



European Foundation for the Improvement of Living and Working Conditions

## Working time developments – 2006

Average collectively agreed weekly working hours

Collectively agreed weekly hours by sector

Statutory maximum working week and day

Actual weekly working hours

Annual leave

Annual working time

Overtime

On-call work

Appendices

This report is available in electronic format only.

*This review of working time developments in Europe in 2005 and 2006 finds that over the period the average collectively agreed weekly working time in the EU was 38.7 hours, while agreed normal annual working time averaged around 1,750 hours. Of the eight sectors and occupational groups examined in the study, agreed weekly hours are highest in retail, followed by doctors in public hospitals. Average collectively agreed paid annual leave entitlement stood at 25.3 days across the EU in 2006. This report also examines statutory working time and leave limits, actual working hours and overtime, and highlights the topical issue of ‘on-call’ work.*

This annual update provides an overview of the duration of working time in the European Union and Norway in 2006 (and 2005), based on contributions from the European Industrial Relations Observatory (EIRO) national centres. It examines the following issues: average weekly working hours as set by collective agreements – both at national level and for a number of specific sectors and occupational groups; statutory limits on weekly and daily working time; average actual weekly working hours; annual leave entitlement, as set by collective agreements and law; estimates of average collectively agreed annual working time; and overtime working levels and compensation. Finally, moving away from largely statistical data on the length of working time, the report investigates the issue of ‘on-call’ work or duty, a form of employment that involves unpredictable or irregular working hours.

Before proceeding, it should be noted briefly that a number of problems arise when making international comparisons of the length of working time. Comparable data are not collected in all countries, while particular difficulties include the following:

- the existence of different ways of calculating working time, with annual rather than weekly calculation increasingly common in some countries (TN0308101S);
- the fact that working time reductions in some countries have been introduced through extra days off or cuts in annual hours, leaving the normal working week relatively unchanged;
- the increasing use of schemes whereby weekly hours may vary considerably around an average over a reference period;
- the treatment of part-time workers;
- the differing roles of collective bargaining and legislation, with the latter having an impact on actual working hours in some countries, but acting only as a maximum ‘safety net’ in others.

Figures for normal weekly working hours are also problematic when comparing working time between countries, as they do not take into account matters such as overtime or the length of annual and other forms of leave.

This report provides general data on the current situation and developments, while pointing out the pitfalls involved in comparisons. The figures provided should be treated with caution, and the various notes and explanations read with care.

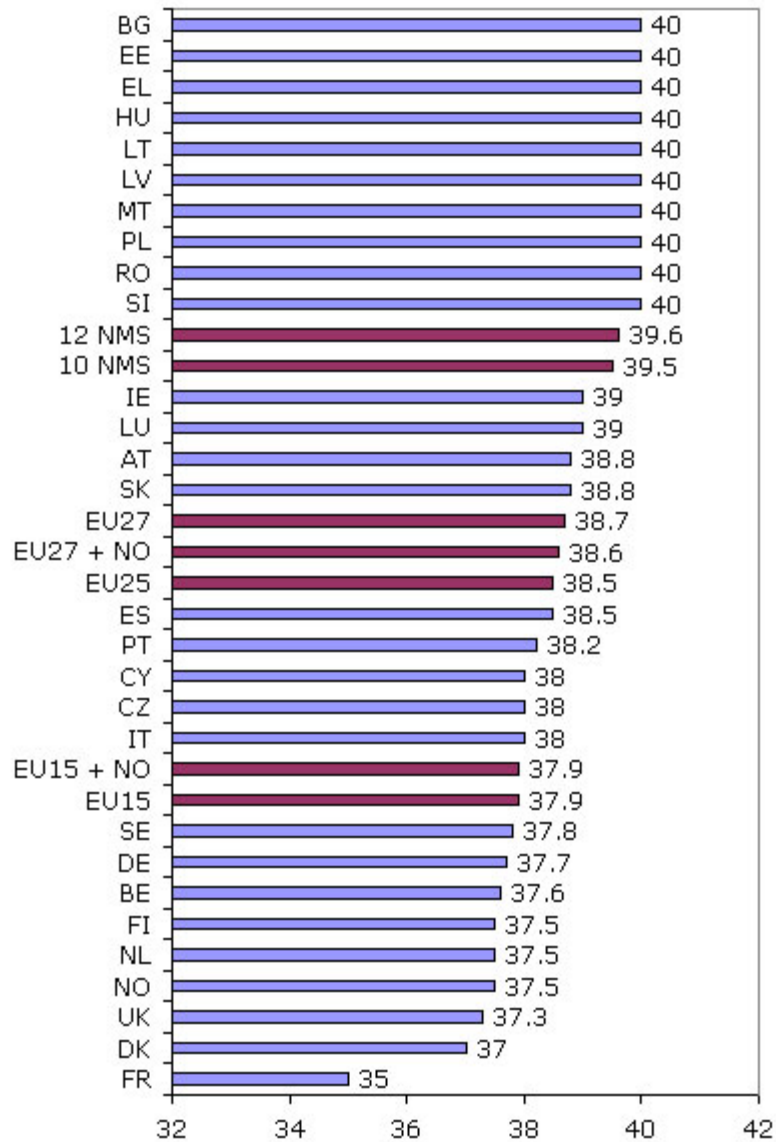
## **Average collectively agreed weekly working hours**

Collective bargaining plays an important role in determining the duration of working time in most of the countries considered here, although to a lesser extent in some of the new Member States (NMS) that joined the EU in 2004 and 2007. However, the nature of this role differs widely between the countries, with various bargaining levels – intersectoral, sectoral or company – playing different parts, and bargaining coverage varying considerably. This coverage averages around three quarters of the workforce in the 15 EU Member States before 1 May 2004 (EU15), and about four out of 10 workers in the NMS. Moreover, the importance of bargaining differs

greatly between sectors of the economy and among groups of workers. The relationship between bargaining and legislative provisions on working time also varies between countries.

Figure 1 outlines the average normal weekly working hours in 2006 for full-time workers, as set by collective bargaining at national level for the 28 countries examined.

*Figure 1: Average collectively agreed normal weekly working hours, 2006*



**Average collectively agreed normal weekly working hours, 2006**

Note: The data in Figure 1 should be read in conjunction with the notes in Appendix 1. See Appendix 14 for a list of country codes and breakdown of country groupings.

Source: EIRO

The figure gives information for 2006; in almost all cases, agreed working hours were identical to those in 2005. The slight declines in the totals for Belgium and Sweden, compared with those given in the EIRO 2005 report (TN0608101U), are a result of different – and, it is hoped, more accurate – data sources being used. Elsewhere, there were minor movements of 0.2 hours or less upwards in Slovakia and the UK, and downwards in eastern Germany and Portugal. The only change that seems potentially significant was in the Netherlands, where the figure increased by 0.5 hours, reflecting greater possibilities for longer working hours in some agreements, although the figure used is an estimate.

Across the 27 EU Member States (EU27), the overall average weekly working hours remained unchanged at 38.7 hours from 2005 to 2006. However, considerable variation is still apparent between the EU15 and the NMS, with the average in the EU15 standing at 37.9 hours in 2006 (38 in 2005), compared with 39.6 hours (the same as in 2005) in the 12 NMS that joined the EU between 2004 and 2007. This gap constitutes a difference of 1.7 hours, or 4.5%.

In the EU15 and Norway, over the eight-year period 1999–2006, average agreed normal weekly hours decreased slightly from 38.6 to 37.9 hours (a decline of around 1.8%). Average collectively agreed normal working time has remained essentially static in six of these 16 countries – although there have been exceptions in specific sectors and companies – and has fallen by less than an hour per week in two other countries. Reductions of an hour or more have occurred in Luxembourg (one hour), the UK (1.1 hours), Portugal (1.2 hours), Belgium (1.4 hours), Sweden (2.2 hours), and, most notably – driven by legislation – France (four hours). Slight rises appear to have occurred in Austria and the Netherlands. However, it should be noted that changes in calculation methods may have occurred in some countries.

As in the past few years, working time cuts were rarely a prominent collective bargaining issue in the EU15 and Norway in 2006, with few agreed cuts reported, although the issue was still on the agenda of some trade unions. For instance, the Norwegian Union of Municipal and General Employees (Fagforbundet) sought working time reductions in the form of a six-hour working day in the 2006 bargaining round; the demand failed but the government is conducting trials with new working time patterns. Meanwhile, nurses' unions in Ireland gave a 35-hour week considerable priority. As in 2005, employers in some countries sought to increase working hours in the 2006 bargaining round – with some success in the German public sector and, to a lesser extent, the Netherlands.

Continuing the trend of recent years, working time flexibility was a much more important theme than its duration in many countries, with agreements focusing on topics such as 'time savings accounts' or 'banks', as in the Belgian auto industry and Italian electricity sector, and on overtime hours, as in Belgium and in the French metalworking and Italian chemicals sectors.

EIRO data for the NMS do not go back as far as for the EU15, generally starting in 2003. However, in the majority of these countries, normal weekly working hours appear to have been static at 40 hours for some years – as in Bulgaria, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania and Slovenia. Collective bargaining plays a relatively slight role in setting normal weekly working hours in most of these countries, and collective agreements either do not tend to deviate from the statutory norm or do not deal with the issue at all. The exceptions to the 40-hour rule are Cyprus, the Czech Republic and Slovakia, where agreed hours are around the EU15 average. Slovakia is the only NMS where appreciable reductions in working hours have been recorded over the past few years. In general, working time does not appear to be very high on the bargaining agenda in the NMS at present.

## Collectively agreed weekly hours by sector

Turning from the whole economy to individual sectors, the following figures show average normal weekly working hours for full-time workers as set by collective bargaining in six sectors selected to represent the manufacturing industry, services and the public sector. EIRO has been collecting data on five of these sectors – metalworking, chemicals, banking, retail and the central civil service – since 1999 or 2000 in the case of the EU15 and Norway, and from 2002–2004 in the case of the NMS. This year, the public hospitals sector is included for the first time, broken down, given its complexity, into three occupational groups: doctors, nurses and blue-collar staff. While the more specific sectoral figures below are probably more accurate than the overall average data given in the previous section, caution is again advised in their use, and the notes under each figure should be taken into account – all of the caveats noted above also apply to the sectoral statistics.

Comparing the six sectors, with the public hospitals sector categorised into the three occupational groups, in 2006 the highest average collectively agreed normal weekly hours in the EU27 were found in retail, at 38.9 hours, while the lowest were found in banking and among public hospital nurses, at 38.1 hours. Public hospital doctors' working hours were second longest, at 38.8 hours, followed by the chemicals sector, at 38.7 hours – which is the overall average for the whole economy. The other sectors were below average: metalworking at 38.5 hours, the civil service at 38.2 hours and public hospital blue-collar staff also at 38.2 hours.

Looking solely at the EU15 and Norway, public hospital doctors reported the longest average collectively agreed normal weekly hours in 2006, at 38.7 hours, followed by: retail (38.3), chemicals (38.2), metalworking (38), public hospital nurses and blue-collar staff (both 37.4), the civil service (37.2) and banking (37.1). The average for the whole economy of the EU15 and Norway was 37.9 hours. The range between the highest and lowest sectoral figures was 1.6 hours.

In the NMS, the retail sector reported the longest average agreed normal working hours in 2006, at 39.7 hours, followed by: the civil service (39.6), banking and public sector blue-collar staff (both 39.5), metalworking (39.3), and public hospital doctors and nurses, and chemicals (all 39.2). The average for the whole economy was 39.6 hours. The range between the highest and lowest sectoral figures was 0.5 hours – considerably narrower than that for the EU15 and Norway.

The main differences in rankings between the two groups of countries are that public sector doctors and the chemicals industry have relatively long hours in the EU15 and Norway and relatively short hours in the NMS, whereas the banking sector and civil service have relatively short hours in the EU15 and Norway and relatively long hours in the NMS.

In the NMS, average agreed weekly hours are above the EU15 and Norway average in all sectors although the weekly figures in individual countries are lower than those found in some of the EU15 with longer hours. The difference between the average figures for the EU15 and Norway and the NMS is narrowest for public hospital doctors, at a gap of 0.5 hours, and chemicals, with a one-hour difference, and widest in banking and the civil service, both at a gap of 2.4 hours.

For the EU15 and Norway, the data series going back to 1999 for metalworking and banking and to 2000 for chemicals, retail and the civil service allow a slightly longer-term view of developments, although it should be noted that the data sources used for the EIRO figures have changed in some countries over the years. In 2006, average agreed weekly working hours had declined by 0.5 hours (a cut of 1.3%) in banking, 0.4 hours in metalworking (-1.0%) and 0.2 hours in chemicals (-0.5%). The average remained static in retail and had risen by 0.2 hours in the civil service, representing an increase of 0.5%.

It is notable that, in some countries, average agreed weekly working hours vary little across the sectors examined or indeed, it appears, the whole economy. A uniform 40-hour working week (usually also the statutory normal week – see next section) applies in many of the NMS – this is the case in Bulgaria, Estonia, Hungary, Malta, Poland (with one sectoral exception), Romania and Slovenia, and probably also in Latvia and Lithuania although fewer data are available in these cases. A similar uniformity applies, albeit at a lower figure, in Denmark (37 hours) and France (35) and, with one sectoral exception each, in Greece (40), Ireland (39), Belgium (38) and Norway (37.5). There is relatively little variation – with none of the sectors examined differing by more than three hours – in Austria, Cyprus, the Czech Republic, Finland, Luxembourg, Slovakia, Sweden and the UK, but wider differences exist in Germany, Italy, the Netherlands, Portugal and Spain.

