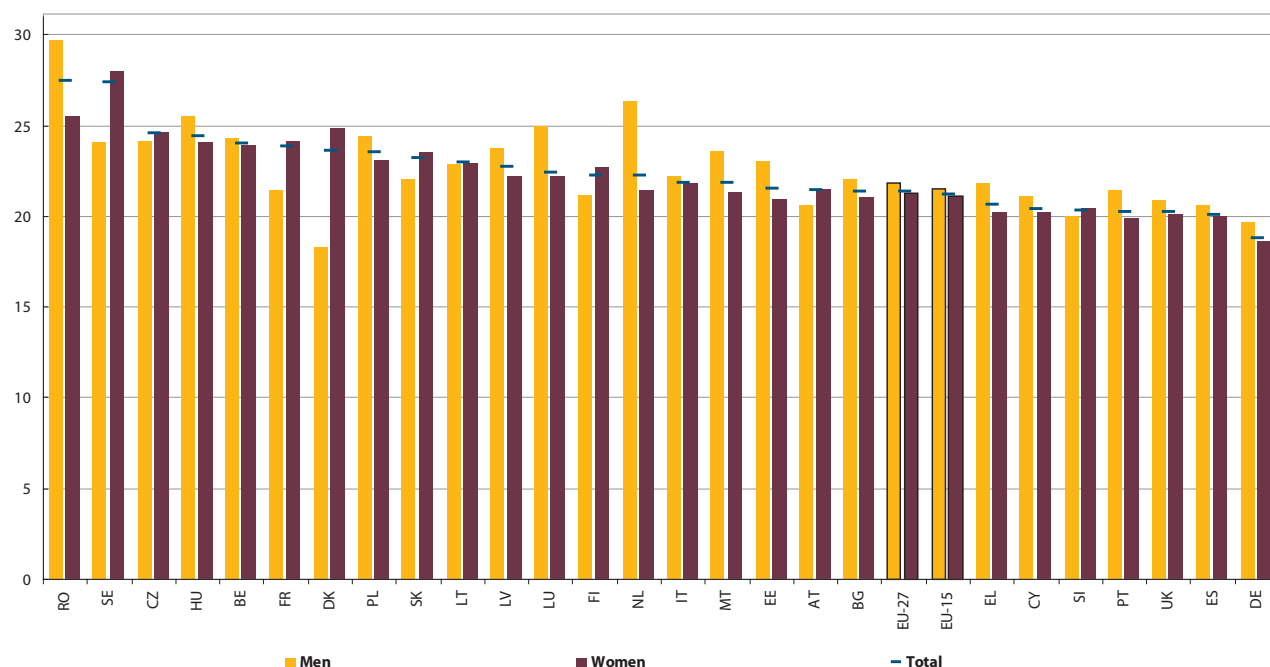
Hours worked in the main job, for the age group 25-49



Note: IE not available.

Source: Eurostat, LFS.

Figure 6.3.b: Average weekly number of hours usually worked in part-time employment, by gender, 2006
Hours worked in the main job, for the age group 25-49



Note: IE not available.

Source: Eurostat, LFS.

6.2.2 Prevalence of part-time work

As outlined in Chapter 2, there has been an increase in the availability of part-time employment in recent years, a development essentially driven by an increasing number of women on the labour market and the possibility for a more flexible organisation of work.

While the propensity to be employed part-time differs from one Member State to another, it clearly appears that this situation concerns mostly women. Considering employees aged 25–49 in part-time work as a share of all employees of the same age, three groups of countries can be identified⁽¹⁾:

- Member States where less than 10% of the total number of employees have a part-time job: Slovenia, Slovakia, Finland, Poland, Portugal, Romania, Lithuania, Hungary, Malta, Bulgaria, the Czech Republic, Estonia, Greece, Spain, Cyprus and Latvia;
- Member States with between 10% and 20% of part-time workers: France, Italy, Luxembourg, Denmark, Sweden and the United Kingdom;
- Member States where more than 20% of all employees work part-time: Belgium, Germany, the Netherlands and Austria.

Certain branches of the economy are more prone to offer part-time employment than others. Table 6.1 presents for each country the five sectors of the economy (excluding private households) accounting for the highest shares of part-time employment. The information does however not reveal the relative importance of each sector in the country concerned.

One could expect the services sector to predominate due not only to its increasing importance in the national economies, but also due to the relative facility with which this option can be granted. Indeed, 'blue collar' occupations tend to offer less flexible working schedules due to specific requirements in the work organisation. This is largely confirmed as 'Health and social work', 'Other community, social and personal service', 'Education' appear most often in the Top-5 sectors offering part-time job opportunities.

In many new Member States, part-time employment in agriculture is most common, whereas this sector only accounted for minor shares in old Member States, where it is dominated by 'self-employment'.

⁽¹⁾ Part-time work refers to the main job and is based on self declaration, i.e. according to the spontaneous answer given by the respondents. See also Figure 2.3 in Chapter 2.

Table 6.1: Sectors where part-time jobs are most common, 2006*Part-time jobs as a proportion of total jobs, age group 25–49.*

	first	second	third	fourth	fifth
BE	Health and social work 35.7%	Education 34.3%	Financial intermediation 30.4%	Public administration 29.9%	Real estate, renting and business activities 29.8%
BG	Other community, social and personal service 16.7%	Wholesale and retail trade 13.7%	Education 13.1%	Public administration 8.9%	Agriculture 8.5%
CZ	Education 24.0%	Manufacturing 23.9%	Wholesale and retail trade 23.3%	Real estate, renting and business activities 21.4%	Other community, social and personal service 21.3%
DK	Health and social work 35.6%	Hotels and restaurants 29.2%	Other community, social and personal service 23.1%	Education 19.3%	Real estate, renting and business activities 15.7%
DE	Health and social work 32.0%	Education 28.9%	Other community, social and personal service 28.6%	Transport, storage and communication 28.0%	Public administration 27.9%
EE	Education 18.9%	Fishing 14.4%	Other community, social and personal service 13.9%	Health and social work 12.7%	Real estate, renting and business activities 12.3%
EL	Education 20.9%	Agriculture 20.3%	Wholesale and retail trade 19.7%	Other community, social and personal service 17.2%	Hotels and restaurants 16.6%
ES	Real estate, renting and business activities 25.6%	Wholesale and retail trade 24.1%	Health and social work 23.7%	Education 22.6%	Other community, social and personal service 20.8%
FR	Health and social work 32.5%	Education 27.6%	Other community, social and personal service 27.4%	Public administration 26.9%	Hotels and restaurants 26.4%
IT	Other community, social and personal service 31.3%	Public administration 31.0%	Health and social work 30.8%	Real estate, renting and business activities 30.4%	Hotels and restaurants 28.7%
CY	Real estate, renting and business activities 18.1%	Other community, social and personal service 17.0%	Wholesale and retail trade 16.9%	Education 16.6%	Fishing 16.1%
LV	Agriculture 19.6%	Wholesale and retail trade 13.0%	Other community, social and personal service 12.3%	Health and social work 9.8%	Manufacturing 9.6%
LT	Agriculture 29.9%	Education 24.2%	Wholesale and retail trade 17.6%	Transport, storage and communication 15.4%	Health and social work 13.3%
LU	Health and social work 31.1%	Other community, social and personal service 28.2%	Real estate, renting and business activities 27.8%	Financial intermediation 26.6%	Education 25.1%
HU	Public administration 25.4%	Hotels and restaurants 22.7%	Other community, social and personal service 20.7%	Wholesale and retail trade 20.4%	Manufacturing 19.8%
MT	Health and social work 22.1%	Manufacturing 21.1%	Education 20.1%	Wholesale and retail trade 19.7%	Hotels and restaurants 19.2%
NL	Health and social work 42.7%	Financial intermediation 40.4%	Education 38.2%	Public administration 37.7%	Manufacturing 34.8%
AT	Health and social work 30.6%	Real estate, renting and business activities 29.6%	Wholesale and retail trade 29.2%	Construction 28.6%	Education 26.8%
PL	Agriculture 24.7%	Real estate, renting and business activities 23.4%	Education 22.9%	Wholesale and retail trade 22.7%	Other community, social and personal service 22.2%
PT	Agriculture 21.8%	Real estate, renting and business activities 20.1%	Wholesale and retail trade 18.3%	Education 17.7%	Manufacturing 17.0%
RO	Agriculture 29.1%	Wholesale and retail trade 20.1%	Real estate, renting and business activities 16.0%	Construction 13.7%	Education 13.5%
SI	Hotels and restaurants 16.4%	Wholesale and retail trade 15.7%	Education 15.1%	Other community, social and personal service 15.1%	Agriculture 14.4%
SK	Education 19.4%	Health and social work 12.3%	Wholesale and retail trade 12.0%	Other community, social and personal service 11.6%	Public administration 10.3%
FI	Health and social work 23.0%	Wholesale and retail trade 21.9%	Hotels and restaurants 21.5%	Education 20.9%	Other community social and personal service 20.0%
SE	Health and social work 44.6%	Education 30.6%	Other community, social and personal service 26.8%	Hotels and restaurants 21.8%	Wholesale and retail trade 19.8%
UK	Health and social work 30.5%	Wholesale and retail trade 29.3%	Transport, storage and communication 29.0%	Hotels and restaurants 28.8%	Education 28.2%

Notes: IE, data not available.

Analysis based on the level 1 of the classification NACE Rev 1.1.

Source: Eurostat, LFS.

6.2.3 Children's impact on the length of working time

Differences in working times between men and women are not surprising, since women continue to be responsible for the larger part of domestic and family work and, for this reason, tend to devote less time to paid work than men. It appears that men with children choose to work more while women often reduce their working time or vary the number of hours worked per week, in order to be more available for caring responsibilities. Also, men are often pushed to work more as the presence of children will raise the cost of living of a household and the partner is no longer (or less) available to generate a (full) second income.

The following tables provide information on the average number of usual weekly working hours according to the presence of children, and this according to the type of household: singles (one adult: man or woman) and couples (two adults married or not, living in the same household)⁽²⁾.

Single-parent households are likely to be those suffering the most from the imbalance between work and family life. One could therefore expect that compared to couples, the presence of children would have a greater negative impact on the number of weekly working hours. Furthermore, the majority of single parents are women.

At first sight, the data do not entirely confirm this statement (see Table 6.2). At European level (EU-27), single parents in full-time employment worked just under two hours less a week than singles without children; however, when employed part-time, single mothers and fathers worked on average half an hour more per week than their childless counterparts. No uniform pattern was identified at Member State level, but the figures tend to demonstrate that the presence of children generally has a deeper impact on single parents working part-time. In fact, in Spain, France, Hungary, Austria and Romania, singles with children worked two to three hours longer per week than singles without children, whereas they worked two to three hours less in Estonia, the Netherlands and Malta.

When focusing on couples (see Table 6.3), the EU-27 aggregate shows hardly any impact on the average weekly working time: indeed, differences brought about by the presence of children in the various employment patterns (both partners employed, only one partner employed, one partner employed full-time and the other part-time) are only

⁽²⁾ It should be noted that the number of hours usually worked for couples and other households should be considered as an average between both adults in the same household. Footnote should be repeated in the respective tables.

