

Transforming working time towards a more balanced time organisation

Policy brief

Contents

Background	2
Goals for a balanced organisation of working time	2
Key measures for a balanced organisation of working time	4
Benefits of a balanced organisation of working time	5
Public policy recommendations	5

October 2023

Background

How we organise time is determined by the established social framework – itself marked by the sexual division of labour and the centrality of business activity – and the collective and individual time uses that are derived from it. Time can therefore be understood as a political issue that must be adapted to structural changes at each period in history. Conceptualising and implementing the right to time, a right for all, is key to the well-being of the society of the 21st century.

Working time and work organisation is a key part of such a right. From the early 20th century, many countries in the West passed laws ushering in a new working time paradigm anchored by the introduction of the 8-hour workday in all sectors and based on the model proposed by Robert Owen in 1817. Owen hatched the pioneering eight-hour triangle, dividing the day in three parts: eight hours for paid work, eight hours to rest, and eight hours for leisure.

Daily activities are distributed across the 24-hour day and known as time uses. This concept includes the distribution of time for paid, unpaid and care work, sleeping time, leisure time, etc. How these time uses, especially time for working, are organised is a fundamental part of working relations and has a deep impact to workers and companies alike. In 1919 the International Labour Organisation recognised this as a key topic in their Constitution and adopted the organisation's first agreement on the 40-hour week.

But the ways in which we live and work have undergone profound changes in the last century, and society, and its productive and social fabric, are very different as well. Most workers see current time uses as a source of anxiety; the model designed for the 20th century is no longer valid for 21st-century society.

Faced with such unrest, the ILO, in its guide for a balanced organisation of working time, continues to highlight a better organisation of working time as a key milestone to achieve “decent work”. Additionally, the revised European Social Charter, several directives from the EU Parliament and Council, and the jurisprudence generated by the Court of Justice of the EU, make it possible to continue to promote a better organisation of time for paid work.

Now is the time for pioneering national governments, as well as regional and local ones, to step forward and legislate how people use their time. Not only should this new legal framework establish minimum regulatory measures to foster a more balanced organisation of working time, but it should also ensure that such balance extends to every sphere of our lives.

Employment is an essential part of our life cycle and must be a key piece of any holistic time use legislation. This document therefore focuses on the necessary changes in that arena.

Goals for a balanced organisation of working time

The ultimate goal of this proposal is a balanced organisation of working time¹. We define six strategic goals in particular:

¹ Hereafter, unless otherwise stated, paid work will be referred to as simply "work", which implies an employment relationship between worker and client/employer.

1. **Rationalise and reduce working time.** Current regulations prohibit any individual from working more than an average of 48 hours per week, including ordinary working day and overtime (Directive of the European Parliament and the Council, 2003). Nevertheless, current working hours are a source of anxiety. This is largely due to the difficulty of reconciling working time with other times in our life, with 30% of workers reporting in 2022 that their job prevented them from spending time with family². In addition, the debate on unpaid overtime is spreading across Europe. The regulation of overtime is a hot topic both in the public debate and collective bargaining processes. In many cases, concerns centre on the large amount of unpaid overtime (such as in Spain and Denmark) or the negative impact that unpaid overtime has on workers' work-life balance (like in the Czech Republic)³. These two factors reflect the need to rationalise the total number of hours devoted to paid work.
2. **Organise working time in a way that is healthier and safer.** Stress is behind one in five sick leaves taken at global level⁴, and 51% of European workers view stress in the workplace as normal⁵. This goal highlights health and safety as two of the key aims of a better organisation of working time. Moreover, 19% of European workers (24% of men and 14% of women) work between 10pm and 5am ("night work"), which negatively impacts their health and work-life balance⁶.
3. **Make working time more transparent and predictable.** This goal is aimed at workers with wholly variable and uncertain schedules – workers lacking not only flexibility and autonomy to manage their working time, but also certainty about when or how many hours will they work. Workers participating in the platform economy are a clear example of this profile.
4. **Organise working time more sustainably.** Sustainability is understood as a way to increase workers' autonomy in managing their working time, potentially increasing satisfaction with work and productivity within their organisation.
5. **Organise working time in a way that is co-responsible and egalitarian.** Statistics show that the way we currently organise working time makes balancing work with personal and family life difficult, if not impossible. Consequently, women are often the ones cutting their workday short or giving up professional careers to attend to their care and work responsibilities, generating gender disparities.
6. **Encourage companies to participate in organising working time.** Measures related to this goal should help workers and their companies reach consensus on working time arrangements, taking into account the needs and preferences of both.

² Eurofound (2022), Fifth round of the Living, working and COVID-19 e-survey: Living in a new era of uncertainty, Publications Office of the European Union, Luxembourg.

³ Eurofound (2022), Overtime in Europe: Regulation and practice, Publications Office of the European Union, Luxembourg.

⁴ Dragioti, Elena et al. (2022). "Global population attributable fraction of potentially modifiable risk factors for mental disorders: a meta-umbrella systematic review" in *Molecular Psychiatry*: <https://doi.org/10.1038/s41380-022-01586-8>

⁵ European Agency for Safety and Health at Work (2019), European Survey of Enterprises on New and Emerging Risks (ESENER), Publications Office of the European Union, Luxembourg.