## **Metalworking**

Figure 2 below shows collectively agreed normal weekly hours in the metalworking sector, based on relevant sectoral collective agreements except where specified otherwise in the notes for the figure. No data are available for Latvia and Lithuania as collective bargaining generally plays little or no role in setting normal working hours in metalworking in these countries, while the sector as such does not exist in Malta. The figure provides data only for 2006, and virtually no change from the 2005 figure was recorded in most countries, with the exception of a 0.4-hour decline in Finland, a smaller reduction of eight hours a year in the Netherlands and a 0.2-hour increase in the UK – where the figure used is an average of mainly company agreements. The changes in the figures for Belgium, Slovakia and Spain, compared with those given for 2005 (TN0608101U), are mainly a result of different data sources being used.

Across the 24 EU Member States for which data are available, the average agreed weekly working time in metalworking stood at 38.5 hours in 2006, 0.2 hours shorter than the overall average for the whole economy for the EU27.

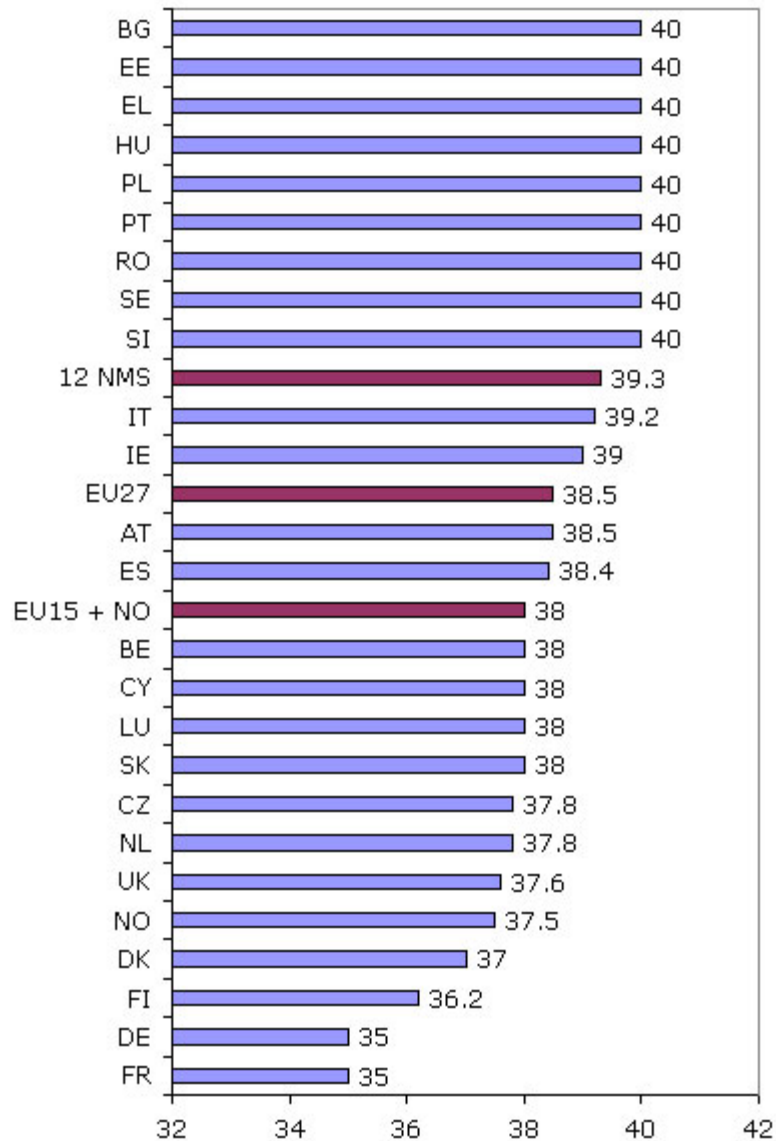
In the EU15 and Norway, the average agreed weekly hours in metalworking stood at 38 hours in 2006 – a decline of 0.4 hours from the figure in 1999, when EIRO first surveyed this issue. This is largely due to substantial cuts in agreed working hours in France and Finland, with relative stability in most countries over the eight-year period. Some of the variations arising may be explained to a large extent by the fact that the data sources used for the EIRO figures have changed in some countries over the years.

In 2006, in the EU15 and Norway, the longest weekly hours in metalworking – at 40 hours – were found in Greece, Portugal and Sweden although the Swedish figure is likely to be lower in practice, due to various working time reduction methods. Meanwhile, the shortest agreed hours were found in France and western Germany, each at 35 hours. Working hours in metalworking are notably higher than the national average for the whole economy in Italy, Portugal and Sweden although working time reduction schemes not affecting basic weekly hours apply in some of these cases. Conversely, working hours in metalworking are notably lower than the national average in Finland, western Germany and Luxembourg. Overall in the EU15 and Norway, the average agreed working week in metalworking, at 38 hours, is 0.1 hours above the overall average for the whole economy.

Turning to the NMS, data are available for nine countries, with average weekly working hours in metalworking standing at 39.3 hours in 2006 – 1.3 hours above the EU15 and Norway average and 0.3 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly hours in Cyprus, the Czech Republic and Slovakia are around the average figure for the EU15, while they stand at 40 hours – that is, two hours higher than the EU15 and Norway average – in the other NMS. In the Czech Republic and

Slovakia, weekly hours in metalworking are somewhat below the national average for the whole economy, while in the other countries they are the same as this average.

Figure 2: *Collectively agreed normal weekly hours, metalworking sector, 2006*



**Collectively agreed normal weekly hours, metalworking sector, 2006**

Notes: Due to limited data availability, the ‘EU27’ average includes only 24 countries and ‘12 NMS’ only nine countries. The data in Figure 2 should be read in conjunction with the notes in Appendix 2.

Source: EIRO

## Chemicals

Figure 3 below shows collectively agreed normal weekly hours in the chemicals sector, based on relevant sectoral collective agreements, except where specified otherwise in the notes for the figure. No data are available for Bulgaria, Latvia and Lithuania as collective bargaining generally plays little or no role in setting normal working hours in the chemicals sector in these countries. The figure provides data only for 2006, and virtually no change was recorded since the 2005 figure in most countries, with the exception of slight increases in Slovakia and the UK. The changes in the figures for Luxembourg, the Netherlands and Spain, compared with those given for 2005 (TN0608101U), are mainly a result of different data sources being used.

Across the 24 EU Member States for which data are available, the average agreed weekly working time in the chemicals sector stood at 38.7 hours in 2006, the same as the overall average for the whole economy for the EU27.

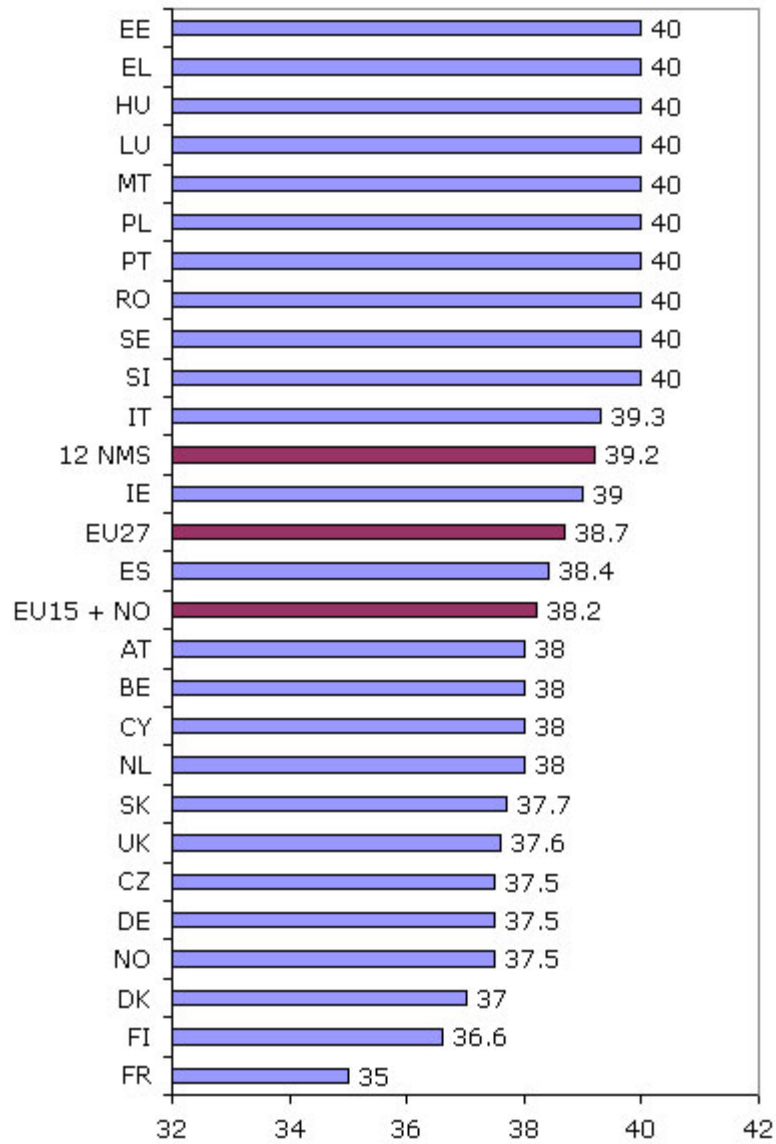
In the EU15 and Norway, the average agreed weekly working hours in chemicals stood at 38.2 hours in 2006 – a decline of 0.2 hours since 2000, the first year for which EIRO collected data on this sector. A noticeable reduction is apparent in Finland and the Netherlands over the seven-year period and some relatively minor upward and downward movement in a few other cases, although the data sources used for the EIRO figures have changed in some countries over the years.

In 2006 in the EU15 and Norway, the longest weekly working hours in chemicals, at 40 hours, were found in Greece, Luxembourg, Portugal and Sweden, although the Swedish figure, and to some extent that for Luxembourg, is likely to be lower in practice, due to various working time reduction methods. Meanwhile, the shortest working hours were reported in France, at 35 hours. Working hours in the chemicals sector are markedly higher than the national average for the whole economy in Italy, Luxembourg, Portugal and Sweden, and notably lower in Austria and Finland. Overall in the EU15 and Norway, the average agreed working week in chemicals, at 38.2 hours, is 0.3 hours above the average for the whole economy.

Regarding the NMS, data are available for nine countries, with average weekly working hours in chemicals standing at 39.2 hours in 2006 – one hour above the EU15 and Norway average and 0.4 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly hours in Cyprus, the Czech Republic and Slovakia are below the average figure for the EU15, while they stand at 40 hours – that is, 1.8 hours higher than the EU15 and Norway average – in the other NMS. In the Czech Republic and Slovakia, weekly working hours in the chemicals sector are somewhat below the average for the whole economy, while in the other countries they are the same as this average.



Figure 3: *Collectively agreed normal weekly working hours, chemicals sector, 2006*



**Collectively agreed normal weekly working hours, chemicals sector, 2006**

Notes: Due to limited data availability, the 'EU27' average includes only 24 countries and '12 NMS' only nine countries. The data in Figure 3 should be read in conjunction with the notes in Appendix 3.

Source: EIRO

## Banking

Figure 4 below shows collectively agreed normal weekly hours in the banking sector, based on relevant sectoral collective agreements, except where specified otherwise in the notes for the figure. No data are available for Latvia and Lithuania as collective bargaining generally plays little or no role in setting normal working hours in banking in these countries. The figure provides data only for 2006, and there was virtually no change from the 2005 figure in most countries, with the exception of a slight increase in the Czech Republic and slight declines in Italy and Slovakia. The changes in the figures for Luxembourg and Spain, compared with those given for 2005 (TN0608101U), are mainly a result of different data sources being used.

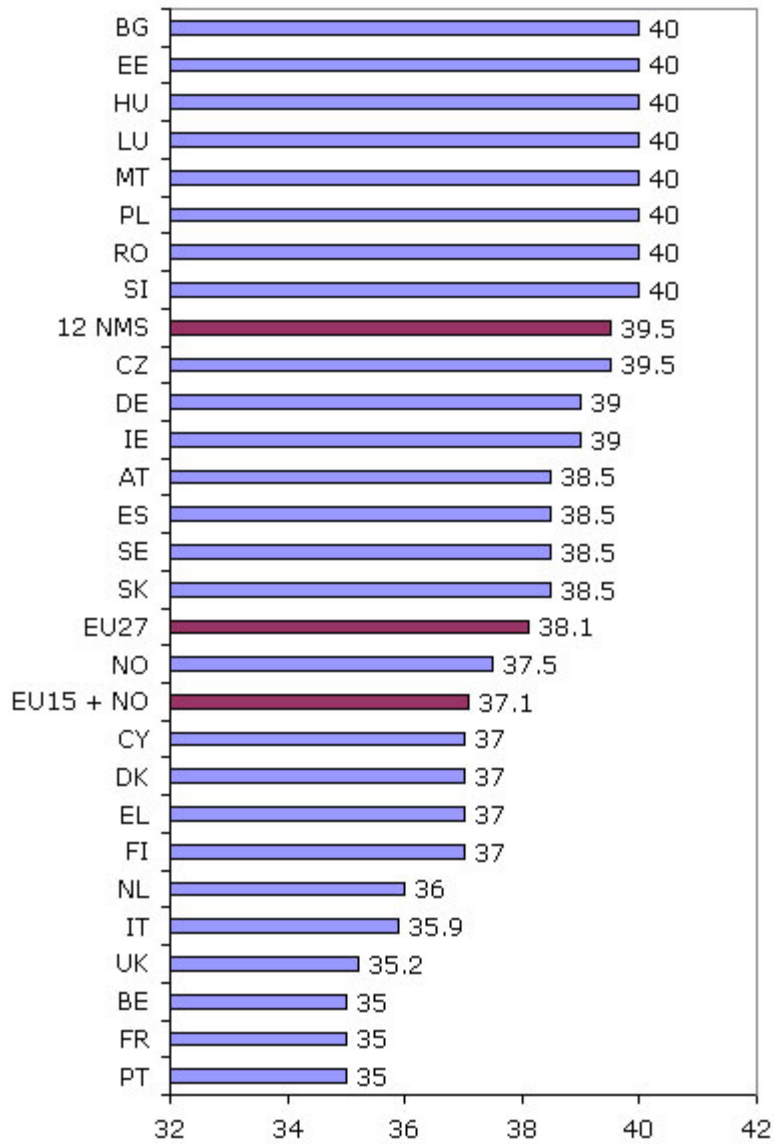
Across the 25 EU Member States for which data are available, the average agreed weekly working time in the banking sector stood at 38.1 hours in 2006, 0.6 hours lower than the overall average for the whole economy for the EU27.

