

## Relations industrielles Industrial Relations



*Collective Bargaining on Working Time: Recent European Experiences*, edited by Maarten KEUNE and Bela GALGÓCZI, Brussels: ETUI-REHS, 2006, 290 pp., ISBN-10: 2-874520-14-4.

Mark Thomas

Volume 63, Number 1, Winter 2008

URI: <https://id.erudit.org/iderudit/018132ar>

DOI: <https://doi.org/10.7202/018132ar>

[See table of contents](#)

---

### Publisher(s)

Département des relations industrielles de l'Université Laval

### ISSN

0034-379X (print)

1703-8138 (digital)

[Explore this journal](#)

---

### Cite this review

Thomas, M. (2008). Review of [*Collective Bargaining on Working Time: Recent European Experiences*, edited by Maarten KEUNE and Bela GALGÓCZI, Brussels: ETUI-REHS, 2006, 290 pp., ISBN-10: 2-874520-14-4.] *Relations industrielles / Industrial Relations*, 63(1), 176–178. <https://doi.org/10.7202/018132ar>

---

Tous droits réservés © Département des relations industrielles de l'Université Laval, 2008

This document is protected by copyright law. Use of the services of Érudit (including reproduction) is subject to its terms and conditions, which can be viewed online.

<https://apropos.erudit.org/en/users/policy-on-use/>

---

**érudit**

This article is disseminated and preserved by Érudit.

Érudit is a non-profit inter-university consortium of the Université de Montréal, Université Laval, and the Université du Québec à Montréal. Its mission is to promote and disseminate research.

<https://www.erudit.org/en/>

groups. Still, it gets a bit tedious, and would require a significant commitment to be read cover to cover. However, the report's intelligent chapter organization, along with its succinct and excellent executive summary, means readers can get the information they want quickly and easily.

Arthurs report sought to find a "sensible and practical balance between the positions advanced by worker advocates and those advanced by employers" (p. 17). However, my guess is that proposals such as a much higher national minimum wage, significantly increased flexibility for workers to control their work time, enhanced protections and benefits for agency, temporary, and part-time workers, and improved benefits for workers in non-standard employment relationships, will lead many employers to believe the report's recommendations, if enacted, would tilt the balance in favour of workers.

Perhaps the biggest problem with the report is that it could easily end

up a "dust collector." The report was commissioned in 2004, and since then, there has been a major change in the Canadian political landscape. The current Conservative government lead by Prime Minister Stephen Harper has not indicated any interest in revisiting Part III of the CLC. And, many of the ideas in this report would almost certainly be interpreted as too "liberal" or too "labour-oriented" for big and small "c" conservatives. Nevertheless, many of the recommendations in the report deal with the need to tidy-up the standards, and it is conceivable that a number of changes could be undertaken by the HRSDC without legislative initiatives.

Part III of the CLC is out-of-date and does need an update. Whether the ideas put forward in this report form the basis of revisions remains to be seen. At the very least, the report provides the basis for and catalyst to continuing discussion and debate.

**GERALD HUNT**  
Ryerson University

***Collective Bargaining on Working Time: Recent European Experiences,***  
edited by Maarten KEUNE and Bela GALGÓCZI, Brussels: ETUI-REHS, 2006,  
290 pp., ISBN-10: 2-874520-14-4.

The relationships between work and time have become increasingly complex in recent decades, with shifts away from standard working hours, the growth in nonstandard employment, and an increased blurring of boundaries between work and non-work time definitive of new working time patterns. In particular, pressure for employer-oriented "flexibility"—through either demands for longer hours or increases in part-time and temporary employment contracts—is driving key working time transitions.

Working time has historically been a central issue around which unions organized and bargained collectively. In the 19<sup>th</sup> century, unions in both

North America and Western Europe organized to regulate the length of the working day. In the post-World War II era, collective bargaining contributed to the normalization of the standard workweek, with additional compensation for overtime hours, in unionized sectors of industrialized labour markets. Through the 1980s and 1990s, however, an employer-led offensive to restructure the organization of work placed labour movements on the defensive, and altered the context in which unions have sought to regulate working time. As the impacts of working time change are connected to job quality, employment security, and labour market equality, unions have struggled to use collective bargaining to

redefine the way in which time is organized in the contemporary workplace.

The collection of reports contained in *Collective Bargaining on Working Time: Recent European Experiences* captures these tendencies, exploring both changing patterns in working time across European labour markets, as well as the ways in which European trade unions are attempting to re-regulate working time in order to increase workers' control over their time at work and thereby improve their quality of life outside work. The book is a collection of 21 country reports, each outlining changing working time patterns, legislative provisions regulating working time, union policies on working time, and collective bargaining outcomes in recent years.