⁶ Eurofound (2017), Sixth European Working Conditions Survey – Overview report (2017 update), Publications Office of the European Union, Luxembourg.

Key measures for a balanced organisation of working time

We propose specific key measures to achieve the above six goals. These could be complemented with additional measures according to the current legal situation of each member state.

- ✓ **Reducing working time.** We propose gradually reducing the maximum work week to 37.5 hours in all sectors by 2026, and 32 weekly hours in 2032. This would make it possible to align current labour law with a trend already present in many countries and companies, harmonising the current reality in terms of average worked hours in Europe, recognised in collective agreements and sectoral regulations. Labour laws in many member states still set the working week at 38 to 40 hours, but average worked hours per week are fewer.
- ✓ **Reinforce companies' obligation to inform workers about working time,** such as scheduling or applicable overtime rules⁷. Such measures would offer transparency and predictability about working time also for those workers with unknown or variable schedules. In these cases, we propose that companies provide information about minimum guaranteed hours; hours and days when companies can require a person to work (therefore also when individuals can refuse to work) and the minimum warning period that companies must respect when changing those schedules.
- ✓ **Make the workday more compact.** For split shifts, we propose establishing a single break not to exceed one hour unless otherwise agreed in collective bargaining. We expect that limiting interruptions during the workday will have a key impact on part-time contracts, which are usually held by women and frequently involuntarily. Thus, guaranteeing that part-time contracts are not extended excessively through multiple breaks is essential.
- ✓ **Extend weekly rest** up to two days. In general, most current labour laws require one and a half days of weekly uninterrupted rest (usually two for workers under 18)⁸. We believe it is necessary to extend weekly rest to two days, first, to guarantee worker health and safety, and second, to avoid dualising the labour market.
- ✓ **Reform current regulations on shift work and night work.** This kind of work has been scientifically demonstrated to carry a higher risk of health issues, so better regulation will directly impact one of the most vulnerable groups of workers. Such improvements could include measures like a ban on working more than five nights in a row for shift workers, a right to change from a night shift to an available day shift (for which workers qualify at age 50), and more.
- ✓ **Increase options for reducing working time,** for example, with reductions that could be used intermittently during the week, month or year. Such reductions could alternately allow workers to take care of people living with them (family or not) and

⁷ This is already a demand of the Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union.

⁸ Established by Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time.

this option could be encouraged among men. A third possibility is to enhance paid leave according to the laws of individual member states, developing and improving the provisions of EU Directive 2019/1158 of the European Parliament and the Council, from 20 June 2019, on work-life balance for parents and carers.

- ✓ **Improvement Plan for working time arrangements.** We propose that companies with 50 or more workers draw up and implement a plan for improved working time arrangements. Such plans, negotiated between the company and workers' legal representatives, should include a diagnosis of the company situation as well as measures to adopt to move towards a more balanced organisation of working time.

Benefits of a balanced organisation of working time

We hope that the above key measures, and others included in a future time use law, will contribute to four key benefits:

- **HEALTH.** Increasing social well-being and physical and mental health by recognising and promoting the value of resting time, respecting workers' circadian rhythms, and reducing uncertainty around work schedules.
- **EQUALITY.** Reducing time poverty, improving work-life balance and achieving higher levels of co-responsibility, while harmonising working time conditions between men and women in the labour market.
- **EFFICIENCY.** Increasing companies' competitiveness by increasing productivity, reducing worker absenteeism and employee turnover, and attracting talent.
- **SUSTAINABILITY.** Making the way we use time sustainable both for the planet and in terms of energy savings by fostering proximity and promoting a mobility that respects each worker's time.

In summary, these benefits will improve societal well-being and enhance the competitiveness of companies and organisations. We believe that a more balanced organisation of working time and more rational schedules will benefit everyone.

Public policy recommendations

To better balance the organisation of working time, we recommend:

- **That international organisations dealing with the labour market, particularly the ILO,** adapt their recommendations and actions to new needs and realities by reopening the debate on working time conditions.
- **That the competent bodies of the European Union** adapt current EU Directives to harmonise working time conditions across the EU and move towards a more balanced organisation of our time.
- **That national governments** elaborate a Time Use Law that:
 - Not only establishes minimum regulatory conditions to foster a more balanced organisation of working time, but also takes into account all uses

of time, including schedules that are key to people's everyday lives (i.e., schools, culture, commerce, etc.).

- o Defines a minimum regulatory framework harmonising and modernising workers' and companies' rights and duties and, at the same time, offering enough space for collective bargaining to adapt this framework to the realities of individual sectors and territories.
- **That trade unions and business organisations** include the above proposals in their programmes and actions.
- **That civil society** raise awareness about the benefits and importance of a more balanced organisation of working time.

This work paper has been elaborated by the Time Use Initiative based on the ideas developed for the study to support a future Time Use Law, commissioned by the Ministry of Labour of Spain. The following experts contributed comments:

- *Anna Ginés. Professor of Labour Law in ESADE.*
- *Raquel Serrano. Professor of Labour Law and Social Security in Barcelona University.*
- *Maria Luz Vega. Honorary consultant at Madrid Complutense University and former civil servant at the ILO.*