With regard to the EU15 and Norway, average agreed weekly working hours in banking stood at 37.1 hours in 2005 – a decrease of 0.5 hours since 1999. A notable reduction may be seen in Belgium, France, Greece and Italy over the eight-year period and relatively minor movement in both directions in some other countries, although the data sources used for the EIRO figures have changed in certain countries over the years.

In 2006 in the EU15 and Norway, the longest weekly working hours in the banking sector, at 40 hours, were found in Luxembourg, and the shortest working week was reported in Belgium, France and Portugal, each at 35 hours. Working hours in banking are lower than the national average for the whole economy – most markedly in Belgium, Greece, Italy, Portugal and the UK – or equal to it in most countries, with the exceptions of Germany, Luxembourg and Sweden. Overall in the EU15 and Norway, the average agreed working week in banking, at 37.1 hours, is 0.8 hours below the average for the whole economy, underlining its position as a generally ‘low agreed hours’ sector in western Europe.

Turning to the NMS, information is available for 10 countries, with average weekly hours in banking standing at 39.5 hours in 2006 – 2.4 hours above the EU15 and Norway average and 0.1 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly working hours in Cyprus are around the average for the EU15, while in the Czech Republic and Slovakia they are around the 39-hour mark. The figure stands at 40 hours – that is, 2.9 hours higher than the EU15 and Norway average – in the other NMS. In Cyprus and Slovakia, weekly hours in banking are somewhat below the average for the whole economy, while in the Czech Republic they are higher; in the other countries they are the same as the national average.

Figure 4: *Collectively agreed normal weekly working hours, banking sector, 2006*



**Collectively agreed normal weekly working hours, banking sector, 2006**

Notes: Due to limited data availability, the ‘EU27’ average includes only 25 countries and ‘12 NMS’ only 10 countries. The data in Figure 4 should be read in conjunction with the notes in Appendix 4.

Source: EIRO

## Retail

Figure 5 below sets out collectively agreed normal weekly hours in retail, based on relevant sectoral collective agreements, except where specified otherwise in the notes for the figure. No data are available for Latvia and Lithuania as collective bargaining generally plays little or no role in setting normal working hours in the retail sector in these countries. The figure provides data only for 2006; while agreed hours remained static in most countries, increases from 2005 were found in the Czech Republic, Slovakia, the UK and – most significantly with a one-hour rise – in the Netherlands.

The changes in the figures for Belgium, Luxembourg and Spain, compared with those given for 2005 (TN0608101U), are mainly a result of different data sources being used; a discrepancy may also be noted for the Netherlands where a figure of 38 working hours was originally given for 2005. However, the latest data reported from the Dutch EIRO national centre indicate a revised figure of 37 working hours for 2005, compared with 38 hours for 2006, and hence the one-hour gap between the two years as noted above.

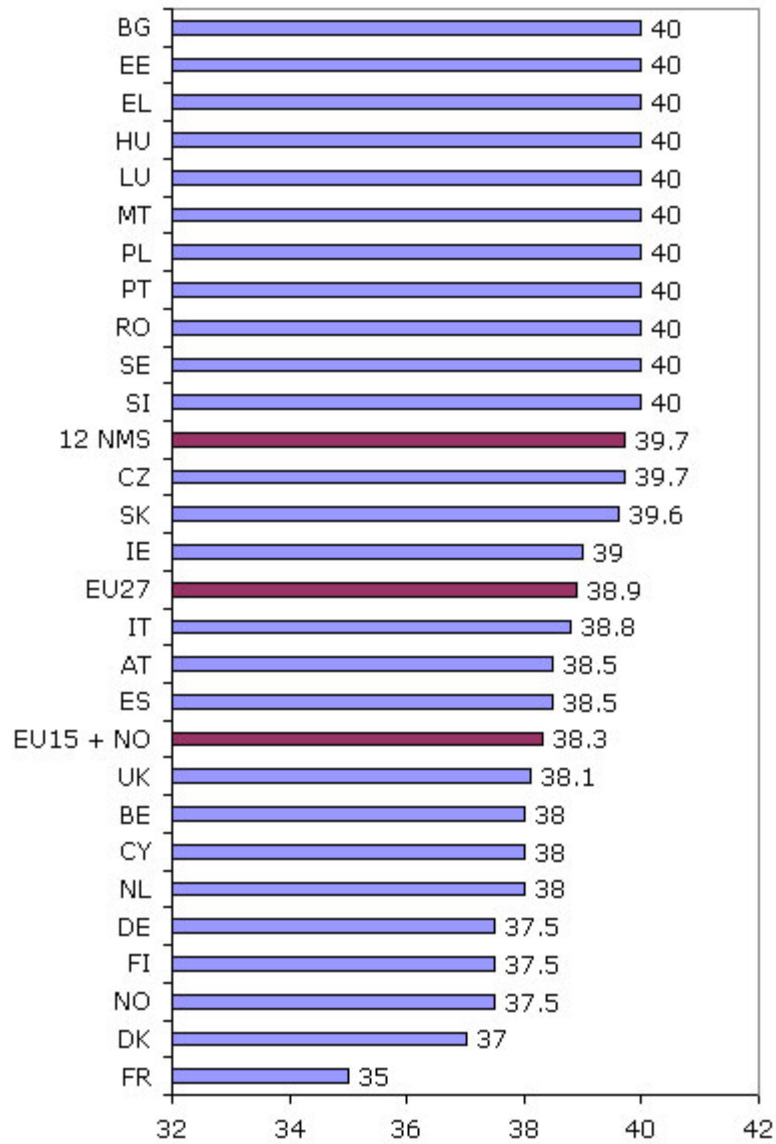
Across the 25 EU Member States for which data are available, the average agreed weekly working time in the retail sector stood at 38.9 hours in 2006, 0.2 hours higher than the overall average for the whole economy for the EU27.

Since 2000, average weekly working hours in retail in the EU15 and Norway have remained virtually static, at 38.3 hours, even if the figures in some countries have varied slightly upwards and downwards, although the data sources used for the EIRO figures have changed in some countries over the years.

In 2006, in the EU15 and Norway, the longest weekly hours in the retail sector, at 40 working hours, were found in Greece, Luxembourg, Portugal and Sweden, while the shortest working hours were reported in France, at 35 hours. Working hours in retail are often higher than the national average for the whole economy, as in Belgium, Italy, Luxembourg, the Netherlands, Portugal, Sweden and the UK. Retail working hours are lower than the national average only in Austria and Germany. Overall in the EU15 and Norway, the average agreed working week in the retail sector, at 38.3 hours, is 0.4 hours above the average for the whole economy.

Data are available for 10 of the 12 NMS, with average weekly hours in retail totalling 39.7 hours in 2006 – 1.4 hours above the EU15 and Norway average and 0.1 hours above the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly working hours in Cyprus are just below the average for the EU15, while in the Czech Republic and Slovakia, the figure stands at just under 40 hours. The other NMS have a 40-hour week in the retail sector, that is, 1.7 hours higher than the EU15 and Norway average. In the Czech Republic and Slovakia, weekly hours in retail are above the average for the whole economy, while in the other countries they are the same as this average.

Figure 5: *Collectively agreed normal weekly working hours, retail sector, 2006*



**Collectively agreed normal weekly working hours, retail sector, 2006**

Notes: Due to limited data availability, the ‘EU27’ average includes only 25 countries and ‘12 NMS’ only 10 countries. The data in Figure 5 should be read in conjunction with the notes in Appendix 5.

Source: EIRO

## Civil service

Figure 6 below shows collectively agreed normal weekly hours in the central civil service in 2006. While many of the figures refer to collective agreements, it should be noted that in some countries the working time of civil servants is set by law – this is particularly the case in many of the NMS.

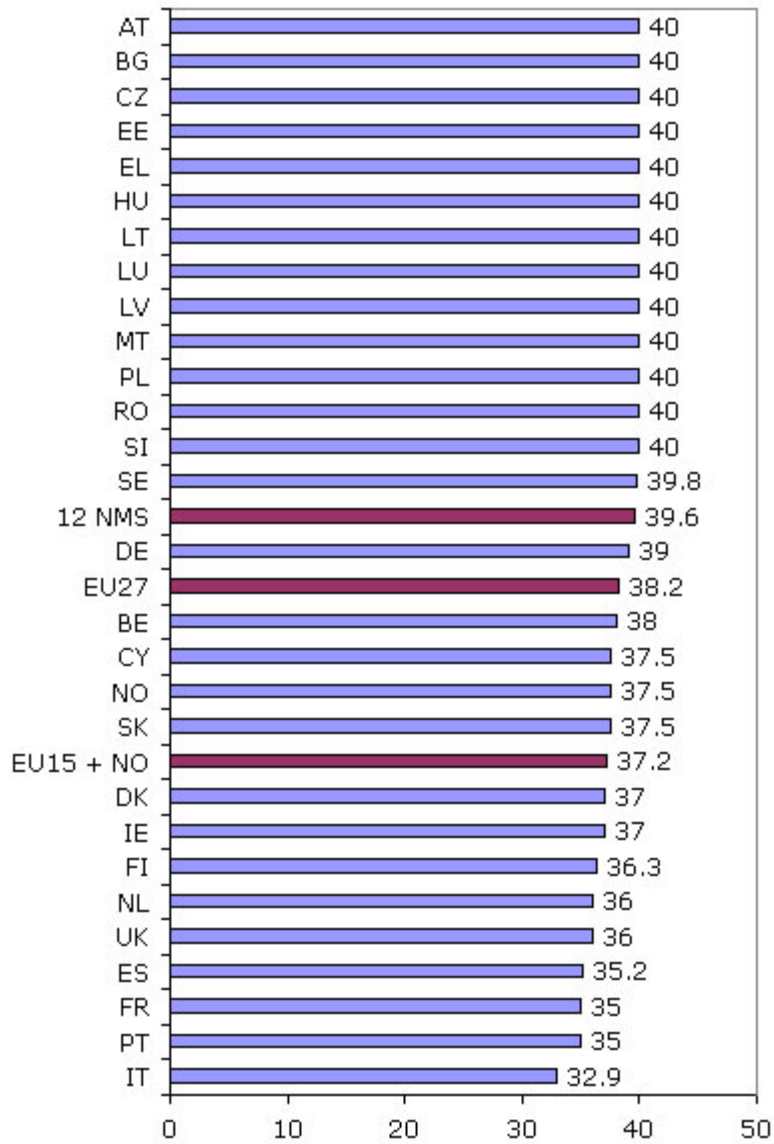
From 2005 to 2006, the most significant change was in Germany. Here the agreed working week in the central civil service was previously 38.5 hours in western Germany and 40 hours in eastern Germany, but in 2006 the working week was harmonised at 39 hours – meaning a 0.5-hour increase in the west and a one-hour reduction in the east. Otherwise, changes in the figures for Belgium, Greece, Ireland and Sweden, compared with those given for 2005 (TN0608101U), are mainly a result of different data sources being used.

Since 2000, average agreed weekly working hours in the civil service in the EU15 and Norway have declined from 37.7 to 37.2 hours, primarily owing to reductions in France, Ireland, Italy, Spain and the UK. Few changes have emerged elsewhere, apart from Germany as noted above, although the data sources used for the EIRO figures have changed in some countries over the years.

In 2006 in the EU15 and Norway, the longest weekly working hours in the civil service, at 40 hours, were found in Austria, Greece and Luxembourg, while the shortest hours were recorded in Italy, at 32.9 hours. Working hours in the civil service are significantly lower than the national average for the whole economy in Ireland, Italy, Portugal and Spain, and to a lesser extent in Finland, the Netherlands and the UK. Hours in the civil service are higher than the national average in Austria, Belgium, Germany, Luxembourg and Sweden. Overall in the EU15 and Norway, the average agreed working week in the civil service, at 37.2 hours, is 0.7 hours below the average for the whole economy.