Table 6.2: Average number of hours usually worked per week in single-person and single-parent households, 2006

Hours worked in the main job, age group 25–49.

	Single without children		Single with children	
	Employed full-time	Employed part-time	Employed full-time	Employed part-time
EU-27	41.3	20.8	39.5	21.3
EU-15	41.3	20.9	39.3	21.2
BE	35.9	21.6	35.2	21.4
BG	41.4	13.9	41.0	15.1
CZ	43.5	24.3	41.5	24.9
DE	41.8	19.6	40.4	20.8
EE	40.4	23.0	41.4	20.0
EL	42.9	20.4	40.6	18.8
ES	40.8	19.0	40.3	21.2
FR	40.3	22.1	38.9	24.7
IT	40.5	20.8	38.2	22.5
CY	40.7	20.3	39.7	18.7
LV	40.8	19.6	42.2	20.8
LT	35.1	18.1	34.9	18.4
LU	38.6	23.0	39.0	24.6
HU	36.8	20.4	37.8	23.1
MT	40.3	20.9	39.9	18.8
NL	39.9	25.7	39.5	23.6
AT	43.7	20.6	42.1	23.1
PL	42.3	22.7	40.4	23.5
PT	41.0	18.9	39.6	20.4
RO	38.3	6.9	38.8	9.5
SI	43.6	18.4	41.1	18.9
SK	41.2	23.2	40.8	24.7
FI	39.6	20.9	38.3	22.6
UK	43.3	20.3	39.4	19.5

Notes: The analysis is based on a specific LFS database allowing household composition breakdowns. This database does not contain information on DK and SE. – No data available for IE.

Source: Eurostat, LFS.

very slight, the averages being lower when having children by less than half an hour. As for single parents, a different pattern is revealed at Member State level, although no prevalent trend clearly stood out. At first sight it seems that the employment pattern 'one adult working full-time and one working part-time' is most affected by the presence of children.

When both partners in a couple are employed full-time, the impact of children on the average working week never exceeded one hour (average weekly working time of every adult person present in the household). Notable exceptions included Italy, where the presence of children resulted in parents working 1.2 hours less, and the Netherlands, where child-rearing led to parents working 2.5 hours more a week than couples without children.

In households where one partner is employed full-time and the other is not employed, sizeable discrepancies were registered in Slovenia and Romania, where the average working time decreases by 2 hours in the presence of children. In Hungary couples with children worked on average 3 hours less, and in Estonia a difference of 4 hours was registered.

Table 6.3: Impact of children on the number of hours usually worked per week, in couples' households, 2006
Hours per person worked in the main job, age group 25-49

	Couple without children			Couple with children		
	Both employed full-time	One employed, one not employed	One full-time, one part-time	Both employed full-time	One employed, one not employed	One full-time, one part-time
EU-27	41.7	20.9	31.5	41.4	20.5	31.4
EU-15	41.7	20.7	31.5	41.2	20.3	31.3
BE	40.7	18.9	31.5	40.9	18.4	32.7
BG	41.5	21.2	33.1	41.7	20.2	35.1
CZ	42.8	23.8	32.1	42.7	22.7	34.9
DE	41.5	20.0	30.4	41.6	19.6	29.3
EE	40.9	26.2	29.6	41.2	22.1	32.2
EL	43.0	21.4	30.5	42.4	22.3	33.1
ES	42.1	21.1	31.3	41.4	20.6	31.6
FR	40.5	21.5	31.8	41.0	20.5	33.6
IT	41.1	20.4	31.7	39.9	20.1	32.0
CY	40.3	21.9	28.7	41.1	21.5	33.9
LV	42.3	19.5	30.8	42.6	20.7	33.3
LT	40.5	19.1	33.9	39.8	18.4	29.9
LU	40.2	20.1	32.9	40.5	20.2	31.3
HU	41.0	22.6	34.2	40.9	19.7	31.9
MT	39.8	20.2	31.7	40.3	20.4	31.2
NL	40.1	20.2	32.2	42.6	19.3	29.4
AT	43.9	22.8	32.7	44.4	21.6	32.7
PL	41.5	22.9	35.1	42.2	22.5	34.0
PT	41.0	21.1	31.0	41.1	20.8	31.4
RO	41.3	21.3	35.7	41.4	19.3	36.3
SI	41.3	24.1	30.5	42.1	22.2	31.7
SK	42.1	20.8	30.8	41.4	21.6	33.2
FI	39.9	14.5	28.8	40.2	13.0	30.6
UK	43.2	21.3	32.5	42.2	21.4	32.4

Notes: The analysis is based on a specific LFS database allowing household composition breakdowns. This database does not contain information on DK and SE. - No data available for IE.

Source: Eurostat, LFS.

As suggested above, children seem to have a significant impact on the average working time of couples where one partner is employed full-time and the other part-time. This can be noted when looking at the figures at country level; the EU data not differing significantly due to the compensation effects of Member States' values (countries with a higher number of hours are 'levelled out' by countries with lower number of hours) when proceeding to the EU-27 aggregation. In a majority of Member States, the presence of children results in longer weekly working hours, especially in Cyprus, Latvia and Slovakia. Conversely, in the presence of children

working time diminished in Germany, Luxembourg, Hungary, Malta, the Netherlands, Poland and especially Lithuania. In Austria and the United Kingdom, childrearing does not noticeably affect the average number of hours worked in a week.

Not only does the presence of children have an impact on the average amount of time parents spend at work, but it might also influence their choice of a particular type of work. Indeed, some parents may be required to work during atypical hours, a topic further detailed in the following section.

6.3 Non-standard working hours, atypical work

Preliminary remarks

A growing number of persons work during what has traditionally been regarded as 'family time'. Most often, working at such times cannot be considered as a type of 'flexibility'. Indeed, a person's control over working arrangements depends largely on the labour market and the bargaining position. Workers in white-collar jobs are more likely to report working arrangements which suit their career aspirations and/or family needs, whereas blue-collar workers are more likely to feel that there is no option but to work at atypical times, as there is no scope for negotiating in their workplace or finding a job with more suitable hours.

For some, working at atypical times—during evenings or nights, at weekends—can have some benefits; for example, it enables parents to spend more time with their children or have more time for themselves. It often reduces or eliminates the need for non-parental childcare, including the related practical difficulties and costs that can result from this. Conversely, some parents working atypical hours will not be able to participate as much as they would like in family activities and their children's lives. This applies especially to those where financial constraints and/or limited access to affordable childcare mean that 'shift parenting' is seen as the only viable option.

Conversely, working atypical hours often reduces opportunities to partake in collective activities, be it sports

and culture or political and other social activities. This particularly concerns people working at night, who cannot take part in such activities on a regular basis. Many complain about a lack of friends and feel shut out of society. Night workers often request to revert to a day job, even if this means earning less money. Few night workers imagine the social, family or medical consequences of night work before actually experiencing them⁽³⁾.

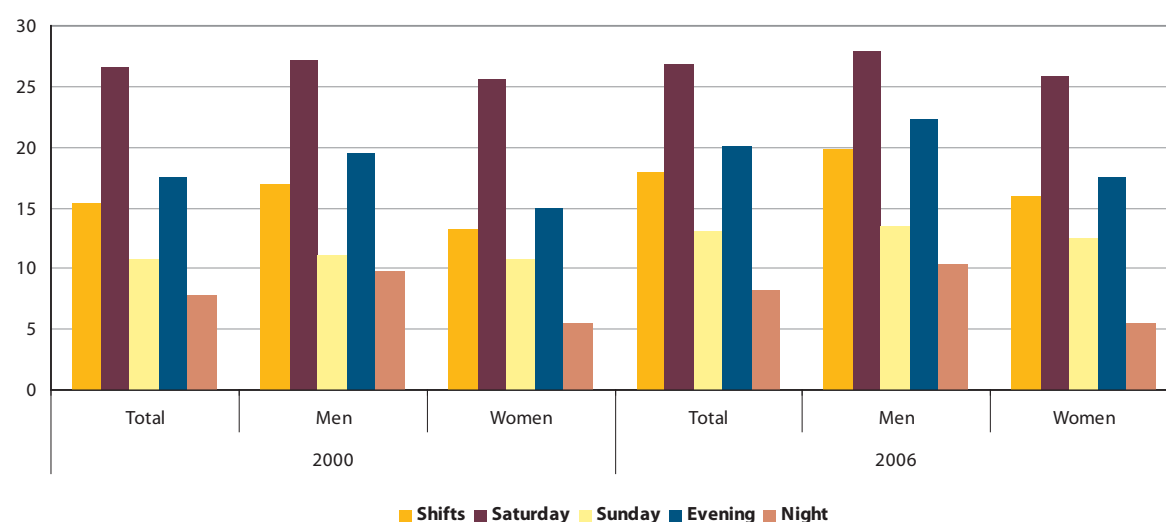
Figure 6.4 displays the prevalence of atypical work in Europe. The different categories of atypical work should be considered separately. Double counting can indeed occur as a person may work during the evening and at night or Saturday and Sunday. Working Saturdays is most common form of atypical work in Europe, accounting for as much as 27% of the surveyed population in 2006. With shares of around 8%, night work is far less frequent, and is often considered as the most unpopular of atypical working hours.

A tangible discrepancy was registered when comparing atypical work shares in 2000 and 2006: Sunday work increased from 10.8% (total) in 2000 to 13.1% in 2006. A similar evolution was noted for evening and shift work, whereas changes in Saturday and night work were only marginal. Men are usually more likely to work atypical hours than their counterparts, but the differences are substantial only with regard to evening and night work.

⁽³⁾ La Valle, I et al.(2002), Happy families? Atypical work and its influence on family life – Joseph Rowntree Foundation – www.jrf.org.uk

Figure 6.4: Atypical work in Europe, 2006 compared to 2000

As a percentage of the total employment in the age group 25-49, by gender (categories to be considered separately)



Source: Eurostat, LFS.

6.3.1 Shift work

Working shifts means having a regular work schedule during which an enterprise is operational or provides services beyond normal opening hours. Shift work involves different groups or crews of workers succeeding each other at the same work site to perform the same operations. It usually involves work early in the morning, at night or on weekends. The weekly rest days do not always coincide with normal rest days.

Many shift workers complain about not having enough time to spend with their husbands or wives. Studies have shown that shift work reduces the amount of time spent with the family and notably increases the risk of divorce; night work may also increase irritability⁽⁴⁾.

These workers often cannot adapt their working hours to their needs. On the other hand, as mentioned above, shift work can have the positive effect of reducing non-parental childcare.

The share of shift work in a country is influenced by the structure of its economy. Shift work is especially widespread in the manufacturing industry, driven by the need for efficiency in the use of machinery and equipment.

Nevertheless, it should be noted that there is also a 'mild' form of shift work that does not necessarily disrupt family life. This is for instance the case when work starts earlier in the morning or shifts end somewhat later in the evening, without however completely disrupting the parental function or encroaching on usual sleeping times.

Without going into the details of the fabric of national economies, fairly high proportions of shift work among 25–

49-year-olds were registered in central European Member States, especially in Slovenia, Poland, the Czech Republic and Slovakia (see Figure 6.5). This is likely to be linked to the relatively high share of employment in the manufacturing industry in these countries.