While the book is divided into individual country reports, several key themes run through the chapters. A primary theme is the widespread shift towards employer-oriented "flexibility." In many countries this has manifested itself in employer attempts to gain greater control over in the organization of working time. Employers in Belgium, for example, have altered traditional bargaining patterns around working time by pressuring for higher levels of overtime and, like employers in Switzerland, have called for a longer normal work week. German employers have exerted great pressure in recent bargaining to increase weekly hours and to secure "opt-out" clauses in collective agreements. In Denmark, employers have pushed for a decentralization of the collective bargaining system, moving more negotiation to the company level, and have also pressured for greater flexibility in the averaging of weekly hours.

Another key theme in the text is the role of legislation in shaping the parameters of bargaining around working time. As neoliberalism has taken hold in many European parliaments, governments have increasingly sought to support employer-oriented "flex-

ibility" initiatives. The U.K. serves as a key example, where the government has clearly signaled its intentions to counter "over-regulation," for example by introducing the capacity for workers to "opt out" of weekly hours of work limits. There, working time legislation is further compromised by a weak enforcement regime. The implementation of the 35-hour workweek in France sits at the other end of the political spectrum. Nonetheless, legislative measures adopted since the election of a neoliberal government in 2002 have increased employers' flexibility with respect to overtime hours, charting a path that brings France closer in line with tendencies elsewhere in Europe.

The movement towards "time flexibility" has manifested itself in collective agreements in recent years. For example, in Austria the collective agreement for the IT sector establishes provisions for daily and weekly flexibility, as well as annual "flexi-time accounts." In Denmark, private and public sector provisions for averaging of weekly hours have been extended from six weeks to 12 months. At the same time, European unions have advanced their own working time agenda, ranging from pressure for reduced working time to advancing employee-oriented versions of working time "flexibility." In Spain, unions have prioritized achieving a 35-hour workweek through collective bargaining, with real movement in this direction achieved in agreements negotiated between 2001-2004. In Finland, unions have sought to negotiate individual "time accounts," which would enable workers to better coordinate their work and family life. In Switzerland, employer demands for "time flexibility" have been tempered by collective agreement clauses for worker consultation and veto rights over the implementation of employer requests. In the U.K., unions have sought to promote flex-time arrangements that are developed cooperatively between unions, managers and employees.

While there are common themes that run through the country reports, there is little in the way of overarching analysis that ties the text together. A thematic introductory chapter sets the tone nicely; however due to the large number of reports, the text feels simultaneously repetitive and disjointed. Instead of analyses of the trajectory of working time patterns, the implications for workers, and the strategies undertaken by European unions, the text simply presents a description of working hours, labour laws, and collective bargaining outcomes. This limits its readership to those who would be interested in technical description. Rather than a collection of short, individual country reports, the text may have been better organized as a series of thematic commentaries that could include, but not be limited to, country-specific case studies.

A key theme overlooked by the text is the intersecting inequalities associated with changing working time patterns. The book would have benefited a great deal by incorporating a gendered perspective on working time. While

women's labour market participation has increased dramatically over the past several decades, gendered inequality in the distribution of working time remains prevalent. Similarly, as migrants and immigrant workers are more likely to hold temporary employment contracts and be employed in occupations that are exempted from labour legislation, the text would have benefited from an analysis of the racialized dynamics of working time, a topic that is particularly pressing given the significance of labour migration within the European Union.

Nonetheless, *Collective Bargaining on Working Time* constitutes a strong reference source for those engaged in research on working time. The chapters are concise and very readable. The tables are well organized and provide data that could be compiled for more in-depth comparative analysis. And most importantly, the text serves as a strong reminder that the longstanding struggle over working time remains a key challenge for today's trade unions.

**MARK THOMAS**  
York University

***Les intermittents du spectacle. Sociologie d'une exception,***

par Pierre-Michel Menger, Paris : Éditions de l'École des hautes études en sciences sociales, 2005, 286 p., ISBN : 2-7132-2064-5.

Dans cet ouvrage rigoureusement documenté, Pierre-Michel Menger décortique le cas extrême d'un secteur, celui des intermittents du spectacle en France, où l'hyperflexibilité de l'emploi est couplée à la couverture assurantielle du risque chômage. En sept chapitres complétés par des annexes et une bibliographie, l'auteur analyse les paradoxes et les déséquilibres d'un régime doublement exceptionnel, puisqu'il n'a pas son équivalent dans d'autres pays européens, ni dans d'autres secteurs du marché du travail français. Après avoir exposé comment ce système « d'emploi-chômage flexible » a contribué à désintégrer complètement le marché

de l'emploi artistique, faisant croître le risque chômage, il appelle à une gestion à la fois responsabilisée et mutualisée de ce risque, grâce notamment à une modulation de la cotisation patronale selon le niveau de risque représenté par l'employeur.

Dénoncé par les uns pour son coût élevé, revendiqué par les autres qui réclament son extension à d'autres secteurs d'activité, le régime des intermittents du spectacle se retrouve de manière récurrente à l'avant-scène du conflit social. Au chapitre 1, Menger identifie les éléments qui rendent ce conflit si singulier : il concerne un secteur en forte expansion; son ressort n'est pas la lutte