In the NMS, average weekly working hours in the civil service stood at 39.6 hours in 2006 – 2.4 hours above the EU15 and Norway average and the same as the NMS average for the whole economy. Average weekly hours in Cyprus and Slovakia are slightly above the average for the EU15, while a 40-hour week is the norm in the other NMS, that is, 2.8 hours higher than in the EU15 and Norway. In Cyprus and Slovakia, weekly working hours in the civil service are below the average for the whole economy and in the Czech Republic they are above average, while in the other countries they are at the average.

Figure 6: *Collectively agreed normal weekly working hours, civil service, 2006*



**Collectively agreed normal weekly working hours, civil service, 2006**

Note: The data in Figure 6 should be read in conjunction with the notes in Appendix 6.

Source: EIRO

## Public sector hospitals

This year, for the first time, the report examines the duration of collectively agreed working time in public sector hospitals, based on relevant sectoral collective agreements, except where specified otherwise in the notes for the figures. This is a particularly complex sector, with large numbers of occupational groups and subgroups, often with different working time arrangements in which collective bargaining plays differing roles. Further complicating factors include: the fact that hospitals, where publicly run, may come under the responsibility of central, regional or local government or some other authority, again giving rise to varying working time arrangements; and the high prevalence of shiftwork, night work and weekend work.

Reflecting these complications, this study focuses separately on three broad occupational groups – doctors, nurses and blue-collar staff. As with civil servants, it should be noted that, in a number of countries, the working time of some or all public hospital staff is set by law, or in some cases by some other system, rather than collective bargaining.

No data are available for Bulgaria, Hungary, Latvia, Lithuania and Spain. Austria is also excluded in the following analysis. In the latter country, working time for the three categories of staff are laid down by special service regulations at regional (Land) level on the basis of the Working Time Act for Hospitals (Krankenanstalten-Arbeitszeitgesetz, KA-AZG (<http://www.bmwa.gv.at/NR/rdonlyres/731D26A6-A91E-4AFE-B13A-95F763D32653/0/KrankenanstaltenArbeitszeitgesetz.pdf>), in German, 51Kb PDF)); this provides for a maximum working week of 48 hours, but no normal week.

### *Doctors*

Figure 7 below shows collectively agreed normal weekly working hours for public hospital doctors in 2006 in 20 countries. As well as the aforementioned six countries for which no information on hospital working hours is available, two further countries do not appear in the table – Ireland and the UK. In the latter case, only a maximum working week of 56 hours is set nationally for hospital doctors, with normal working time determined locally. In the former case, the situation is very complex and working time arrangements for hospital consultants and ‘non-consultation’ or ‘junior’ hospital doctors are currently under negotiation. At present, senior hospital doctors in Ireland are required to work 33 hours a week under a public sector contract, but may work in private practice on top of this. Non-consultant hospital doctors work an average of 77 hours a week; under the terms of the EU directive on working time, this is due to be reduced, ultimately to 48 hours, but negotiations on the issue are proving protracted.

The Irish case underlines the complexity inherent in working time arrangements for doctors, which also makes international comparison difficult. It should be noted that the data given in Figure 7 in some cases refer only to one specific group of doctors – for example: those working in one particular type of hospital, as in Germany; those with a particular contractual status, as in Portugal; those in particular departments, as in Malta; or those covered by collective bargaining, who may be a minority, as in Luxembourg.

The data in Figure 7 refer to 2006. The main change from 2005 to 2006 arises in Germany, where, in the west of the country, a 1.5-hour increase in agreed weekly hours was found for the doctors referred to. In the Czech Republic, a reduction of 0.6 hours was noted.

Across the 19 EU Member States for which data are available, the average agreed weekly working time for public hospital doctors stood at 38.8 hours in 2006, 0.1 hours higher than the overall average for the whole economy for the EU27.

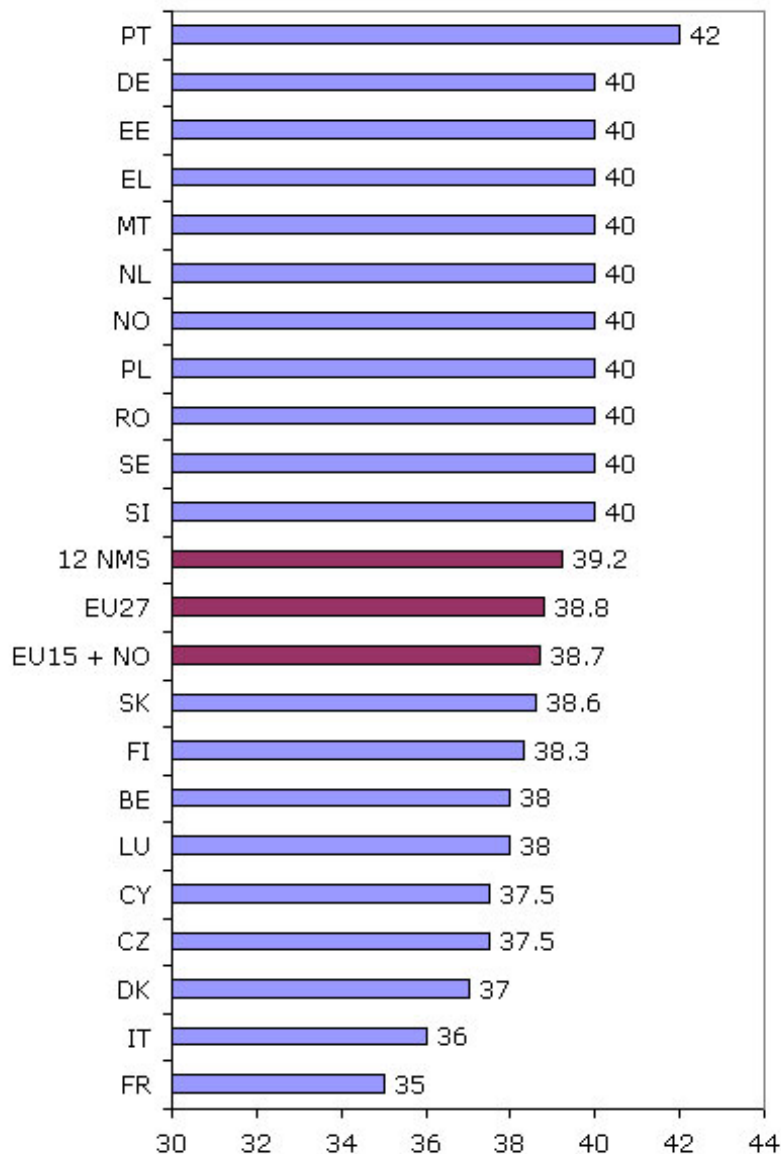
In the 12 countries for which data are available in the EU15 and Norway grouping, the longest weekly working hours for doctors, at 42 hours, were found in Portugal and the shortest in France,



at 35 hours. Working hours for doctors are often substantially higher than the national average for the whole economy, as in Germany, the Netherlands, Norway, Portugal and Sweden. Doctors' hours are lower than the national average only in Italy and Luxembourg. Overall in the EU15 and Norway, the average agreed working week for hospital doctors, at 38.7 hours, is 0.8 hours above the average for the whole economy.

Data are available for eight of the 12 NMS, with average weekly working hours for hospital doctors standing at 39.2 hours in 2006 – 0.5 hours above the EU15 and Norway average and 0.4 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly working hours in Cyprus, the Czech Republic and Slovakia are below the average for the EU15, while the other NMS have a 40-hour week, that is, 1.3 hours higher than the EU15 and Norway average. In Cyprus, the Czech Republic and Slovakia, weekly hours for doctors are below the average for the whole economy, while in the other countries they are the same as this average.

*Figure 7: Collectively agreed normal weekly working hours, doctors in public sector hospitals, 2006*



## **Collectively agreed normal weekly working hours, doctors in public sector hospitals, 2006**

Notes: Due to limited data availability, the 'EU27' average includes only 19 countries, 'EU15 + NO' includes only 12 countries and '12 NMS' only eight countries. The data in Figure 7 should be read in conjunction with the notes in Appendix 7.

Source: EIRO

### *Nurses*

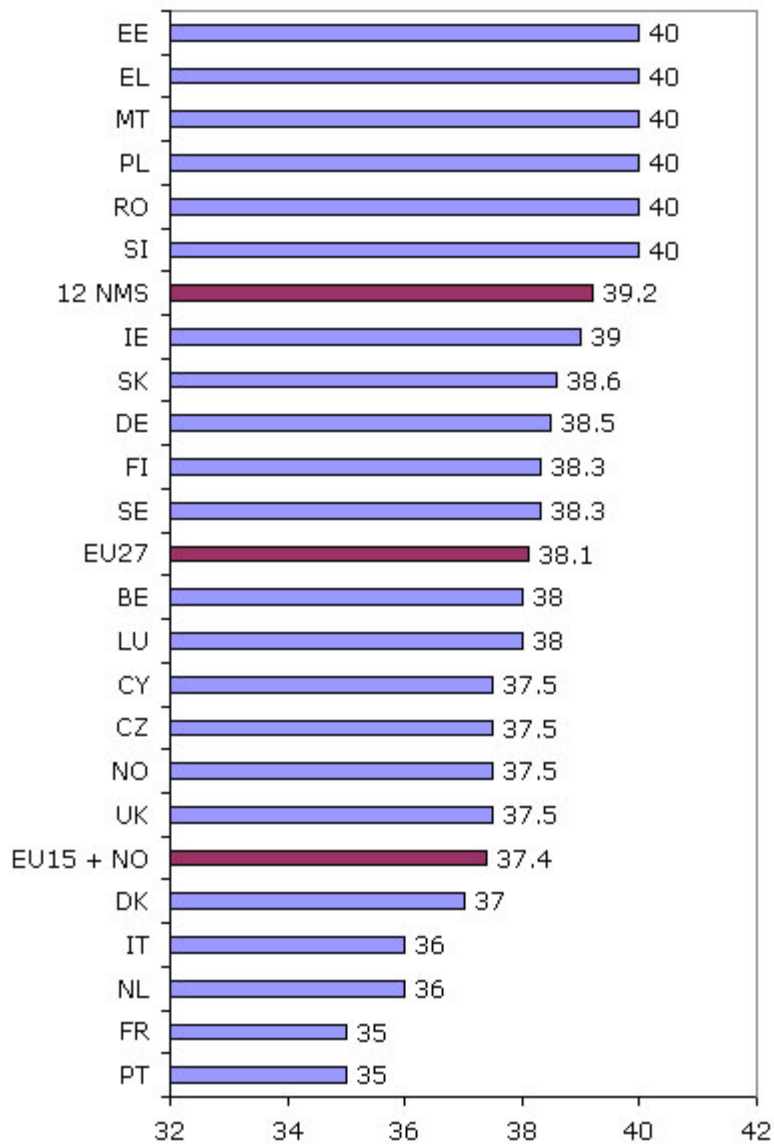
Figure 8 below shows collectively agreed normal weekly working hours for public sector hospital nurses in 2006 in 22 countries; in some cases – as with doctors – the figures refer only to particular groups of nurses. Little change was found from the situation in 2005.

In the 21 EU Member States for which data are available, the average agreed weekly working time for public hospital nurses stood at 38.1 hours in 2006, 0.6 hours lower than the overall average for the whole economy for the EU27.

In the EU15 and Norway (data are available for 14 countries), the longest weekly working hours for nurses were found in Greece, at 40 hours, and the shortest in France and Portugal, at 35 hours. Normal working hours for nurses are notably lower than the national average for the whole economy in Italy, Luxembourg, the Netherlands and Portugal; among the other countries, nurses' working hours are rarely much higher than this average. Overall in the EU15 and Norway, the average agreed working week for hospital nurses, at 37.4 hours, is 0.5 hours below the average for the whole economy.

In the eight NMS for which information is available, average weekly working hours for hospital nurses stood at 39.2 hours in 2006 – 1.8 hours above the EU15 and Norway average and 0.4 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly hours in Cyprus and the Czech Republic are near the average for the EU15, and stand at 38.6 hours in Slovakia, while the other NMS have a 40-hour working week, that is, 2.6 hours higher than the EU15 and Norway average. In Cyprus, the Czech Republic and Slovakia, weekly hours for nurses are below the average for the whole economy, while in the other countries they are the same as this average.

Figure 8: *Collectively agreed normal weekly working hours, nurses in public sector hospitals, 2006*



**Collectively agreed normal weekly working hours, nurses in public sector hospitals, 2006**

Notes: Due to limited data availability, the ‘EU27’ average includes only 21 countries, ‘EU15 + NO’ includes only 14 countries and ‘12 NMS’ only eight countries. The data in Figure 8 should be read in conjunction with the notes in Appendix 8.