The highest shares of male shift workers with children were found in Hungary, where 37.1% of all male employees aged 24–49 work in shifts. This was followed by Romanian and Latvian men, with shares of 36.0% and 34.8% respectively. All other countries registered shares of under a third, with proportions as low as 12.4% in Cyprus and 3.6% in Denmark.

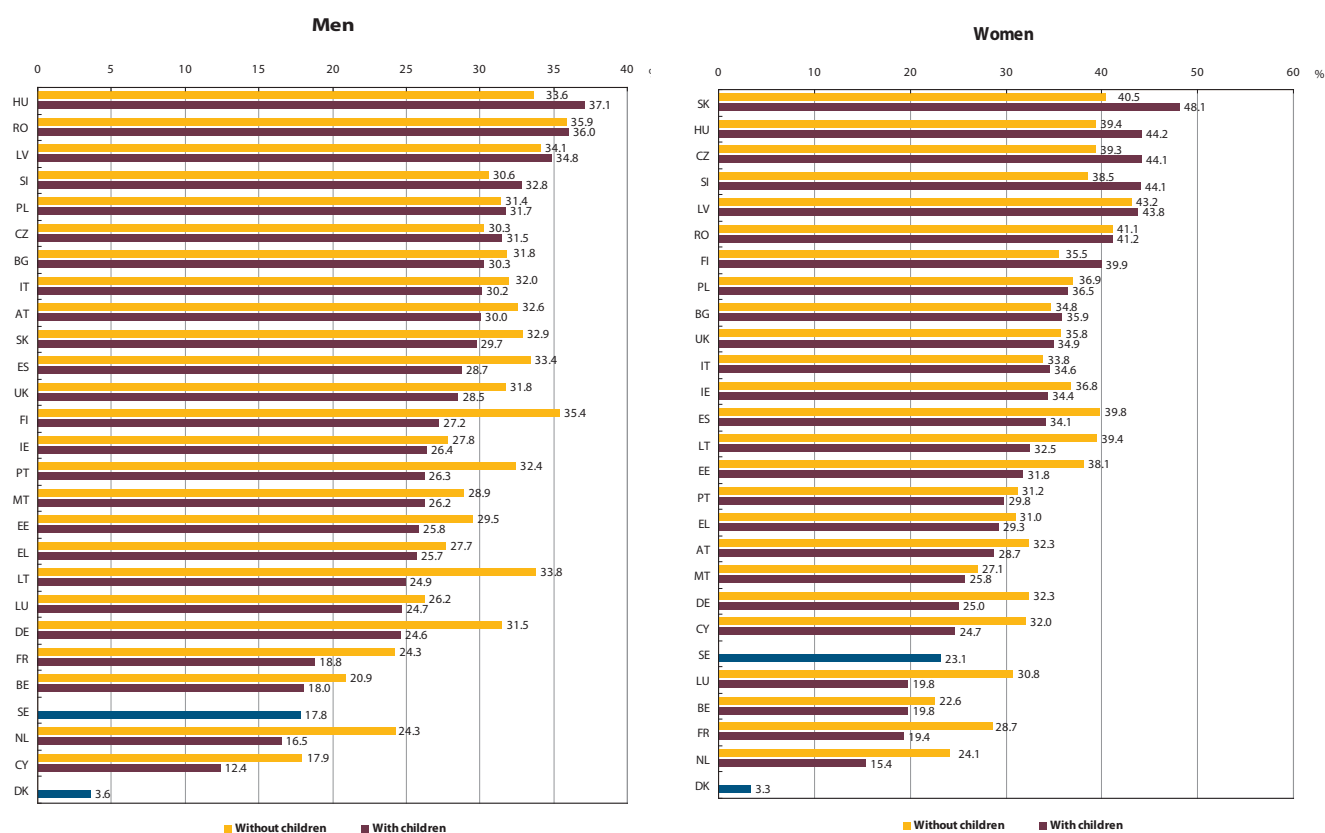
Expectedly, men with children tend to participate less in shift work. Indeed, working shifts makes it hard to plan family responsibilities, spend time with children and attend school meetings. The proportion of male shift workers with children was actually higher only in Hungary, Latvia, Slovenia, Poland and the Czech Republic.

In relative terms, shift work is even more widespread among women. Nearly half (48.1%) of all Slovakian female employees with children and aged between 25 and 49 were working in shifts in 2006, considerably more than their childless counterparts (40.5%). Similar situations can be observed in Hungary, the Czech Republic, Slovenia, and, to a lesser degree, Finland. In most other countries, the proportion of shift-working women with children was lower. Large discrepancies were noted in Lithuania, Germany, Cyprus, Luxembourg, France and the Netherlands.

⁽⁴⁾ Van Reeth, O. (1998) : Sleep and Circadian Disturbances in Shift Work : Strategies for their Management – *Horm Res* 1998 ; 49 :158-162

Figure 6.5: Shift workers with and without children, 2006

As a percentage of total employees with and without children in the age group 25-49, by gender



Notes: DK and SE are taken from the standard LFS data. The latter does not allow differentiating shift workers with and without children.

Source: Eurostat, LFS.

6.3.2 Evening and night work

As definitions for evening and night work vary considerably, establishing a strictly common basis for all Member States is not an easy task. While cross-country differences in standard (core) working hours and evening or night work may partly reflect cultural and climatic differences, the statistics in this section are based on survey questions in the EU Labour Force Survey, so as to achieve the largest possible common denominator.

In general, 'evening work' can be considered to be work done after the usual hours of working time in the respective country, but before usual sleeping hours, while "night work" is work performed during usual sleeping hours. "Usually" here means on at least half of the days worked in the case of night and evening work in a reference period of four weeks preceding the interview and refers to formal working arrangements.

Figure 6.6 presents the proportion of employees usually working during evenings and at night, with and without

children. Among male employees with children, there are proportionally more evening and night workers than among male employee without children. Conversely, proportionally more female employees work such hours when they have no children.

Expectedly, night and evening work is far less frequent than shift work. Night work cuts across biological (circadian) rhythms and puts work times at loggerheads with social and family life. This gap has a substantial impact on workers' health.

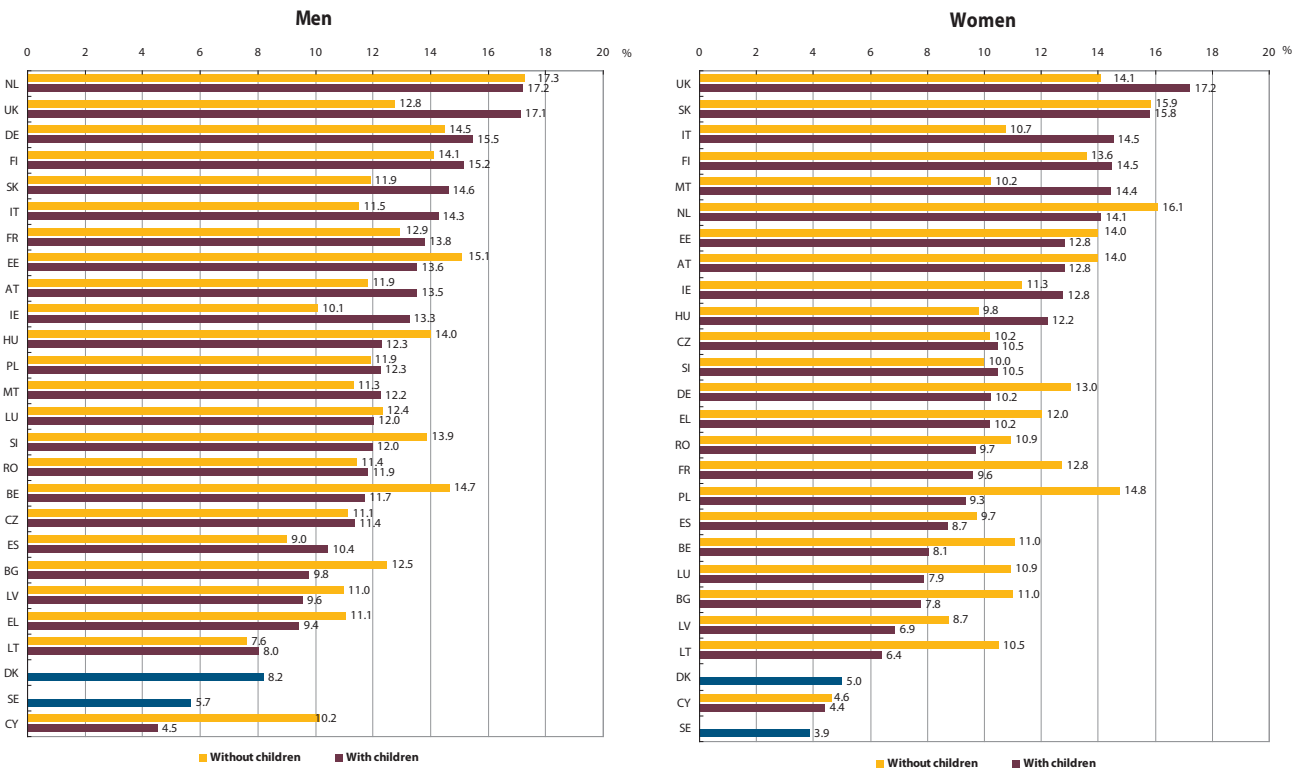
Night workers generally experience sleep problems. Working during the night does not mean that an extended sleep period will follow the next morning. When night workers get home, the daylight sends their organism a signal and reinforces the natural urge to stay awake. Workers also have to cope with all the problems caused by what the rest of society is doing: traffic, children playing, the phone ringing, and so on.

ILO's Convention on night work by women

The International Labour Organisation's (ILO) Convention 89 (revised) on night work by women, adopted in 1948, in principle provides for a ban on night work by women in industry. However, in a ruling issued on 25 July 1991, the Court of Justice of the European Union declared this Convention to be incompatible with the principle of equality of the sexes proclaimed by Community Directive 76/207 (which has force of law in all the countries of the European Union). The Court considered that a form of discrimination was involved, an impediment to equality of opportunity between men and women as regards access to the labour market. Following this ruling, the seven EU Member States that had not yet withdrawn from Convention 89 did so in a hurry, followed by other countries. The International Labour Conference, acting on a call to revise Convention 89, adopted in 1990 both a protocol to Convention 89, with a view to facilitating its ratification, and a new Convention on night work, No. 171, which no longer bans women from night work in industry, but regulates such work for men and women alike. This Convention came into force in 1995, but has not yet been ratified by all Member States.

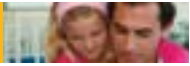
Figure 6.6: Employees with and without children working during evenings and at night, 2006

As a percentage of total employees with and without children in the age group 25–49, by gender



Notes: PT is missing. Data for DK and SE are taken from the standard LFS data. The latter makes no distinction between workers with and without children.

Source: Eurostat, LFS.



6.3.3 Weekend work

In all European economies, shop opening hours and operating times of equipment have been extended into the weekend. Some employers contend that weekend work in services could enhance economic benefits, whereas some governments expect this will create more employment. Others maintain that weekend work would be prejudicial to workers' social lives and would be particularly detrimental to family life.