Source: EIRO

### *Blue-collar staff*

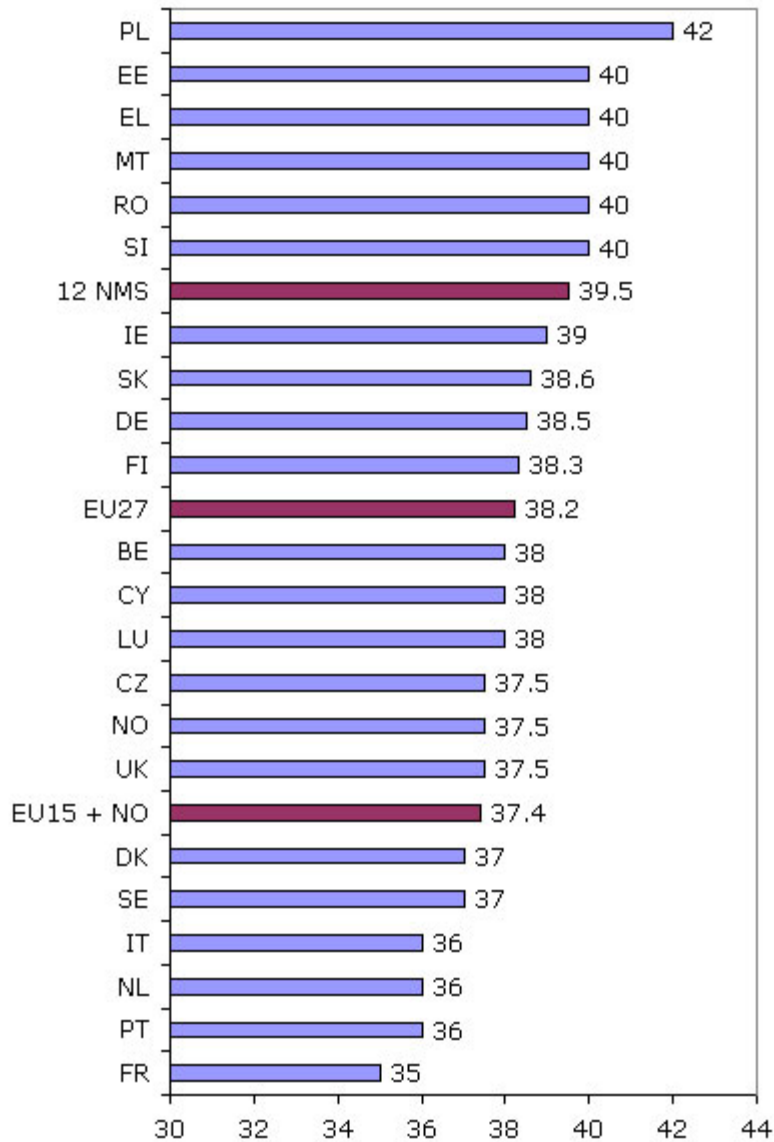
Figure 9 below shows collectively agreed normal weekly working hours for blue-collar staff in public sector hospitals in 2006 in 22 countries. Little change emerged from the situation in 2005.

In the 21 EU Member States for which data are available, the average agreed weekly working time for public hospital blue-collar workers stood at 38.2 hours in 2006, 0.5 hours lower than the overall average for the whole economy for the EU27.

In the EU15 and Norway (data are available for 14 countries), the longest weekly working hours for hospital blue-collar staff were found in Greece, at 40 hours, and the shortest in France, at 35 hours. Normal working hours for hospital blue-collar staff are notably lower than the national average for the whole economy in Italy, Luxembourg, the Netherlands and Portugal; among the other countries, these workers' hours are rarely much higher than this average. Overall in the EU15 and Norway, the average agreed working week for hospital blue-collar staff, at 37.4 hours, is 0.5 hours below the average for the whole economy.

In the eight NMS for which information is available, average weekly hours for hospital blue-collar staff stood at 39.5 hours in 2006 – 2.1 hours above the EU15 and Norway average and 0.1 hours below the NMS average for the whole economy, although the latter average is for a different number of countries. Average weekly working hours are near the EU15 average in the Czech Republic, and up to 1.2 hours above this average in Cyprus and Slovakia, while the other NMS have a 40-hour week, that is, 2.6 hours higher than the EU15 and Norway average. In the Czech Republic and Slovakia, weekly working hours for hospital blue-collar staff are below the average for the whole economy and in Poland they are substantially above average, while in the other countries they are the same as this average.

Figure 9: *Collectively agreed normal weekly working hours, blue-collar staff in public sector hospitals, 2006*



**Collectively agreed normal weekly working hours, blue-collar staff in public sector hospitals, 2006**

Notes: Due to limited data availability, the 'EU27' average includes only 21 countries, 'EU15 + NO' includes only 14 countries and '12 NMS' only eight countries. The data in Figure 9 should be read in conjunction with the notes in Appendix 9.

Source: EIRO

## Statutory maximum working week and day

In all countries examined, collective bargaining on the length of working time takes place within the framework of statutory rules on maximum working hours. These should, at the least, respect the provisions of the Directive concerning certain aspects of the organisation of working time, which was originally adopted in 1993 and is now consolidated in Directive 2003/88/EC. The directive stipulates a 48-hour maximum working week on average over a reference period not exceeding four months, a minimum daily rest period of 11 hours and a daily working time limit of eight hours for night workers.

**Table 1: Statutory maximum working week, 2006**

	Maximum hours per week
CY	48
CZ	48
DK	48
FR	48
DE*	48
EL	48
HU	48
IE	48
IT	48
LT	48
LU	48
MT	48
NL	48
RO	48
SI	48
UK	48
AT	40
BG	40
EE	40
FI	40
LV	40
NO	40
PL	40
PT	40
SK	40

<b>ES</b>	40
<b>SE</b>	40
<b>BE</b>	38

*Note: \* No explicit weekly maximum in Germany; the 48-hour figure represents an average based on daily maximum rules.*

*Source: EIRO*

As Table 1 shows, the countries form two groups – those that set their maximum weekly hours at the 48 hours specified in the EU working time directive, and those that operate a rather lower limit of 40 hours, or 38 hours in the case of Belgium. In the first group of 16 countries, the statutory maximum is in excess of average collectively agreed weekly working hours (see again Figure 1) and of average actual weekly working hours (see Figure 10 below); it thus appears to operate essentially as a safety net, although the 48-hour figure often includes overtime (TN0302101S). In the second group of 12 countries, the statutory maximum is much closer to average agreed or actual/usual weekly working hours and identical to agreed hours in some cases, indicating a more active role for the law in governing working time, although overtime may not be included in this figure. Little change was found in this area between 2005 and 2006.

These statutory maximum figures may be exceeded in many countries, in the context of working time flexibility schemes allowing weekly working hours to be varied around an average over a reference period, as permitted by the EU directive (TN0308101S). The following examples represent a range of possible variations:

- in Austria, weekly working hours may be varied up to 50 hours over a reference period, by agreement, if an average 40-hour week is maintained;
- in Bulgaria, the working week may be extended to 48 hours and the working day to 10 hours, but only involving a total of 60 working days a year and not for more than 20 consecutive working days;
- in Denmark, the 48-hour maximum must be observed on average within a period of four months;
- in Estonia and Slovakia, the average working week may extend up to 48 hours over a four-month period – or six months in Estonia, with the consent of the local labour inspector – if overtime is included;
- in Finland, weekly working hours may be varied up to 45 hours over a 52-week reference period, if an average 40-hour week is maintained;
- in Luxembourg, weekly working hours may be increased by collective agreement to a maximum of 60 hours during six weeks a year, in specific sectors characterised by workload peaks;
- in the Netherlands, the 48-hour maximum must be maintained over a 13-week reference period. If no agreement is reached between the employer and trade union or works council, statutory maximum hours are nine per day, but by agreement daily hours may be extended to 12 as long as average weekly hours do not exceed 60 over a four-week reference period and do not exceed 48 hours over a 13-week period;
- in Norway, average weekly working hours may vary and be as high as 48 hours, as long as the 40-hour maximum is maintained over a reference period of up to one year. In some specific circumstances, the reference period may be extended;

- in Poland, weekly working time may be varied up to 48 hours over a four-month reference period, if an average 40-hour week is maintained;
- in Portugal, weekly working hours may be increased to 60 hours by agreement, if the statutory maximum is maintained on average over a reference period;
- in Romania, weekly working time may exceed 48 hours, but this average must be maintained over a three-month reference period;
- in Slovenia, where working hours are unevenly distributed, the working week may be extended temporarily to 56 hours;
- in Spain, weekly working hours may be higher if a 40-hour average is maintained over a reference period;
- in the UK, weekly working hours may exceed 48 hours as long as this average is maintained over a 17-week reference period.

The frequent complexity of rules relating to overtime and variable working time means that the maximum hours shown in Table 1 cannot be compared directly, and that the differences between the groups of countries with maximum weeks of 40 and 48 hours may not be great in practice.

All of the countries examined also have a form of statutory maximum working day, as set out in Table 2 below. In Cyprus, Denmark, Ireland, Italy and the UK, no explicit maximum working day pertains except for night workers, but a 13-hour maximum in most circumstances can be derived from the application of the working time directive's minimum 11-hour daily rest period. Once again, whether overtime is included differs between countries, and daily hours may often be higher in the context of working time flexibility schemes. The following examples show a range of possible variations:

- in Bulgaria, the working day may be extended to 10 hours, but only involving a total of 60 working days a year and not for more than 20 consecutive working days;
- in the Czech Republic, daily working hours may be extended up to 12 hours, under working time flexibility schemes within a reference period;
- in Estonia, the working day may be up to 12 hours, including overtime;
- in Finland, an employer and employee can agree to extend regular daily working hours by up to one hour. When working hours are flexible, regular daily working hours can be extended by up to three hours;
- in Germany, daily working hours may be extended up to 10 hours, if an eight-hour average is maintained over a 24-week or six-month reference period;
- in Luxembourg, daily working hours may be increased by collective agreement to a maximum of 12 hours during six weeks a year, in specific sectors characterised by workload peaks;
- in the Netherlands, as mentioned above, if no agreement is reached between the employer and trade union or works council, statutory maximum hours are nine per day, but by agreement daily hours may be extended to 12 as long as average weekly hours do not exceed 60 over a four-week reference period and do not exceed 48 hours over a 13-week period;
- in Poland, in specific cases the working time during a 24-hour period may be extended to 12, 16 or 24 hours, on condition that an employee's excess hours may not be more than four hours in a 24-hour period or 150 hours in the calendar year;
- in Portugal, daily working hours may be increased to 13 under hours-averaging schemes;



- in Spain, daily working hours may be higher, by agreement, for specific jobs if the nine-hour average is maintained over a reference period.

**Table 2: Statutory maximum working day, 2006**

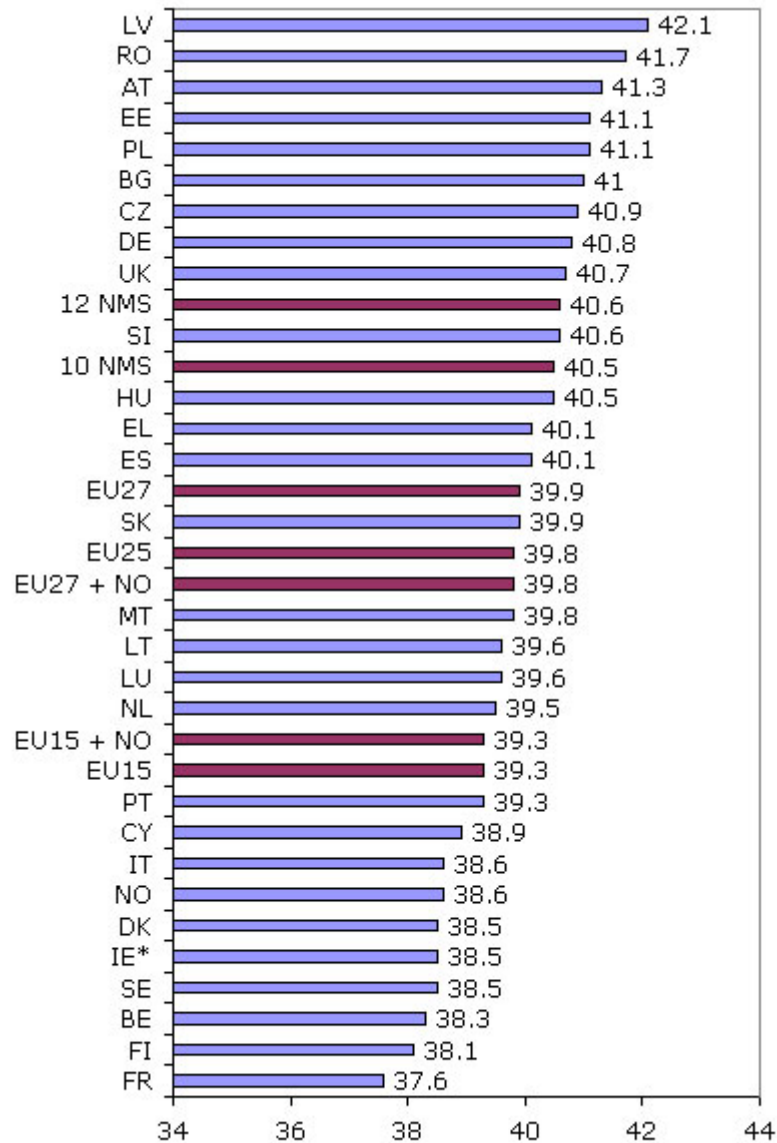
	Maximum hours per day
CY	13
DK	13
IE	13
IT	13
UK	13
MT	12.5
EL	12
HU	12
AT	10
FR	10
LU	10
SI	10
CZ	9
NL	9
NO	9
SK	9
ES	9
BE	8
BG	8
EE	8
FI	8
DE	8
LV	8
LT	8
PL	8
PT	8
RO	8
SE	8

Source: EIRO

## Actual weekly working hours

Some of the problems with data on collectively agreed normal weekly working hours are avoided in statistics on actual weekly hours worked, typically measured in labour force surveys. These figures give a more accurate impression of how many hours people really work in a given week, as they include factors such as overtime and absence. However, the national data on average actual weekly hours are often problematic for purposes of comparison, given differing definitions. Notably, some national surveys do not distinguish between full-time and part-time workers. Therefore, Figure 10 presents harmonised Eurostat data for the average number of actual weekly hours of work in the main job of full-time employees, based on its 2006 labour force survey. These hours include all working hours, including extra hours, whether paid or not.

Figure 10: Average number of actual weekly hours of work in main job, full-time employees, 2006



Note: \* 2005 figure.

Source: Eurostat, with averages calculated by EIRO

In the EU27, the highest levels of actual weekly hours worked by full-time employees in their main jobs are found in Latvia, Romania and Austria, and the lowest in France, Finland and Belgium. The range between the lowest (France) and the highest (Latvia) is 4.5 hours. A total of nine out of the 12 NMS have actual hours at or above the EU27 average, compared with five of the EU15. Of the NMS, only Cyprus, Lithuania and Malta have below-average actual hours. In the EU15, the longest actual full-time hours are worked in Austria, Germany and the UK, while the shortest actual hours are found in France, Finland and Belgium.

Actual weekly hours worked by full-time employees are higher than the average normal collectively agreed working week in all countries apart from Ireland, Lithuania and Malta, where the former are 0.2–0.5 hours lower. In the EU27, average actual weekly working hours were 39.9 in 2006, compared with an average collectively agreed weekly working time of 38.7 hours. The respective figures for the EU15 were 39.3 hours and 37.9 hours (a slightly wider gap), while for the 12 NMS they stood at 40.6 hours and 39.6 hours (a slightly narrower gap). The average actual working week exceeds the agreed normal week by less than an hour in Belgium, Cyprus, Finland, Greece, Hungary, Italy, Luxembourg, Slovenia and Sweden. Actual hours exceed agreed hours by one to two hours in Bulgaria, Denmark, Estonia, Norway, Poland, Portugal, Slovakia, Spain and Romania. Hours actually worked are two to three hours higher than agreed hours in Austria, the Czech Republic, France, the Netherlands and Latvia, while this difference is over three hours in Germany and the UK. The gap between agreed and actual hours is widest, at 3.4 hours, in the UK.

Actual weekly hours worked by male full-time employees in their main jobs exceed those of their female counterparts in all countries considered, according to the Eurostat data, by an average of some 2.5 hours across the EU27. Little difference emerges between the average differential in the EU15 and the EU27. Men's actual weekly working hours exceed women's by over three hours in Ireland, Italy, Norway, Poland and the UK, and by less than an hour in Bulgaria, Cyprus, Luxembourg and Romania.

## Annual leave

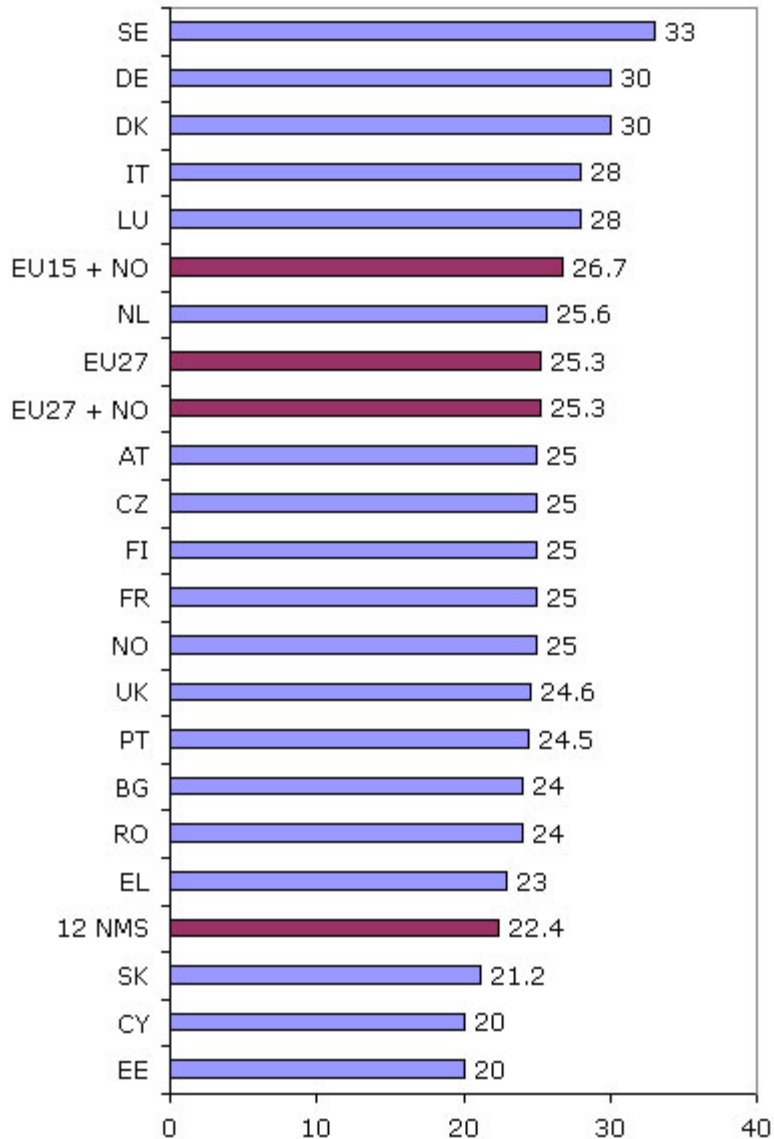
The yearly duration of working time is strongly influenced by the amount of paid annual leave to which workers are entitled. Figure 11 gives the average number of days of collective agreed annual leave for 19 countries where data are available, harmonised on the basis of a five-day working week. The figures generally apply to 2006.

It is impossible to provide information for the other countries because the matter does not appear to have been researched or is not dealt with by collective agreements, or because the rules on leave entitlement set out in collective agreements are too complex to enable even a rough estimate to be produced. To take the example of Belgium, sectoral agreements may provide for a general addition of up to five days to the statutory minimum annual paid leave of 20 days. They may also provide for additional days of leave after a certain period of service, for example, one extra day after 10 years of service. Further additional days of leave may be given as compensation for workers with a normal weekly working time above the sectoral standard. Slovenia is another country where seniority and other criteria add to the minimum entitlement of 20 days in ways that make an average impossible to estimate.

The average entitlement across the countries of the EU27 for which data are available is 25.3 days. The average in the EU15 and Norway stands at 26.7 days, and has increased slightly from

25.6 days in 2000, although the number of countries included and the calculation methods have not been uniform over this period. Agreed annual leave entitlement varies considerably, from 33 days in Sweden to 23 days in Greece. Among the NMS, figures are available only for Bulgaria, Cyprus, the Czech Republic, Estonia, Romania and Slovakia – among these countries, agreed leave is highest, at 25 days, in the Czech Republic. In most other NMS, apart from Slovenia, annual leave is probably at the statutory level (see below), as it is in Cyprus and Estonia.

*Figure 11: Average collectively agreed annual paid leave (in days), 2006*



**Average collectively agreed annual paid leave (in days), 2006**

Notes: Due to limited data availability, the ‘EU27 + NO’ average includes only 19 countries, ‘EU27’ includes only 18 countries, ‘EU15 + NO’ includes

only 13 countries and ‘12 NMS’ only six countries. The data in Figure 11 should be read in conjunction with the notes in Appendix 10.

Source: EIRO

All countries examined here have a statutory minimum period of paid annual leave, as set out in Table 3 below. In the table, the leave is expressed in days and harmonised on the basis of a five-day working week, and the data given are the basic entitlement; entitlement increases with length of service in some countries. The majority of countries (19 out of 28) have a 20-day minimum entitlement, as laid down in the EU working time directive – this group includes all of the NMS except Malta. Five countries have a 25-day minimum: Austria, Denmark, France, Luxembourg and Sweden. Meanwhile, the entitlement is 24 days in Malta, 22 days in Portugal and Spain, and 21 days in Norway.

Average collectively agreed annual leave exceeds the statutory minimum by four or more days in Bulgaria, the Czech Republic, Denmark, Finland, Germany, Italy, the Netherlands, Norway, Romania, Sweden and the UK – indicating that the law acts essentially as a safety net in these countries. Average collectively agreed annual leave and the statutory minimum are close or the same in Austria, Cyprus, Estonia, France and Slovakia – and also probably in most other NMS – indicating a more active role for the law.

**Table 3: Statutory minimum paid leave (in days), 2006**

	Minimum paid leave, in days
AT	25.0
DK	25.0
FR	25.0
LU	25.0
SE	25.0
MT	24.0
PT	22.0
ES	22.0
NO	21.0
BE	20.0
BG	20.0
CY	20.0
CZ	20.0
EE	20.0
FI	20.0
DE	20.0
EL	20.0

HU	20.0
IE	20.0
IT	20.0
LV	20.0
LT	20.0
NL	20.0
PL	20.0
RO	20.0
SK	20.0
SI	20.0
UK	20.0
EU27 + NO	21.2
EU27	21.2
EU15 + NO	21.9
12 NMS	20.3

*Note: The data in Table 3 should be read in conjunction with the notes in Appendix 11.*

*Source: EIRO*

## Annual working time

Collectively agreed annual working time figures may be a more accurate measure of the duration of working time as they take into account factors such as leave, holidays and flexibility arrangements. These data are available from national sources for a few countries, and are listed in Table 4.

**Table 4: Average collectively agreed annual working hours, 2005–2006**

	Agreed annual hours, 2005	Agreed annual hours, 2006
DE	1,656	1,657
DK	1,658	1,658
EL	1,840	1,840
ES	1,751	1,756
FI	1,724	1,708
FR	1,607	1,607
IE	1,809	1,809
IT	1,646	n.a.

<b>MT</b>	1,995	1,993
<b>NL</b>	1,725	n.a.
<b>RO</b>	1,840	1,840
<b>SE</b>	1,519	n.a.

*Note: The data in Table 4 should be read in conjunction with the notes in Appendix 12.*

*Source: EIRO*

In order to arrive at an approximate annual estimate for collectively agreed annual normal working time in all countries for 2006, this review has taken the data for average collectively agreed normal weekly working hours (see again Figure 1) and assumed a five-day working week and a 52-week year.

From this total annual figure, the next step was to subtract the average collectively annual paid leave (see Figure 11 above) or, where no data are available on this point, the minimum statutory annual leave (see Table 3 above). It should be noted that, for several countries – notably Belgium and Slovenia – average agreed leave, while impossible to calculate owing to the complexity of the rules, is undoubtedly considerably higher than the statutory minimum. The use of the latter in calculating collectively agreed annual normal working time thus makes the total figure rather higher than is in fact the case, rendering the estimates for these countries particularly crude.

The number of annual public holidays was also subtracted, excluding those falling on Sundays. Where varying numbers of regional public holidays arise, as in Germany, an attempt has been made to give a mid-range figure. It should be noted that additional holidays may be observed locally or on the basis of collective agreements or custom, while the number of public holidays may vary from year to year, particularly in countries that do not award a substitute holiday when a public holiday falls at the weekend. These variations are the main source of year-on-year changes in annual hours in many countries.

The resulting annual figures do not, of course, take into account factors such as overtime working, or other forms of time off and leave. In short, they are only very rough estimates, but they allow some broad observations to be made – see Table 5 below.

In the EU27, average collectively agreed annual normal working time in 2006 stood at 1,749.7 hours (column F, Table 5). In the EU15, the figure was 1,701.8 hours, compared with 1,809.6 hours in the 12 NMS. Workers in the latter countries thus work, on average, 107.8 hours a year (around 6.3%) longer than their counterparts in the EU15 – the equivalent of over two and a half working weeks a year more. However, annual working time in Greece and Ireland is around the average for the NMS, while that in Cyprus and the Czech Republic is nearer the EU15 average. Overall, the longest annual working hours in the EU are in Estonia, Latvia, Hungary, Poland and Romania, while the shortest are in France, Sweden, Denmark and Germany. Average annual hours in Estonia, at 1,872 hours, are 304 hours higher (over 19% more) than those in France, at 1,568 hours – the equivalent of around 7.6 working weeks in Estonia.

Looking at the ranking of the 28 countries in terms of the length of their agreed working hours, the countries with the longest weekly hours are generally also those with the longest annual hours, while countries with the shortest weekly hours tend to report the shortest annual hours. Nonetheless, the annual perspective results in rather different rankings for some countries than provided by the data for weekly hours. Some Member States, for example, Germany, Luxembourg and Sweden, have a lower position in the league table for normal annual working hours (column F, Table 5) than that for normal weekly working hours (column A, Table 5 or see

also Figure 1) because of the effects of relatively long annual leave. The same dichotomy in the ranking for weekly and annual hours can arise due to a relatively high number of public holidays, for example, in Portugal, while other countries display this disparity due to a combination of both long annual leave and several public holidays – for example, Austria and Italy.

Conversely, some countries have a higher position in the table for normal annual working hours than that for normal weekly hours because of: the effects of relatively low annual leave, for example, Spain; a relatively low number of public holidays, such as the Netherlands and the UK; both short annual leave and few public holidays, for instance, Belgium. In the latter case, however, the annual leave data used are for minimum statutory leave, due to an absence of statistics on agreed leave.

The total of agreed annual leave and public holidays (columns C + D, Table 5) varies in the EU from 43 days in Sweden to 26 days in Estonia – a difference of around 65% or nearly three and a half working weeks. Other countries with notably high leave include Germany, Denmark, Italy and Luxembourg, while countries with notably low leave encompass Latvia, Hungary and Ireland. The average figure for the EU27 is 33.7 days – 35.6 days in the EU15 and 31.3 days in the NMS.