Parents are especially likely to miss out on quality time with their children at weekends, when they are not at school and would traditionally enjoy a trip to the park, a family game, a special outing or simply time at home together.

However, weekend work is now widespread and can no longer be avoided in many economic sectors. The potential advantages of weekend work from the point of view of employers include the continuous use of facilities and equipment, particularly in capital-intensive industries; the increased responsiveness to customers' delivery times and needs as well as an improved match between shop opening hours and fluctuations in customer demands.

From the point of view of employees, weekend work can enable some workers to combine work during the week and other private interests and obligations (e.g. family, further training); it can also enable workers to generate higher earnings if premium payments are provided for weekend work, in particular for low-skilled and blue-collar workers.

Conversely, the potential disadvantages of weekend work for employers include higher operating costs, particularly personnel costs; inconvenient social times (called 'unsocial' hours) and particularly work on the weekly rest day that are often coupled with extra payments and premiums.

Employees may perceive negatively the fact that working hours occur at inconvenient times, which may cause conflicts with social obligations and create problems for workers with family responsibilities, especially for those workers with children and other family-care obligations.

One possibility offered by weekend work is that it allows families to do 'shift parenting', which means one parent can be with the children while the other is working. This avoids the need to pay for childcare, which many parents cannot afford, cannot find or do not feel happy about using.

Weekend work may be compensated with extra or 'premium' payments in addition to the normal wage. This is the case in many industrialised countries, where shop opening hours and

operating time of equipment have been extended into the weekend. The extension of shop opening hours during the weekend has been a controversial issue in many countries. Some employers contend that weekend work in services could enhance economic benefits, whereas some governments anticipate this will create more employment. Others maintain that weekend work would be prejudicial to workers' social lives and would be particularly detrimental to family life. Depending on the country, weekend work may be introduced via a collective agreement (e.g. Belgium, Denmark, France, Norway), only after approval by the works council, a firm-level labour-management committee (e.g. Germany), or simply by an employer's decision (e.g. United States).

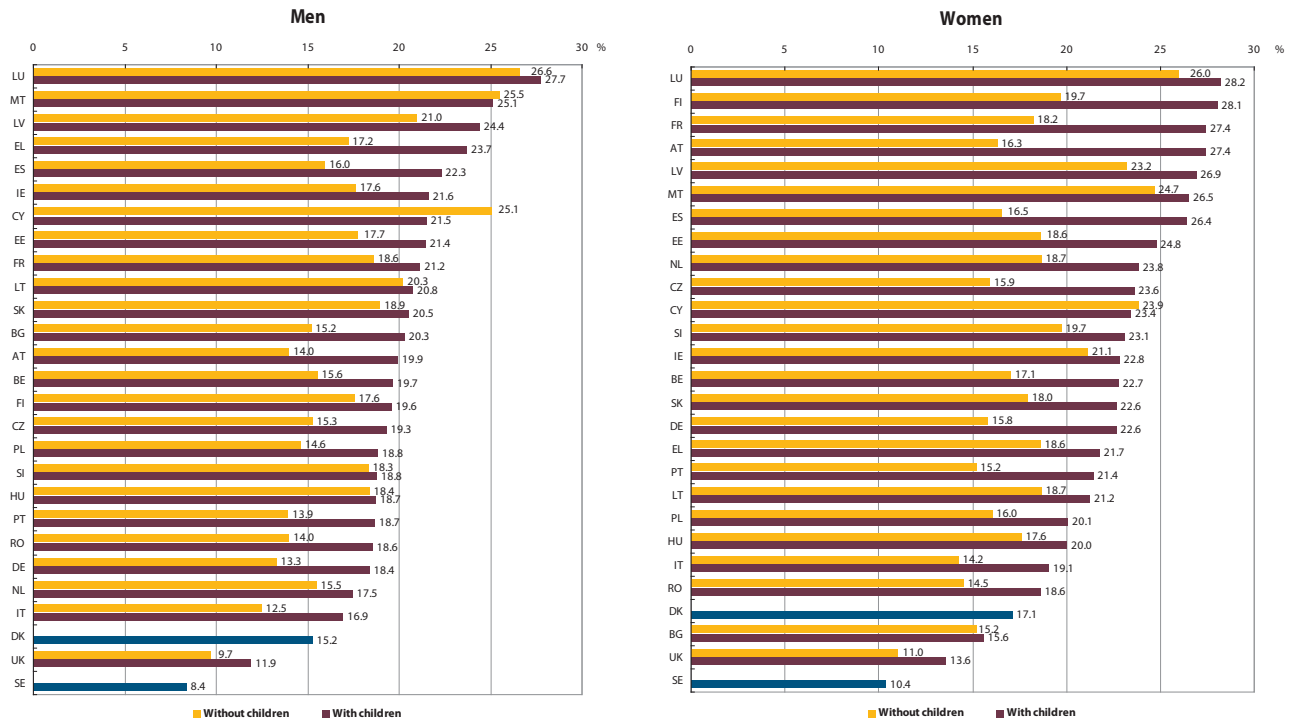
ILO Weekly Rest Conventions No. 14 (1921) and No. 106 (1957) provide that each worker should have at least 24 hours of uninterrupted rest every seven days. Whenever possible, the rest day(s) should be simultaneous for all employees of an undertaking and correspond with the traditions and customs of the country. In the European Union Member States, the EU Working Time Directive (93/104) entitles workers to a minimum of 24 hours of rest per week, principally on Sunday, in addition to 11 hours of rest each working day (between shifts). In most countries, although only one day off per week is prescribed in national legislation, collective agreements or commonly accepted norms set the standard of a five-day week.

Figure 6.7 presents the share of employees aged 25–49, with and without children, usually working during weekends among all employees. To work on Saturdays or Sundays means working two or more Saturdays or Sundays during a four-week reference period prior to the survey.

Frequently, it is observed that proportionally more workers with children work on weekends, and this can be noted for both men and women. For men, the differences are quite noticeable in Greece, Spain and Austria. The situation of Cypriot men is different: here, men with children work proportionally less on weekends. The same pattern applies to women: here too, proportionally more women with children work on weekends than women without children (with again the notable exception of Cyprus). One reason might be linked to the fact that employees with children have to work in the framework of opening hours of childcare facilities, and instead of working overtime during normal working days to achieve a certain workload have to 'compensate' this during weekends.

Figure 6.7: Employees with and without children working on weekends, 2006

As a percentage of total employees with and without children in the age group 25-49, by gender



Note: DK and SE are taken from the standard LFS data. The latter makes no distinction between workers with and without children.

Source: Eurostat, LFS.



6.4 Flexible working arrangements and care responsibilities

Parents actively participating in the labour force may face difficulties in having their children cared for during holiday periods, when the usual childcare services are less available or closed. As a consequence, they may be forced to take days off or re-arrange their working time in order to compensate for the absence of alternative childcare services. However, caring for children may not be the only reason driving employees to take advantage of flexible working time arrangements; another reason may be that elderly, disabled or otherwise dependent persons in the family need to be cared for.

New working time arrangements increasingly provide tailor-made solutions. The 'flexitime' solution and term-time contracts are just two examples of how the needs of work and private life can be combined. The following pages detail some of the elements mentioned above and aim to provide a quantitative overview of those who are able to change their working arrangements for family reasons, be it for the care of children or other dependent persons. In conclusion, this section will take a look at teleworking, also considered to be a form of working time flexibility.

6.4.1 Working time flexibility

Two kinds of flexible working arrangements will be considered in this section, all stemming from the 2005 LFS ad hoc module on reconciliation between work and family life⁽⁵⁾, which allows evaluating the degree of work flexibility in the EU Member States:

- Ability to vary the starting or ending times of a working day, either in general (outside particular periods of urgent work) or occasionally;
- Ability to take whole days off (outside particular periods of urgent work) without using holidays and special leave

The Labour Force Survey's 2005 ad hoc module

The *ad hoc* module 2005 on 'Reconciliation between work and family life' is specified by Commission Regulation (EC) No 29/2004 of 8 January 2004. Participating countries were all the EU-25 Member States, the three EFTA countries as well as Bulgaria and Romania (the latter two countries having joined the EU on 1 January 2007).

The **aims** of the module were the following:

- Establish if persons participate in the labour force as much they would wish, and where they are unable to do so, whether the reasons are connected with a lack of suitable care services for children and dependent persons:
 - Identification of care responsibilities (children and dependents).
 - Analysis of the consequences on labour participation taking into account the choice/constraint dimension.
 - In case of constraint, identification of the ones linked to the lack or unsuitability of care services.
- Analysis of the degree of flexibility offered at work in terms of reconciliation with family life.
- Estimate to what extent leave or absence is taken (as specified in Council Directive 96/34/EC of 3.6.1996, OJ L145).

For more information please refer to the document 'Reconciliation between work and family life: final report to the 2005 LFS ad hoc module', available at the following address:

http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-RA-07-011/EN/KS-RA-07-011-EN.PDF

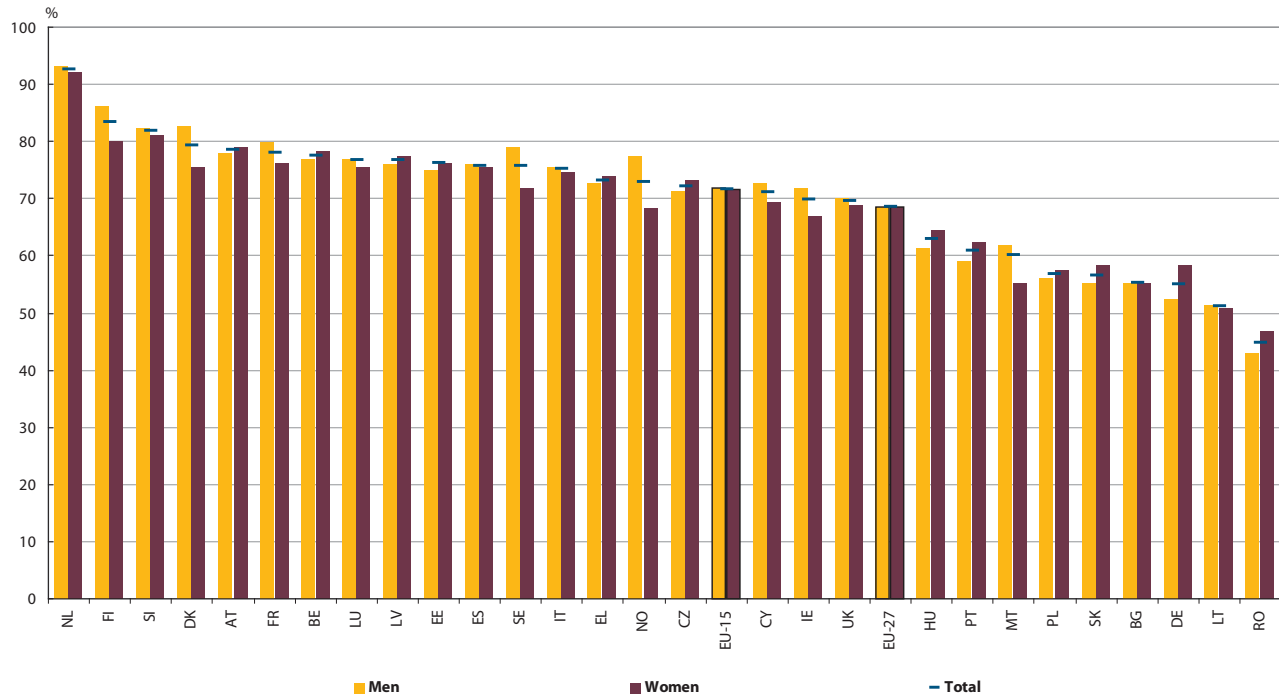
Figure 6.8 presents the proportion of women and men who are able (usually and occasionally) to vary the starting or ending times of their working day (by at least one hour) for family reasons. This can include caring for children but also

for disabled family members or other dependents. The time taken off is normally compensated beforehand or later. But it is not necessarily compensated in terms of hours.