**Table 5: Average collectively agreed normal annual working time, 2006**

	<b>A. Weekly hours</b>	<b>B. Gross annual hours (Ax52)</b>	<b>C. Annual leave (days)</b>	<b>D. Public holidays (days)</b>	<b>E. All leave (C+D), expressed in hours</b>	<b>F. Annual hours (B-E)</b>
<b>EE</b>	40.0	2,080.0	20.0	6.0	208.0	1,872.0
<b>LV</b>	40.0	2,080.0	20.0*	7.0	216.0	1,864.0
<b>HU</b>	40.0	2,080.0	20.0*	8.0	224.0	1,856.0
<b>PL</b>	40.0	2,080.0	20.0*	10.0	240.0	1,840.0
<b>RO</b>	40.0	2,080.0	24.0	6.0	240.0	1,840.0
<b>SI</b>	40.0	2,080.0	20.0*	11.0	248.0	1,832.0
<b>LT</b>	40.0	2,080.0	20.0*	13.0	264.0	1,816.0
<b>EL</b>	40.0	2,080.0	23.0	10.0	264.0	1,816.0
<b>BG</b>	40.0	2,080.0	24.0	10.0	272.0	1,808.0
<b>IE</b>	39.0	2,028.0	20.0*	9.0	226.2	1,801.8
<b>MT</b>	40.0	2,080.0	24.0*	12.0	288.0	1,792.0
<b>SK</b>	38.8	2,017.6	21.2	13.0	265.4	1,752.2
<b>ES</b>	38.5	2,002.0	22.0*	12.0	261.8	1,740.2
<b>LU</b>	39.0	2,028.0	28.0	10.0	296.4	1,731.6
<b>AT</b>	38.8	2,017.6	25.0	12.0	287.1	1,730.5
<b>BE</b>	37.6	1,955.2	20.0*	10.0	225.6	1,729.6
<b>CY</b>	38.0	1,976.0	20.0*	13.0	250.8	1,725.2



<b>CZ</b>	38.0	1,976.0	25.0	9.0	258.4	1,717.6
<b>PT</b>	38.2	1,986.4	24.5	12.0	278.9	1,707.5
<b>NL</b>	37.5	1,950.0	25.6	7.0	244.5	1,705.5
<b>UK</b>	37.3	1,939.6	24.6	8.0	243.2	1,696.4
<b>NO</b>	37.5	1,950.0	25.0	9.0	255.0	1,695.0
<b>FI</b>	37.5	1,950.0	25.0	10.0	262.5	1,687.5
<b>IT</b>	38.0	1,976.0	28.0	11.0	296.4	1,679.6
<b>DE</b>	37.7	1,960.4	30.0	10.0	301.6	1,658.8
<b>DK</b>	37.0	1,924.0	30.0	8.0	281.2	1,642.8
<b>SE</b>	37.8	1,965.6	33.0	10.0	325.1	1,631.7
<b>FR</b>	35.0	1,820.0	25.0	11.0	252.0	1,568.0
<b>EU27 + NO</b>	38.6	2,007.9	23.8	9.9	259.9	1,747.8
<b>EU27</b>	38.7	2,010.1	23.8	9.9	260.0	1,749.7
<b>EU25</b>	38.5	2,004.5	23.8	10.1	260.4	1,743.8
<b>EU15</b>	37.9	1,972.2	25.6	10.0	269.8	1,701.8
<b>EU15 + NO</b>	37.9	1,970.8	25.5	9.9	268.8	1,701.4
<b>10 NMS</b>	39.5	2,053.0	21.0	10.2	246.3	1,806.7
<b>12 NMS</b>	39.6	2,057.5	21.5	9.8	247.9	1,809.6

Note: \* Statutory annual leave figure.

Source: EIRO

## Overtime

A further feature of the working time equation briefly considered here is overtime work, which is generally in addition to the normal working hours that have been the main focus of the review so far. Eurostat defines overtime as:

*all hours worked in excess of the normal hours, which are the hours fixed in each country by or in pursuance of laws, regulations or collective agreements or, where not so fixed, the number of hours in excess of which any time worked is remunerated at overtime rates or forms an exception to the recognised rules or custom of the establishment or the process concerned ... Extra hours or credit hours in the case of flexi-time are not considered overtime because they are balanced when working less than the contractual number of hours on other working days.*

Overtime may be paid or unpaid. In most countries covered here, its regulation is quite complex, involving rules set by legislation and by collective bargaining, which are often interlinked with other rules relating to the length and flexibility of working time (TN0302101S).

National data on overtime working are not available from all of the countries concerned, and the data that are available are rarely comparable. Definitions may vary. Some figures refer to overtime per worker, and others to overtime per worker performing overtime. Some distinguish between full-time and part-time workers, while others do not. Certain national statistical offices or other sources measure overtime weekly, others monthly and others annually, while some use several measures. Certain sources express overtime in hours, others as a percentage of the normal hours of the workers concerned. Table 6 presents the available data from 16 countries, usually based on labour force surveys.

The problems with comparability of the data mean that they cannot be analysed extensively. Broadly, it can be said that, among the countries for which information is available, overtime is most extensive in a number of the NMS – notably Latvia, Malta and Slovenia – and least extensive in the Netherlands and Portugal and, to a slightly lesser extent, Germany, Sweden and the UK. However, there is not a clear old/new EU split – for example, Bulgaria and Romania have relatively low levels of overtime, while Spain has a relatively high level. One common factor across all countries, whichever measure is used, is that men work on average more overtime hours – often considerably more – than women.

**Table 6: Data on extent of overtime working, 2005 and 2006**

	<b>Measure of overtime</b>	<b>Extent of overtime</b>
<b>AT</b>	Average number of hours of overtime worked per worker per week	2.3 hours in 2005 (1.4 for women, 3.1 for men)
	Average number of hours of overtime worked per worker per month	9.9 hours in 2005 (6 for women, 13.3 for men)
	Average number of hours of overtime worked per worker per year	120 hours in 2005 (73 for women, 161 for men)
<b>BG</b>	Average number of days of overtime worked per worker per month	0.964 days in 2005, 0.955 days in 2006
	Average number of days of overtime worked per worker per year	11.354 days in 2005, 11.463 days in 2006
<b>DE</b>	Average number of hours of paid overtime worked per worker per week, excluding ‘marginal’ part-time workers, apprentices and employees on maternity leave or early retirement	1.01 hours in 2005, 1.02 hours in 2006
	Average number of hours of paid overtime worked per worker per year, excluding ‘marginal’ part-time workers, apprentices and employees on maternity leave or early retirement	52.7 hours in 2005, 53.4 hours in 2006
	Average number of hours of paid overtime worked per worker per year, all employees	41.5 hours in 2005, 41.9 hours in 2006
<b>EE</b>	Average number of hours of overtime worked per worker per week, all	3.12 hours in 2005 (1.79 for women,

	employees	4.44 for men)
	Average number of hours of overtime worked per worker performing overtime often or sometimes, per week	8.17 hours in 2005 (5.71 for women, 9.84 for men)
<b>ES</b>	Average number of hours of overtime worked per worker per week, full-time workers	5.6 hours in 2005, 5.7 hours in 2006
<b>FI</b>	Average number of hours of overtime worked per worker performing overtime per week	7.7 hours in 2005 (6.2 for women, 8.8 for men), 7.9 hours in 2006 (4.4 for women, 8.8 for men)
	Average number of hours of overtime worked per worker performing overtime per month	33.4 hours in 2005 (26.8 for women, 38.1 for men), 31.6 hours in 2006 (17.5 for women, 35.3 for men)
	Average number of hours of overtime worked per worker performing overtime per year	400.8 hours in 2005 (321.3 for women, 456.8 for men), 379.1 hours in 2006 (209.6 for women, 423.9 for men)
<b>IT</b>	Overtime worked as % of actual worked hours per month	5.8% in December 2005, 6.7% in December 2006
	Overtime worked as % of actual worked hours per year	5.3% in 2005, 5.7% in 2006
<b>LV</b>	Average number of hours of overtime worked per worker per week	9.3 hours in 2005 (8.5 for women, 10 for men)
<b>MT</b>	Average number of hours of overtime worked per worker per week	10.66 hours in 2005 (7.99 for women, 11.45 for men), 7.98 hours in January–September 2006 (5.52 for women, 8.63 for men)
	Average number of hours of overtime worked per worker per month	45.84 hours in 2005 (34.37 for women, 49.23 for men), 34.32 hours in January–September 2006 (23.75 for women, 37.11 for men)
	Average number of hours of overtime worked per worker per year	554.32 hours in 2005 (415.58 for women, 595.35 for men), 415.01 hours in January–September 2006 (287.14 for women, 448.71 for men)
<b>NL</b>	Average number of hours of overtime worked per worker per year, all employees	16 hours in 2005 (5 for women, 24 for men)
	Average number of hours of overtime worked per worker per year, full-time employees	22 hours in 2005 (5 for women, 28 for men)
<b>NO</b>	Overtime as % of all hours worked	4.7% in second quarter of 2005 (3.5% for women, 5.4% for men)
<b>PT</b>	Average number of hours of overtime	0.37 hours in first half of 2005

	worked per worker per week	
<b>RO</b>	Average number of hours of overtime worked per worker per week	1.7 hours in 2005 (1.3 for women, 2 for men), 1.3 in third quarter of 2006 (1.6 for women, 0.9 for men)
	Average number of hours of overtime worked per worker per month	6.8 hours in 2005 (5.2 for women, 8 for men), 5.2 in third quarter of 2006 (6.4 for women, 3.6 for men)
	Average number of hours of overtime worked per worker per year	74.8 hours in 2005 (57.2 for women, 88.0 for men), 57.2 in year to third quarter of 2006 (70.4 for women, 39.6 for men)
<b>SE</b>	Average number of hours of overtime worked per worker per week	1.39 hours in 2005 (0.81 for women, 1.47 for men), 1.16 hours in 2006 (0.81 for women, 1.51 for men)
	Average number of hours of overtime worked per worker per year	61.16 hours in 2005 (35.64 for women, 64.68 for men), 51.04 hours in 2006 (35.64 for women, 66.44 for men)
<b>SI</b>	Average number of hours of overtime worked per worker per week	9 hours in 2005 (7.9 for women, 9.8 for men)
<b>UK</b>	Average number of hours of overtime worked per worker per week, full-time workers	1.5 hours in 2005 (0.7 for women, 2 for men), 1.5 hours in 2006 (0.7 for women, 2 for men)

*Note: The data in Table 6 should be read in conjunction with the notes in Appendix 13.*

*Source: EIRO*

## Overtime compensation

In many countries, laws and/or collective agreements lay down rules on the premium pay rates to apply to overtime hours and/or on the terms of compensation with time off in lieu. The following examples show a range of possible provisions:

- under the Bulgarian Labour Code, overtime work must be paid at a premium rate agreed between the employees and the employer, which cannot be less than 50% extra for overtime on normal working days, 75% extra for overtime at weekends and 100% extra for overtime on public holidays;
- Denmark's influential industry sector agreement provides for a premium rate of pay for the first eight hours in a four-week period, but overtime over this limit should be compensated with time off in lieu;
- Latvian labour law states that overtime work must be compensated by a premium pay rate of 100% extra on top of the standard rate of pay;
- Portuguese legislation provides that overtime must be compensated with a premium pay rate of 50% extra for the first hour and 75% extra for subsequent hours, or time off in lieu at a rate of the time worked plus 25%;

- Romania's national collective agreement states that overtime work should be compensated by time off in lieu within the subsequent 30 days or paid at a premium rate of 100% extra;
- in Spain, collective agreements build on the statutory rules that pay for overtime hours must be higher than for ordinary working hours, and that overtime may be compensated by equivalent paid time off. In the absence of a collective agreement, overtime hours must be compensated within four months.

Detailed information is patchy with regard to how overtime working is compensated in practice, and indeed whether it is compensated. Table 7 gives the limited data that are available from seven countries. The main point of interest is probably the high proportion of overtime that is uncompensated in some of the countries concerned.

**Table 7: Data on compensation for overtime working**

	<b>Compensation of overtime</b>
<b>BE</b>	According to the Flemish Workability Monitor survey in the Flanders region, in 2004 some 31% of workers performed overtime on a regular basis: 13% stated that this was compensated by time off, while the remaining 18% reported that it was not. Compensation with pay was not examined.
<b>EE</b>	The 2005 Working Life Barometer survey found that 49.2% of workers (42.7% of women, 55.5% of men) performed overtime often or sometimes. Of relevant employees, 51.8% stated that their overtime work was compensated by pay, 13.5% said that it was compensated by time off, 14.1% reported that it was compensated by both pay and days off, and 18.6% revealed that it was not compensated at all.
<b>IE</b>	Where overtime is compensated, this is mainly with a premium rate of pay rather than time off. In the second quarter of 2004, the Central Statistics Office (CSO) quarterly national household survey found that 10.1% of employees reported working overtime. Of these, almost 43% of employees (52% of female employees) stated that they did not receive payment for the overtime hours worked, around 54% said that all of their overtime hours were paid, and the remainder noted that they were paid for some of their overtime hours.
<b>LV</b>	According to the Central Statistical Bureau (Centrālā statistikas pārvalde, CSP) labour force survey, in the second quarter of 2004 about 50% of employees (39.9% of women and 55.9% of men) who worked overtime were paid for it, 7.8% were partly paid and the remainder were not paid.
<b>NL</b>	According to data from Statistics Netherlands (Centraal Bureau voor de Statistiek, CBS), in 2004 some 27% of overtime was compensated with time off, 38% was compensated with pay and the remainder was uncompensated.
<b>NO</b>	According to the Statistics Norway (Statistisk sentralbyrå, SSB) labour force survey, in the second quarter of 2004, some 57% of overtime work was compensated by pay, 21% was compensated by time off, 16% was not compensated and the remainder was described as 'other'.