⁽⁵⁾ See the report: 'Reconciliation between work and family life: final report to the 2005 LFS ad hoc module'.

Figure 6.8: Employed persons who can vary the start/end of their working day for family reasons, 2005

As a proportion of all persons employed in the age group 25-49, by gender



Note: Varying the start or end of the working day by at least one hour

Source: LFS and ad hoc Module.

Employees with family responsibilities (care responsibilities or any other reasons) appear to have a fair amount of flexibility (be it occasionally or on a permanent basis) in the starting or finishing hours of their working day: at EU-27 level, around 69% actually enjoy a certain degree of freedom. The range between the 'most and least flexible Member State' in this respect is nevertheless wide: from 93% in the Netherlands to 45% in Romania. The situation in the Netherlands is not surprising as this type of flexibility has been 'institutionalised' for many years.

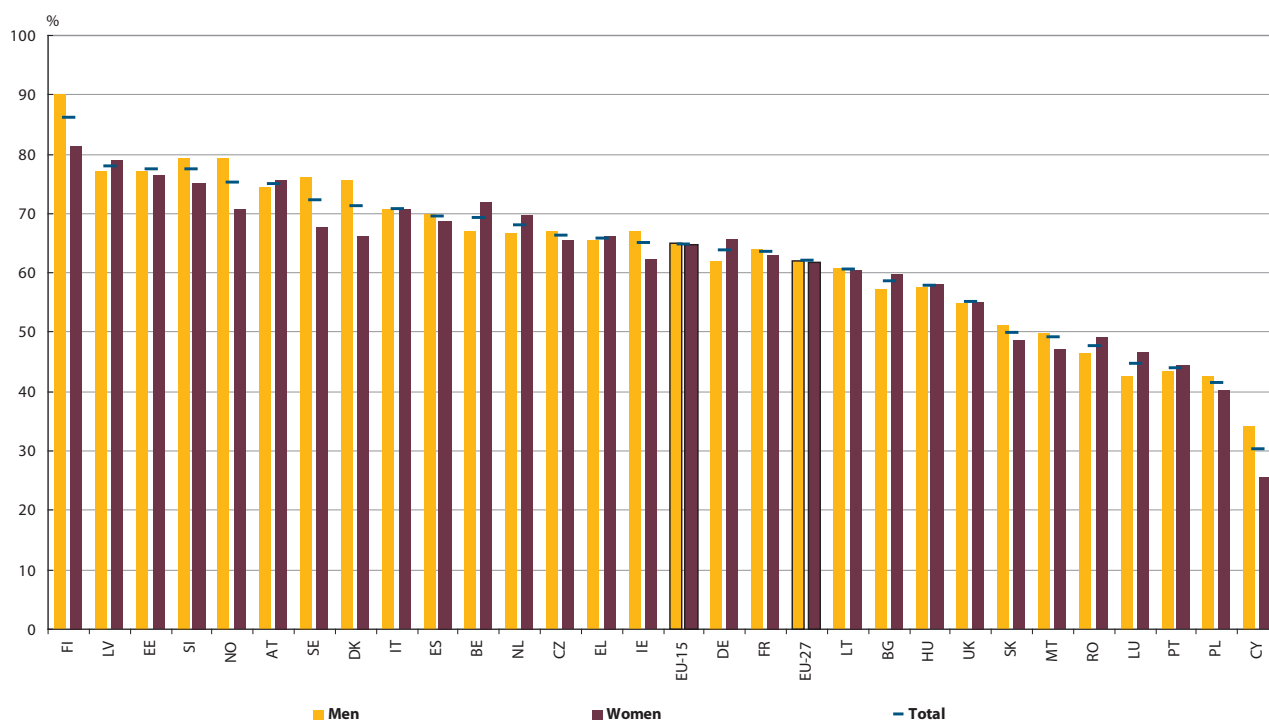
Finland and Slovenia followed the Netherlands with fairly high shares (over 80% of employees), but distinct groups of countries cannot be identified as the shares decrease gradually. Workers in Bulgaria, Germany, Lithuania and Romania, appear to have the least possibilities to determine the start and end of their working day (shares of 55% or less).

In terms of gender gap, it appears that in general the differences are small. Only in Hungary, Portugal, Slovakia, Romania and Germany were the differences noticeable (between 3 and 4 percentage points). Conversely, men in the Nordic countries (Denmark, Finland, Sweden and Finland) as well as in Malta appear to have more flexibility than their female counterparts (with a difference of between 7 and 8 percentage points).

The second aspect of flexibility looks at the possibility to organise one's working time for family reasons, including care for children, disabled or other dependents, by taking days off without however using holidays or special leave. This includes persons benefiting from 'working time banking' (i.e. where they can work more hours or days in exchange for taking the equivalent time off at some time in the future), as well as those who have free working time who can be absent for a day without any special arrangement.

Figure 6.9: Share of employed persons that can take entire days off for family reasons (without using holidays or special leave), 2005

As a proportion of all persons employed in the age group 25-49, by gender



Source: LFS and *ad hoc* Module.

At EU-27 level, 62% of employees aged 25–49 have the possibility of taking entire days off for family reasons, with only a marginal difference between men and women (see Figure 6.9). At country level, Finland ranked first, followed by Latvia, Estonia, Slovenia, Norway and Austria (all above 75%). The lower part of the scale included Portugal (44%), Poland (41%) and particularly Cyprus (30%). In Cyprus, employed persons generally do not have the possibility of taking entire days off⁽⁶⁾.

The gender gap is noticeable in the Benelux countries and Germany, where more women have this possibility, whereas the opposite applies in the Nordic countries, where significantly more men benefit from this.

The employers' handling of leave or absence of employees will often be discretionary, i.e. the employer will decide whether working times can be altered or days off granted for family reasons. In other cases however, there may be a legal (statutory) obligation to grant employees time off from work.

Statutory time-off provisions differ substantially across European countries. Table 6.14 details these provisions in the various EU Member States and Norway. The information was taken from 'Family-related leave and industrial relations', 2004 (Eurofound) and updated/checked with the Mutual Information System on Social Protection (MISSOC) information. It reflects the situation as of 1 July 2007.

⁽⁶⁾ See the report: 'Reconciliation between work and family life: final report to the 2005 LFS *ad hoc* module'

The Mutual Information System on Social Protection (MISSOC)

The Mutual Information System on Social Protection (MISSOC) was established in 1990 by the European Commission as an instrument to serve the continuous and comprehensive exchange of information on social protection between the EU Member States. MISSOC has since been further developed and has become an important central source of information on social protection in all Member States of the European Union. Today, the information system includes the 27 Member States, the three countries of the European Economic Area – Iceland, Liechtenstein, Norway – and Switzerland.

MISSOC is based on the close cooperation between the European Commission, the network of the official representatives of the participating countries and the secretariat appointed by the European Commission. The co-ordination of the MISSOC is administered by the European Commission's Directorate-General for Employment, Social Affairs and Equal Opportunities. To ensure the reliability of information published by the MISSOC, each participating country is represented by one or two correspondents from the national ministries or institutions that are responsible for the areas of social protection. The MISSOC network regularly produces updated information on all areas of social protection.

All documents are published on the website of the European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities, at http://ec.europa.eu/employment_social/spsi/missoc_fr.htm

Leave may be taken to care for a child either for a short period of time for emergencies or short illnesses, or for a relatively longer period—from several weeks to several years—in case of more serious illness or disability.

Long-term leave is often considered as a career break. This may have a negative effect on labour market participation, as workers' skills may depreciate because they may not be using or updating them during the interruption. In addition, at the end of their career break, they will have less work experience compared to those not having taken time off.

Certain countries limit the provisions for the care of children, while others include adult family members as well. In certain cases, a distinction is made according to whether the child is living in a single- or dual-parent family.

In Greece, parents working in companies which employ at least 50 persons and who are responsible for disabled children are entitled to a one-hour reduction of their daily working hours, with a corresponding reduction in their wages. There is also provision for parents of school-age children under 16 to be absent from work to visit school for a maximum of four days per year.



Table 6.4: Statutory time-off provisions (situation as of 2007)

	Type	Duration
BE	Short leave	Leave for "imperious reasons", 10 days per year
CZ		Financial support for care of family members (Podpora při ošetrování člena rodiny) for employees caring for a sick child or adult family member (and in some cases a healthy child). Conditions: Common household with the employee (except children under 10 years), no other person available to provide care and no possibility of hospitalisation. Maximum duration: 9 calendar days in each individual case, 16 calendar days for single parents caring for at least one child under compulsory school age.
DK	No statutory but collective agreements	(most collective agreements provide for at least a paid leave for the child's first day sick ; often supplementary paid leaves to care for a child)
DE	Short leave	10 per parent per child per year up to maximum of 25 per parent per year Lone parents : 20 per child per year up to maximum of 50 per year
EE		Up to 14 calendar days for nursing a sick child up to 12 years of age in hospital. Up to 10 calendar days for nursing a child under 3 years or a disabled child up to 16 years of age at home when the regular carer is sick or in hospital due to confinement, and up to 7 calendar days for nursing a sick family member at home. 14 calendar days for nursing a child up to 12 years of age at home.
IE	1) Short leave 2) Long leave	1) 3 days per year per parent per child (in a limit of 5 days each 3 year) 2) 65 weeks 'homemaker scheme' to care for a child o relative
EL	Short leave	6 days per year – 8 days per year if 2 children – 12 days per year if 3 or more children
ES	1) Short leave 2) Long leave	1) 2 (+ 2 days if a travel is necessary) under presentation of justifications (accidents, serious illnesses, hospitalisation, death) 2) Up to one year (or more if collective agreements) – In case of accident/illness
FR	1) Short sickness 2) Long leave 3) Other	1) 3 days per parent per year (5 days if child under 1 year or if 3 or more children under 16) 2) 1 year (4 months renewable twice) for sick, disabled or accident (+ need of care) 3) 6 months (3 months renewable) when a relative's life is at stake (end of life, serious accident or illness)
IT	1) Short leave (sick) 2) Short leave (handicapped) 3) Long leave (severely)	1) Sick child under 3: any duration Sick child aged 3-8: 5 days a year per parent Handicapped child or parent: any duration 2) if child under 3: any duration if child 3 and over: 3 days per child per month for the father or the mother 3) up to 2 years (continuous or split in days, weeks..).
LU	Short leave	2 days per year per parent per child (possibility of extension in case of exceptional gravity)
HU	1) Short leave 2) Short suppl. unpaid 3) long leave	1) Unlimited if child under 1 84 days per year if 1-3 42 days if 3-6 (84 if lone parent) 14 days if 6-12 (28 if lone parent) 2) 1 child: 2 days per year / 2 children: 4 days per year ; 3 or more : 7 days per year. 3) 2 years (for sick or handicapped relative)
NL	1) Emergency leave 2) Short leave	1) 2 days per emergency event 2) 10 days per year for sick child
AT	1) Short leave 2) Longer leave	1) Sick children and relative care leave – 1 week per year – a second week per year if child up to 12 and under certain conditions 2) Family emergency leave, 3 months (renewable once)
PL	1) Short leave 2) care benefit for special leave 3) Long leave	1) 2 days per year per employee 2) a child under the age of 8 (in specified cases), a sick child under the age of 14 (for a maximum 60 days per year), another member of the family (for 14 days per year). 3) up to 3 years children with chronic illness or disability
PT	1) Short leave 2) Long leave	1) Aged under 10 : 30 days per year (extensible if hospitalisation) Aged over 10 : 15 days (also for other relative) 2) Severely disabled or chronic ill children: maximum period of 6 months (possibility of extension up to 4 years)
RO		Insured persons are entitled to sick child care leave and benefit. 85% of the average insured gross earnings over the last 6 months are paid for caring for a sick child aged less than 7 years or until 18 years in the case of a disabled child suffering from inter-current diseases.
SI	Sick leave to care for relative	7 days per employee (15 days if child under 7 and handicapped child). In case of need for longer care medical, commission could prolong the leave up to 30 days and up to six month for children.
SK	Short leave	Maximum of 10 calendar days if a relative is sick and in need of care, or if a child under the age of 10 needs supervision in case of enclosed school facility.
FI	1) Short sick child leave 2) Short unpaid leave 3) Long (child disability)	1) 4 per sick child for one parent at a time (for each event) 2) For family urgent reasons 3) For chronically ill or disabled child needing daily care
SE	Leave	60 days per child per year per parent
UK	'reasonable' leave	if dispute with the employer on the leave and its duration, it is left to a court to determine what is 'reasonable'.
NO	Short leave	1 or 2 children: 10 days per parent (20 days if lone parent) 3 and more children: 15 per parent (30 if lone parent) Theses quotas are doubled if chronically ill or disabled child

Source: Eurofound, MISSOC

The working time flexibility offered is in some cases not sufficient to make people satisfied with their work-private life balance. The Labour Force Survey provides an indicator

showing the proportion of persons desirous to work less in order to spend more time with the persons cared for, as well as the share of persons wanting to work or to work more.

Table 6.5: Employed persons wishing to change the organisation of their working life and care responsibilities, 2005

Persons with caring responsibilities, as a proportion of all employed persons in the age group 25–49, by gender

	Wish to work or to work more (and reduce caring time)			Wish to work less to have more time for caring		
	Total	Men	Women	Total	Men	Women
EU-27	2.3	1.8	2.9	5.9	5.0	7.0
EU-15	2.8	2.2	3.6	6.5	5.7	7.5
BE	1.0	0.6	1.4	4.7	3.3	6.3
BG	0.5	:	:	4.7	2.7	6.7
CZ	0.9	0.4	1.5	8.2	5.7	11.4
DK	0.6	:	0.9	13.8	11.2	16.7
DE	1.5	:	2.8	1.7	1.3	2.1
EE	0.5 u	:	:	6.3	4.4	8.3
IE	1.3	0.5	2.2	6.6	4.4	9.4
EL	1.0	0.6	1.6	11.0	6.9	17.1
ES	1.9	1.1	3.1	7.8	7.0	8.9
FR	7.7	8.6	6.7	1.5	0.7	2.4
IT	2.2	1.5	3.2	14.7	14.3	15.3
CY	0.4 u	:	:	17.3	11.0	24.8
LV	3.3	:	4.3	22.1	16.5	26.5
LT	:	:	:	2.2	:	3.5
LU	0.6 u	:	1.1 u	0.8 u	:	1.5 u
HU	0.8	0.5	1.1	6.0	3.7	8.8
MT	:	:	:	:	:	:
NL	5.2	2.3	8.6	2.8	2.4	3.4
AT	1.9	0.9	3.2	4.3	4.3	4.3
PL	0.2	0.2	0.3 u	1.0	0.6	1.5
PT	1.4	0.9	1.9	7.5	4.5	10.9
RO	0.2	:	0.2 u	2.3	1.3	3.6
SI	0.6	0.3	0.9 u	12.5	10.1	15.2
SK	0.7	0.7	0.8	3.3	1.6	5.2
FI	:	:	:	13.9	12.3	15.6
SE	1.5	0.7	2.5	5.5	5.4	5.6
UK	1.4	0.8	2.1	6.2	4.8	7.8
NO	0.8	: u	1.5	4.6	4.0	5.3

Notes: unreliable or uncertain data due to small sample size; 'u' data not available

Source: LFS and ad hoc Module.

Women and men in the EU are largely satisfied with their current working time arrangements, as around 90% of employed persons aged 25 to 49 do not want to change their working arrangements. Only 2.3% of the surveyed individuals stated they wanted to start working or to work more, whereas 5.9% expressed the wish to work less in order to have more time for caring (see Table 6.5). In all Member States, except France and the Netherlands where childcare provisions are well developed, more workers expressed the wish to work less.

This was especially the case in Denmark, Greece, Italy, Cyprus, Slovenia and Finland; particularly for women (except for Italy where the gender gap was fairly small).

Workers may also assume caring responsibilities for persons other than their own children, including time taken off work to care for children under 15 other than one's own as well as ill, disabled or elderly relatives/friends aged 15 and over in need of care. These valuable services to society have been considered in Chapter 4.2.



6.4.2: Workplace flexibility: working at home or teleworking

There are variations in the definition of teleworking: in a broad sense, teleworking refers to any telesales staff, freelance businesses, consultants, mobile workers and technical support staff. In a narrower sense, teleworking specifically refers to people who use information and communication technologies to perform work away from their main place of work.

The European framework agreement on telework was concluded by the European social partners in July 2002. The agreement lays down working standards for people doing telework, defined as 'a form of organising and/or performing work, using information technology, in the context of an employment contract/relationship, where work, which could also be performed at the employer's premises, is carried out away from those premises on a regular basis'. It also recalls that teleworkers benefit from the same legal protection as employees working at the employer's premises and defines a general framework for using telework at the workplace, in a way which corresponds to employers' and workers' needs. It concentrates on the aspects which are specific to working away from the employer's premises and highlights key areas requiring adaptation or specific attention such as employment conditions, data protection, privacy, equipment, health and safety, work organisation, training, and collective rights. The agreement concerns teleworkers with an employment contract and does not cover self-employed teleworkers. Neither does it concern call centre employees performing their work at the premises of the call centre employing them.

In 2006, the social partners jointly presented a report on the implementation of the agreement across Europe four years after its conclusion⁽⁷⁾ (21 Member States, excluding Cyprus, Slovakia, Estonia, Lithuania – but including the non-EU countries Iceland and Norway). Sixteen countries have implemented the agreement by way of national social partnership agreements; Ireland and the UK have introduced guides and codes of good practice; Hungary, Portugal and the Czech Republic have transposed the code in their labour laws.

⁽⁷⁾ For more details: http://ec.europa.eu/employment_social/social_dialogue/docs/telework_report_en.pdf

The number of teleworkers concerned by the agreement was estimated at 4.5 million employees in 2002 (Dublin Foundation, 2002). There are no comparable cross-border data to measure its development since then. It is generally considered that telework is more widespread in some sectors of activity, such as telecommunications, and that it is more adapted to qualified workers. Moreover, the importance of telework varies greatly from one country to another.

Teleworking offers benefits to both workers and employers. It allows for a better balance between work and family life and provides companies with the opportunity to combine work and flexibility. Other benefits are often invoked such as the reduction of costs and absenteeism for enterprises, a wider choice in the place of residence, etc. Teleworking is often referred to as 'remote working'. The opportunity to do this varies considerably between occupations, depending partly on the possibility to take work home.

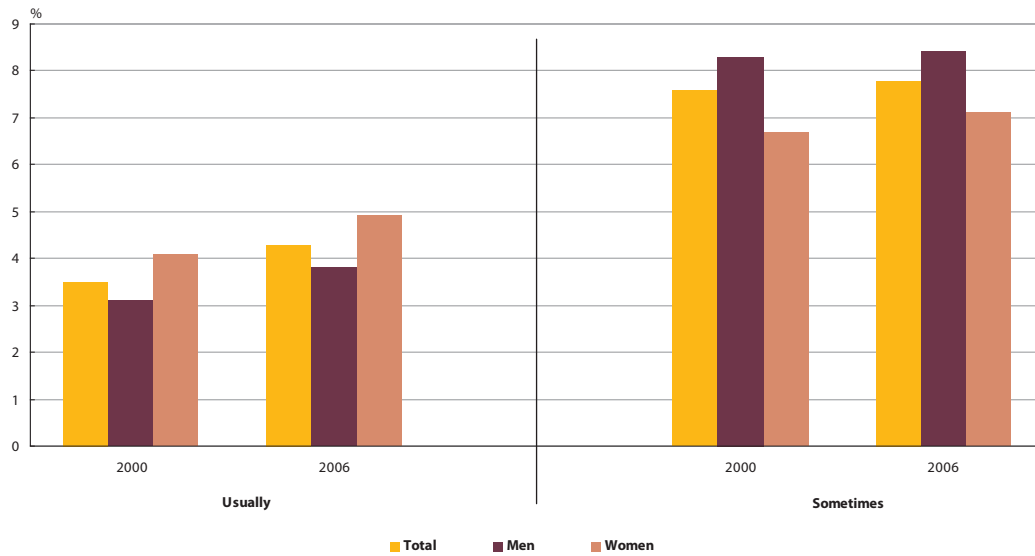
The successful management of teleworking requires regular communication and the building of trust. There is still a degree of management resistance to teleworking, however, which is largely based on a fear of relinquishing control over employees' activities. Changing traditional 'command and control' attitudes and practices, which are a significant barrier to the further diffusion of teleworking, could prove to be a difficult task⁽⁸⁾.

Indeed, teleworking on a regular basis among workers aged 25–49 has progressed only slowly (see Figure 6.10). At the European level, occasional telework progressed by less than 0.5 percentage points over the period 2000–2006, while usual telework recorded a slightly higher increase (by about 1 percentage point). Considering the gender-specific distribution of household and caring responsibilities, it comes as no surprise that usual telework is generally more widespread among women, whereas occasional telework is more common among men.

⁽⁸⁾ Dobbins, T. (2001): *Teleworking in Focus* – European Industrial Relations Observatory (EIRO) / Eurofound

Figure 6.10: Evolution of the European teleworking population, 2000/2006

As a percentage of all persons employed in the age group 25–49, by gender



Source: Eurostat, LFS

According to the available country data (Table 6.6), usual telework is relatively more common among Finnish and Austrian men (9.9% and 8.8% of all employed men aged 25–49 respectively) and among French and Austrian women (11.6% and 11.2% respectively). Romania registered the lowest shares of teleworkers among the population in employment aged 25–49, with less than 1%.

Surprisingly, the United Kingdom and Denmark reported the highest percentage of occasional teleworkers for both men and women, exceeding by more than 10 percentage points the share of other Member States.

Table 6.6: Teleworking in the European Member States, 2006

Population in employment working from home, as a percentage of total employment, for the age group 25–49, by gender

	Men		Women	
	Usually	Sometimes	Usually	Sometimes
EU-27	3.8	8.4	4.9	7.1
EU-15	4.3	9.4	5.4	7.6
BE	8.6	8.8	8.3	7.2
BG	1.9	2.5	2.0	3.8
CZ	2.5	6.3	4.2	5.0
DK	2.9	28.6	4.5	21.8
DE	3.7	10.7	4.5	7.3
EE	4.5 u	4.8 u	4.1 u	5.5 u
IE	8.2 p	6.6 p	4.1 p	4.3 p
EL	1.0	2.4	2.2	3.5
ES	2.8	2.5	2.8	2.1
FR	8.6	9.7	11.6	6.5
IT	3.7	1.8	3.5	1.3
CY	:	:	1.0 u	:
LV	2.0 u	3.5	3.2	4.4
LT	1.5 u	2.2 u	1.6 u	3.7 u
LU	5.7	1.6 u	10.1	1.1 u
HU	1.7	4.5	2.1	5.3
MT	3.0 u	4.4 u	6.0 u	6.2 u
NL	5.7	: u	5.8	: u
AT	8.8	12.7	11.2	8.0
PL	2.2	6.8	3.0	9.8
PT	0.7	4.2	1.4	2.8
RO	0.5	0.2 u	0.8	0.3 u
SI	3.6	6.7	7.1	8.2
SK	3.5	4.1	4.6	4.7
FI	9.9	9.5	8.9	6.6
SE	2.6	11.2	2.6	6.8
UK	1.6 u	26.8 u	4.1	22.5
IS	11.9	27.3	10.6 u	23.9 u
NO	5.5	7.8	2.9	6.1
CH	2.0	12.8	6.2	13.0

Notes: 'u': unreliable or uncertain data, 'p': provisional.

Source: Eurostat, LFS

Teleworking has many particularities and is often linked to a number of conditions, laid down by the enterprises concerned or provided for on an institutional basis. An exact comparison between countries based on a set of common criteria therefore appears difficult.

Many factors favour the expansion of teleworking, including the increase in the use of the Internet, thus fostering a 'net mentality'; the necessity to react quickly to market changes, thus increasing productivity and reducing costs; the necessity for young people to "invent their job", which makes them discover how convenient it is to start new tele-activities without the need for expensive offices in the city centre, designer desks and chairs, etc.

On the other hand, there are factors that may hamper the development of teleworking. A recent survey carried out on behalf of the European Commission shows that the major obstacle to the implementation of teleworking resides in problems related to the security of connections. Enterprises fear that their software and communications can be spied upon and sensitive data can fall in the hands of unscrupulous competitors. An additional problem lies in the difficulty for teleworkers to update their skills and the risk of being discriminated against in favour of 'traditional' employees.

There is no doubt that if teleworking is to grow, it needs a clear regulatory framework to protect employees and their contractual relationship with the enterprise in order to avoid it being used for unofficial or illegal purposes.

6.5 Contributions of the employer

Flexible working time arrangements may be positive for the employee and can also lead to a variety of positive impacts at company level, including improved employee performance, reduced absenteeism levels, better recruitment and retention potential as well as greater time efficiency. All these benefits can enhance a company's overall productivity and competitiveness.

Flexible working time arrangements can be implemented at the level of the enterprise (collective agreement, directive and/or informal practice) or by national legislation to be applied either to all employees (as is the case in Germany,

Denmark, Lithuania, the Netherlands and Poland) or only to working parents (Austria, the Czech Republic, Greece, Finland, Portugal, Slovenia, the United Kingdom and Norway). A detailed presentation of national legislations would go beyond the scope on this section. Nevertheless, a comprehensive overview can be found in the following publication: 'Reconciliation of work and private life: A comparative review of thirty European countries,' European Commission, 2005.

The following table provides an overview of work-family arrangements provided by enterprises:

Table 6.7: Examples of work-family arrangements provided by enterprises

Flexible working arrangements	Leaves
Part-time work	(Extra statutory) maternity leave
Flexible arrangements	Parental leave
Job-sharing	Paternity leave
Teleworking/ working at home	Leave for family reasons (incl. Elderly)
Term-Time work	Adoption leave
Saving hours	Career break scheme
Childcare arrangements	Supportive arrangements
Workplace nursery	Work-family management training
Contracted childcare places	Employees counselling/assistance
Childminding	Work-family co-ordinator
Childcare resource and referral	Research on employees needs
Financial assistance	Financial contributions
Holiday play schemes/summer camps	

Source: Den Dulk, 'Work-family arrangements in organisations', 2001

The availability of flexible working time in a company depends on many elements: sector, size, workforce composition, economic situation of the enterprise and possible relevant legislation in force, to name but a few. Among the larger sectors, services are usually require and provide more flexibility than the industrial sector. Also, the public sector is often considered to offer more arrangements for an improved work-private life balance than the private sector.

Within an enterprise, regardless of its sector of activity and its size, factors such as the share and age of female employees, the proportion of older workers, the skills-composition of the enterprise staff as well as seasonal variations in the workload may also play a role.

Although larger establishments have more scope for introducing different types of flexibility, smaller enterprises require solutions that take into account smaller economic fluctuations. While larger establishments often have formalised arrangements, smaller establishments often propose informal arrangements which may indeed be more efficient.

The employer's involvement (voluntary or collective agreements) is summarised in Table 6.8, which presents various examples of solutions at country level. This table also takes a closer look at specific aspects, offering an insight on entitlement, (dis)incentives by national authorities, national company policies, etc.

**Table 6.8: Employers' involvement in flexible working-time arrangements**

BE Part-time work is widespread. Overall telework seems to be quite widespread in Flanders. 1 out of 5 organisations offers this possibility to at least part of its workforce. Telework is most likely to be possible in the public and non-profit sectors.	combining management posts with part-time working hours as a problem: four out of ten believe that a management function cannot be combined with having the main responsibilities for a family.
BG Very limited involvement in flexible working-time arrangements.	AT Flexible practices are generally more common as an entitlement in large, rather than small firms – of which there are many in Austria. Small firms are more likely to provide reconciliation measures on an informal basis. A survey of 1998 showed that 23% of firms offer working hour reduction or 8% teleworking because of care commitments.
CZ Employers offer very few opportunities for part-time employment, and the opportunities are not very attractive for employees. Flexible working hours are most widely used in the administrative professions and in small organisations with up to 50 employees. Teleworking is beginning to be applied in some fields. Working from home is widely used in firms with a small number of employees (under 10 employees). Jobsharing and saving hours/personal accounts are not common.	PL The supply of part-time work in Poland does not meet the demand; there are numerous calls to increase the provision of part-time working arrangements. Because of a relatively high tax wedge (around 40%) employers find it more expensive to employ several part-time workers instead of one full-time. Telework is still relatively underdeveloped, but it is developing fastest in information services, consulting, accounting and translation. Estimates of teleworking used by firms range between 2 and 11%.
DK The idea of making it possible to take part-time parental leave is a growing success, especially for mothers – it makes it possible to start children gradually in a care facility as well as a gradual return to work. Some employers (as for instance IKEA) accept part-time work (with lower pay) 6 months after the parent has returned to work as well as fixed working-time (on the 'eight to four' scheme) for parents.	PT The possibility of working part-time or with flexible working hours has a limited impact on the Portuguese labour market. Flexibility is higher in the more qualified occupations, namely intellectual and scientific and managerial occupations. There is no information on jobsharing or teleworkers in Portugal, but the share seems low. What is recurrent in some Portuguese enterprises is a rather informal and random treatment that permits workers to take some time off (with or without time compensation) for personal matters.
DE Most employers accept the wishes of employees to reduce working-time. Teleworking: a study found that 23% of all employees could work partially at home.	RO No information in the national report
EE Part-time work and flexible working hours are rare.	SI A survey shows that 36% of organisations has unwritten flexible working practices and 20% has written policies. The share of part-time work is low (6%).
EL Flexible working-time arrangements are a marginal phenomenon in Greece.	SK No information in the national report
ES About 60% of especially large and medium Spanish firms allow part-time work (though the share of part-time workers is below EU average). However, only 9% allows this for all employees. 59% of firms declared using flexitime in 2002, but only in 17% this is available to all employees. Few Spanish firms use jobsharing in practice. 9.5% of large enterprises allow for two part-time employees to share a fulltime job, however, only 0.7% make this arrangement available to all their employees. 21% of the medium/large enterprises declare they allow to their employees to work from home, only 4% have made this arrangement available for all their employees. A very small percentage of enterprises have a time banking account for their employees allowing them to exchange additional vacation periods against pay reductions. Alternatively, this arrangement allows also for exchanging a reduction of holidays against pay reductions. Alternatively, this arrangement allows also for exchanging a reduction of holidays against paid hours.	FI Part-time work is not common (despite Finnish legislation that determines that all parents with children in the second school year or younger working in full-time jobs have the right to reduce their working hours and work part-time). Specific arrangements are subject to agreement between the employer and employee.
FR In general there is now a 35-hour week, but negotiations on the reduction of working time have led to an increase in atypical working hours, variable working time (modulation) and flexible hours. This process, which was gradually introduced in the 1980s, seems to be spreading more widely with the introduction of the reduction of working-time.	SE Part-time work has decreased since 1980. This is related to the fact that there are many firms/organisations that offer the opportunity of flexible working-time during the day-time to all of their employees. There are other working-time arrangements as well but these are not as widespread. employees. There are other working-time arrangements as well but these are not as widespread. Women with higher education and higher incomes tend to return to full-time work more often while women with lower education and low incomes return to part-time work.
IE The share of companies with part-time working policies vary per survey (37-75%). About half of the policies seem informal. About 5% of companies seem to offer jobsharing (most women) and about 4% of workers are teleworkers. The IBEC study identifies 13% of companies offering flexitime work, with 63% with a formal policy in place and the remaining 37% an informal policy relating to flexitime.	UK Several organisations have enhanced the statutory right to request flexible working, for example by extending it to all carers or all employees. Around 80% of employers provide at least one of the following seven flexible working-time arrangements: part-time working, jobsharing, flexitime, annualised hours, term-time working, compressed working weeks and reduced hours working. Of these by far the most common is part-time work – offered by 74% of employers. Aside from the provision for part-time work, flexible working-time arrangements is not widespread, with less than a quarter of employers providing any one of the other six arrangements. Just over two fifths of workplaces (44%) made available two or more arrangements (Woodland et al. 2003: 21). Flexible working arrangements are more prevalent in workplaces which are in the public and not-forprofit sectors, or have recognised unions and good human resource policies.
IT The availability of part-time work is limited. Progression towards a more flexible working hours system started later in Italy than in other countries and has been much slower.	IS Part-time work is common among pupils and students as well as mothers with young children. Flexibility as concerns working-time arrangements is first and foremost in hours of work. A survey shows that 63% of those employed and living in and around Reykjavik aged 25-64 in 2003 stated that they had worked flexible hours and 50% answered that they had worked from home in the last 12 months. Working from home and flexible working hours were more common among managers, employers and professionals than other occupational groups.
CY The only type of flexible work arrangement that currently exists in Cyprus is part-time work and this is also seen as the most popular.	LI The only available figures refer to part-time work. In 2000, almost half of the women in gainful employment were working part-time. There is no additional information, neither is there any information available on flexible working hours for parents, jobsharing, teleworking or personal working-time accounts.
LV Part-time work is not a widespread employment pattern (only 10.5% of employees, mainly women). There are a limited number of jobs (mainly in the service sector) that accept part-time workers. There is no data on other flexible working arrangements.	NO The opportunities for part-time work are favourable in the Norwegian labour market. The large majority of employees have limited time flexibility. More men than women have flexible time schedules; and time flexibility increases with increasing educational level. At the local level there is more flexibility than reflected in central agreements. Regulated flexible working-time arrangements are usually based on individual time accounts, in which time can be saved and withdrawn according to specific rules. About 1 in 4 employees report to have regulated 'flexitime'.
LT Part-time work may be by agreement established between the employee and the employer by decreasing the number of working days per week or shortening a working day (shift), or doing both. About 9% of workers work part-time, women a little more than men.	
LU The strict regulation of part-time contracts in Luxembourg discourages employers to take on parttime employees. The rate of part-time workers is quite below the European average. Jobsharing is restricted to certain circumstances and has to be authorised by the Ministry of Labour. The portion of the active persons who work from home is higher for women than for men (9.4% and 8.2% respectively).	
HU Part-time work, flexible working-times and teleworking are not common. Jobsharing does not exist. No information available on saving accounts/personal accounts.	
MT Flexible working-time is mainly seen in the patterns of shift workers and not as part of company policy. Jobsharing and teleworking are not common practice.	
NL Despite the high (female) part-time rate, employers are still reluctant to accept requests for part-time working hours especially in the private sector and in higher occupational levels. Most employers regard	

Source: 'Reconciliation of work and private life: A comparative review of thirty European countries', 2005

In addition to providing working time flexibility, some larger enterprises may also offer their employees additional services such as company-specific childcare facilities, especially when public or private childcare facilities are inconvenient in terms of opening hours or overly expensive. Reasons often mentioned for such incentives include the reduction of staff

turnover due to family obligations, higher job attractiveness and improving the company's image. Table 6.9 gives an overview of employers' involvement in childcare facilities. In many Eastern and Southern European Member States, company involvement in providing childcare facilities is either very limited or non-existent.

Table 6.9: Employers' involvement in childcare facilities

BE	No information available
BG	The employers do not play an important role in the provision of childcare services. The childcare institutions that existed under the state enterprises before the reform were closed at the beginning of transition due to financial reasons, enterprise restructuring or liquidation.
CZ	Little company involvement. The so-called 'workplace kindergartens' operate only exceptionally in some large enterprises (i.e. Škoda).
DK	Limited company involvement
DE	Little company involvement; less than 0.5% of all places are provided by employers for their employees.
EE	Limited company involvement
EL	Undertakings and services of the private and public sector that employ at least 300 workers are obliged to provide adequate space for a crèche/nursery for the children of their personnel when they build new premises. This provision has faced resistance from employers and their organisations, however. At this moment, only the Public Power Company, the Commercial Bank of Greece and the Ministry of Culture run their own nurseries. In contrast, some social security schemes or big private firms make deals with private nurseries and provide to the persons insured access to childcare services free of charge. This is the case for all social security schemes in the banking sector and big employers such as the Greek Telecom Company (OTE), KERANIS (tobacco industry), Greek Petroleum (ELPE), FOENIX (insurance company) and INTRACOM (ICT group).
ES	Very limited company involvement.
FR	Major companies offer (or participate in providing) childcare services, examples included banks, (university) hospitals, Michelin, and the Post Office. In total, 224 company crèches provide 15 000 of the 200 000 crèche-places in France (7.5%). Since 2003, state support for company crèches has been introduced in the form of tax credit corresponding to 60% of the operating costs of new structures.
IE	Only a few companies, mostly in the public sector, provide childcare services.
IT	No company involvement.
CY	No company involvement.
LV	Very few companies provide kindergartens.
LT	No information available.
LU	Some major companies (banks, hospitals) offer childcare services. The Ministry of Family, Social Solidarity and Youth uses part of its budget to promote the creation of day care centres by private individuals or companies.
HU	Since the transition, employers usually do not have their own childcare institution anymore, but in some cases they subsidise public kindergartens in order to support their own employees.
MT	No company involvement.
NL	The provision of (formal) childcare is seen as a combined responsibility of the government, the employers and the employee. Since the introduction of the Childcare Act on 1 January 2005, employers are supposed, but not obliged, to pay 1/3 of the childcare bill (each employer 1/6).
AT	Childcare facilities at company level hardly play a role in Austria. According to the Mikrozensus survey of 2002, only 0.6% of all children cared for out of family attended a company kindergarten.
PL	Very little company involvement (less than 1% of private firms run childcare centres for children of their employees). In case of public companies financial donation to childcare facilities is sometimes practised, depending on the economic performance of the donating establishment.
PT	No information available.
RO	No company involvement.
SI	Very little company involvement. Two big pharmaceutical companies have kindergartens within/near the company premises.
SK	Very little company involvement.
FI	No company involvement.
SE	No company involvement.
UK	8% of employers provide some form of childcare or related support facilities – covering around a quarter of all employees in workplaces with five or more employees. Large firms (>250 employees) are more likely to make this provision than small firms, and the public sector was almost four times more likely to make this provision than private sector workplaces.
IS	No company involvement.
LI	Hardly any company involvement. One of the few exceptions is the country's public administration: the Liechtenstein government has established a day nursery for the children of its employees.
NO	No company involvement.

Source: 'Reconciliation of work and private life: A comparative review of thirty European countries', 2005

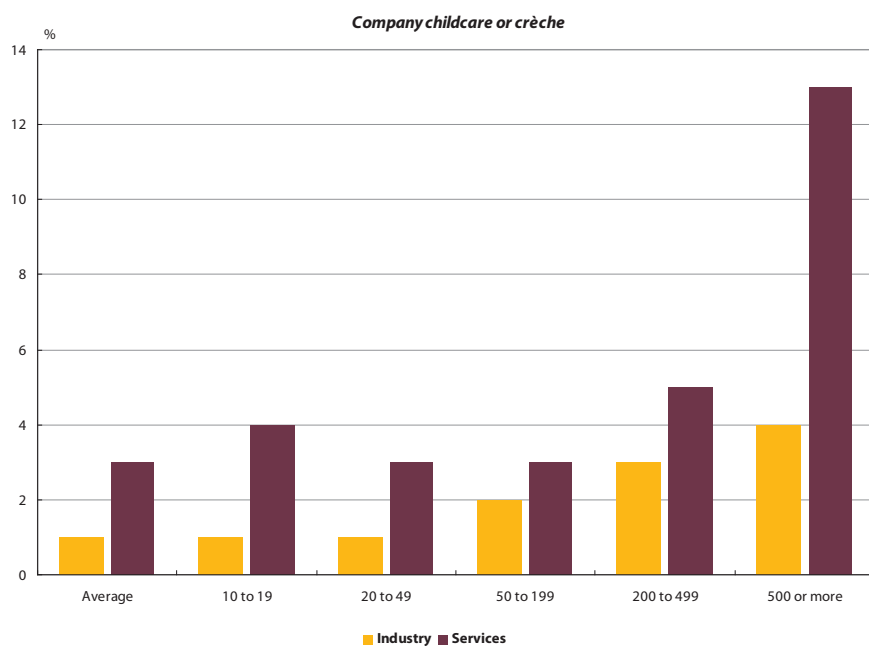


According to the Establishment Survey on Working Time 2004–2005⁽⁹⁾, enterprises offering specific childcare provisions are more than twice as numerous in the services sector than in industry.

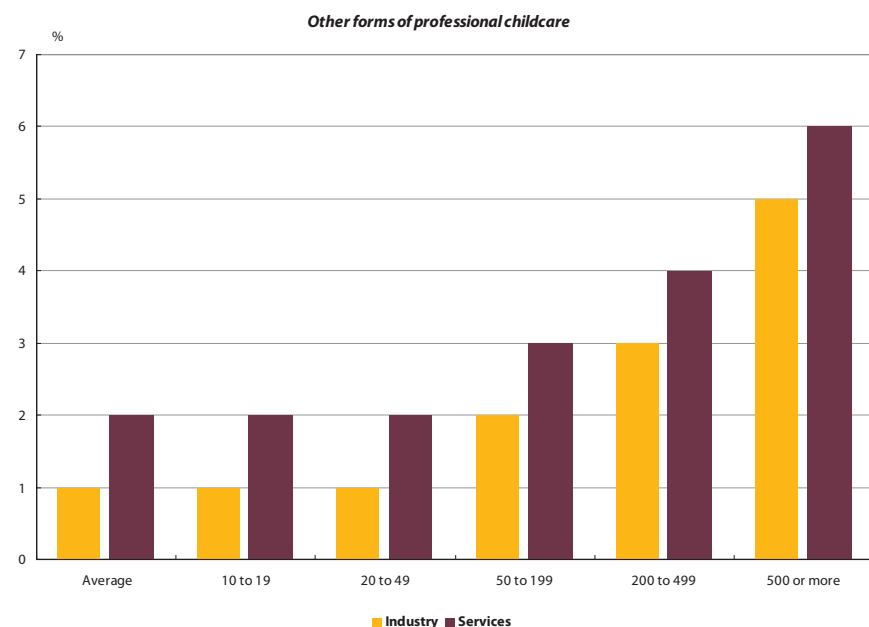
On average, only 3% (Industry 1%) of all establishments covered by the survey offered a company-owned kindergarten or crèche service; a further 2% (Industry 1%) offered, sometimes in addition to a company kindergarten or crèche facility, other forms of professional childcare help, e.g. a

⁽⁹⁾ For more information on the survey please refer to the box on the 'Establishment Survey on Working Time 2004–2005'.

Figure 6.11: Childcare facilities offered by enterprises, by sector and size (%)



Source: ESWT, 2004-2005.



Source: ESWT, 2004-2005.

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Reconciliation between work, private and family life in the European Union

Luxembourg: Office for Official Publications of the European Communities

2009 — 135 pp. — 21 x 29.7 cm

ISBN 978-92-79-12859-2

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Reconciliation between work, private and family life in the European Union

Work is a source of income, professional satisfaction and social contact. However, work is not always easy to combine with family life and other private activities, especially for parents. Reconciling both demands is an important issue for many citizens in the European Union.

This publication looks at various aspects of the issue of reconciliation of work with family life. It features discussions of the data sources used and gives an overview of the differences in the relevant legal arrangements in the Member States. The report starts with a description of the labour market situation, including developments in part-time work, fixed-term contracts and household composition. The following chapters cover working hours with special attention to unpaid family work, childcare and other care services, maternity and parental leave and flexibility in working time arrangements, including atypical working times such as working at night or at the weekend.

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