<b>SK</b>	According to data from the Information System on Working Conditions (ISWC), Trexima Bratislava, in 2006 the average premium pay rate for overtime was 26.2% extra on week days, 40.4% extra on Saturdays and 45.8% extra on Sundays.
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Source: EIRO

## On-call work

In some countries, there appears to be an increasing use of ‘on-call’ work or duty arrangements. Generally speaking, this is work done on an ‘as-needed basis’, whereby workers must be available at certain times to be called into work when required by their employer. It thus involves unpredictable or irregular working hours for the workers involved. This year, the working time review devotes a special section to this issue, examining how on-call work is understood and defined in each country, its regulation and extent, and the nature of any court cases that have dealt with the matter.

Some aspects of on-call work are particularly topical at present. In its judgements in the *Simap* (C-303/98) and *Jaeger* (C-151/02) (EU0310202N) cases, in 2000 and 2003 respectively, the European Court of Justice (ECJ) ruled that all time spent on call should be classified as working time, even where the employer provides a place to sleep while the employees are not actively engaged in their duties. Both cases referred to doctors’ on-call periods. The rulings have had an effect at national level, as the legislation in many Member States does not – or did not at the time of the rulings – regard all time spent on call as working time. At EU level, conforming with the judgements was one of the key issues in the European Commission’s proposed revision (EU0410205F) of the working time Directive (2003/88/EC), which remains deadlocked in the Council (EU0612019I).

Table 8 summarises the definition and regulation, by law or collective agreement, of on-call work or duty across Europe; no information is available for Luxembourg. The table reveals that on-call work or duty may mean different things in different countries, and also that the concept is not defined and may be little known in some countries, such as Cyprus, Greece, Latvia, Portugal, Romania and Spain.

In some countries, such as Austria, the Czech Republic, Estonia, Finland, France, Hungary, Lithuania, Poland and Slovakia, attention appears to centre on on-call work as an additional or integral part of a normal job. In others, such as Belgium, Italy, the Netherlands and Norway, the focus is more on on-call work as a form of employment or employment contract in itself. Elsewhere, on-call work in the healthcare sector is the key issue, as in Ireland and Slovenia.

In certain Member States, specific regulation exists in respect of the issue, as in Austria, the Czech Republic, Estonia, France, Hungary, Lithuania, Poland, Slovakia and Sweden, while in other countries regulation appears to be implied from other items of legislation, or based on case law, as in Belgium, Germany, Norway and the UK. Legislation in Italy and the Netherlands specifically regulates ‘stand-alone’ on-call contracts. Collective agreements play an important role in regulation in some relevant sectors in Belgium, Denmark, Estonia, Finland, Germany, the Netherlands, Slovakia and Sweden, and to a lesser extent in Malta – where legislation does not regulate on-call work – Norway and Spain.

**Table 8: Definition and regulation of on-call work or duty**

	Definition and regulation of on-call work or duty
<b>AT</b>	<p>On-call duty (Arbeitsbereitschaft) is defined by legislation as a situation whereby the employee is required to be present at the workplace and ready at all times to be called on to work immediately. According to the Working Time Act (Arbeitszeitgesetz, AZG (<a href="http://www.bmwa.gv.at/NR/rdonlyres/0F5ADF51-58E5-49F6-A84B-23A0DFE259D8/0/Arbeitszeitgesetzbis1042007.pdf">http://www.bmwa.gv.at/NR/rdonlyres/0F5ADF51-58E5-49F6-A84B-23A0DFE259D8/0/Arbeitszeitgesetzbis1042007.pdf</a>), in German, 510Kb PDF)), where working time regularly includes such on-call work, the normal working week and day may be extended to up to 60 and 12 hours respectively, by way of collective agreement, works agreement or decision of the Labour Inspectorate (Arbeitsinspektion).</p>
<b>BE</b>	<p>The basic legal principle is that an employee’s working period cannot be shorter than three successive hours and, on a weekly basis, not less than a third of the working time of a full-time worker. Taking into account these rules and other general working time rules, for example, with regard to night or Sunday work, all types of flexibility are possible if agreed with trade unions. In other words, weekly working time need not be fixed and can be variable, when this is agreed, although employees must know beforehand when they have to work.</p> <p>Exceptions to the three-hour rule (and the one third of normal weekly hours rule) exist based on law or collective agreements at sectoral or company level. The law excludes groups such as teachers, civil servants, people working in personal community services or workers employed at sports events. Collectively agreed exceptions exist at sectoral level in clothing, food, newspapers, bus transport, private schools, driving schools, retail, hotels and catering, and cinemas, and exceptions may be agreed in individual companies in other sectors.</p> <p>Belgian law also recognises ‘occasional workers’ in sectors such as agriculture and hotels and catering, who can be employed in specific situations and for a maximum number of days – for example, 45 days in hotels and catering. With regard to daily working time, they are subject to the existing working time regime in the company concerned.</p> <p>In short, although in principle Belgian law does not provide for a specific type of on-call employment contract, in practice working time can be organised very flexibly. In sectors or jobs where the need arises to organise working time on demand, this has been made possible by exceptions and amendments, which are covered by procedural rules, for example, on the information and consultation of trade union representatives.</p>
<b>BG</b>	<p>No general legislative definition of on-call work exists. Civil service regulations define on-call work as time during which the civil servant is on call away from the workplace and outside normal working time. The maximum duration of such on-call work may not exceed 50 hours per calendar month, six hours per 24-hour period on not more than two consecutive days and 24 hours per weekend on not more than two consecutive weekend days. On-call time is not calculated as working time, but attracts additional payment. The collective agreement for the metalworking sector defines on-call work as time during which a worker must be available to be called into work when required by the employer, and attracts additional payment. In the emergency services, hospitals and other medical institutions, the issue is addressed in employer regulations and orders.</p>
<b>CY</b>	<p>On-call work is not regulated by law or collective agreements.</p>

<b>CZ</b>	On-call or ‘standby’ duty is defined by the new Labour Code, valid from 1 January 2007, as a period during which an employee is in a state of readiness to perform work, as set out in his or her employment contract. It relates to work that must be done in addition to the employee’s normal work schedule in the event of urgent need. The employee must be on standby at a location agreed with that employee, which must not be the employer’s workplace. On-call duty is considered as working time.
<b>DE</b>	No statutory definition of on-call duty (Rufbereitschaft) exists, but the Federal Labour Court (Bundesarbeitsgericht) has defined it as a ‘background service’, whereby employees have to be available by telephone contact to be called on to work at a place of their choice, which they must indicate to the employer. This is in contrast to standby duty (Bereitschaftsdienst), whereby employees have to be available at a place designated by the employer. An unknown number of collective agreements refer to on-call and standby duties. For example, the framework collective agreement for municipal hospitals defines on-call and standby duties as above and contains many detailed provisions on issues such as the extent to which standard weekly working time can be extended by such duties. It allows for 24-hour duties and extending weekly working time to up to 58 hours. Provisions on on-call and standby duties are also found in the chemicals industry agreement.
<b>DK</b>	According to the relevant legislation, on-call duty at the workplace is considered as working time, while on-call duty outside the workplace is considered as part of a rest period. The influential industry sector agreement contains the same definition. With regard to the sectors where on-call work is most prevalent: for hospital doctors, the duty to be available on call is remunerated by a fee and on-call work is thus considered working time; for hospital nurses, every hour spent on call at home, but without being called on to work, counts as 20 minutes of effective working time, while every hour spent on call at the workplace, but without being called on, counts as 45 minutes of effective working time; and for airline pilots and cabin crew, on-call duty is considered effective working time, whether at the workplace or at home.
<b>EE</b>	According to the Working and Rest Time Act, on-call time is a part of rest time during which an employee must be available to the employer for the performance of extraordinary duties. On-call time may be added to the employee’s normal working time if this is necessary to perform work of an unforeseeable and urgent nature. The duration of on-call time is limited to a maximum of 30 hours a month. On-call hours are not included in working time and the employer must pay additional remuneration for these hours. The duration and procedure for use of on-call time, and the amount of additional remuneration, must be determined by a collective agreement or employment contract. On-call work is provided for in the collective agreements for the road transport and railway sectors, for example.
<b>ES</b>	On-call work is not specifically regulated by law and the term is not used. Some collective agreements contain provisions on employees’ ‘full availability’ or ‘permanent availability’.
<b>FI</b>	The Working Time Act (1996/605 (in Finnish)) defines on-call work as an agreement between the employer and employee whereby the employee must be available to be contacted, at home or elsewhere away from the workplace, so that he or she can be summoned to work if need arises. If time on standby is necessary because of the nature of the work or particularly compelling reasons, public servants at central or local government level may not refuse to agree to it. The length and frequency of periods spent on standby must not interfere unreasonably with the way an employee’s leisure



	time is used. ‘Home’ need not be the employee’s own house or other permanent place of residence, provided it is a place where he or she has a right to stay during leisure time. The law stipulates that, when agreeing on the performance of standby duty, the parties must also agree on its remuneration, taking into account the restrictions it places on the employee’s use of leisure time. Standby duty whereby the employee must remain immediately available at home must be remunerated on at least a half-time basis, either in money or as time off in lieu. On-call duty is mentioned in many collective agreements in the central government, local government and private services sectors, notably those for public healthcare, border guards, and hotels and catering.
<b>FR</b>	The Labour Code regulates what is known as ‘penalty’ or ‘obligation’ time (astreinte), which is essentially on-call work. This is defined as a period during which the employee – without being at the ‘permanent and immediate’ disposal of the employer – is obliged to remain in his or her residence or nearby in order to be available to carry out work for the employer. ‘Astreinte’ time may be introduced unilaterally by the employer or on the basis of a sectoral or company collective agreement, and rules must be laid down on issues such as duration, organisation and compensation, which may be in pay or time off. Where employees are required to be available for work at the employer’s workplace, even if not called on to work, this period counts as effective working time.
<b>EL</b>	On-call work is not regulated by law or collective agreements.
<b>HU</b>	According to the Labour Code, an employee may be required to perform on-call work at a place and for a duration specified by the employer. The Code allows 200 hours of on-call work a year, if technological or other circumstances require it. This figure can be increased to 300 hours by collective agreement. In the health sector, on-call duty can be required six times a month, according to a government decree (which has been found unconstitutional and was to be repealed by June 2007).
<b>IE</b>	The definition of on-call work, and whether it is counted as working time, is currently unclear and a matter of contention. This is especially true in the health sector. Healthcare employers argue that being on call off-site without being called in to work cannot be regarded as working time in calculating the average hours worked, a view disputed by the Irish Medical Organisation (IMO), representing doctors. In principle, Ireland has accepted the definition of on-call working time outlined by the ECJ in the Simap and Jaeger judgements (see main text above) – that time spent on call by doctors at the workplace, including that which is inactive or resting, should be deemed to be working time. However, the government is awaiting further developments at EU level over the deadlocked proposals to revise the working time directive.
<b>IT</b>	Legislative decree 276/2003, implementing the ‘Biagi’ labour market reform, (IT0307204F) defines on-call work as a contract ‘whereby a worker makes him or herself available for an employer, which can make recourse to his or her working performances’. This relates to work tasks with a non-continuous or intermittent character, to be identified by collective bargaining at national or local level, or which take place in specific periods of the week, month or year, as identified by the legislative decree. An on-call work employment contract can be either open ended or fixed term. It may include an ‘indemnity of availability’ and can be signed by any company with any worker for certain tasks; while awaiting regulation by collective agreements, these are defined by a decree dating from 1923 and mainly refer to jobs which, by their nature, are discontinuous. On-call contracts can also be used for employees aged under 25 years or over 45 years for weekend jobs or work at pre-

	established periods of the year: summer, Easter or Christmas holidays. On-call work is not applicable to the public administration and cannot be used to replace workers on strike or if, during the previous six months, the company has initiated a collective redundancy procedure.
<b>LV</b>	On-call work is not regulated by law or collective agreements.
<b>LT</b>	The Labour Code provides that working time includes ‘hours of on-call duty at home and at the place of work’, as well as ‘the time actually taken to do any work’. In relation to on-call work, the Code specifies that in extraordinary cases, when this is necessary to ensure the proper operation of the enterprise or the completion of urgent work, an employer may assign an employee to on-call duty at the enterprise or at home after the working day, on rest days or public holidays. This may not occur more than once a month or, with the consent of the employee, more than once a week. When an employee is assigned to on-call duty after the end of a working day, the combined duration of on-call duty at the enterprise and of the working day may not exceed the maximum statutory daily working time. The duration of on-call duty at the enterprise on rest days and public holidays, and of on-call duty at home, may not exceed eight hours a day. All on-call duty at the enterprise is counted as working time, as is at least half of on-call duty at home. In respect of on-call duty at the enterprise where the standard duration of the working time is exceeded, and in respect of on-call duty at home, the employee must be given equivalent time off or may instead request that the time be added to their annual leave or paid at overtime rates. People under the age of 18 years may not be assigned to on-call duty, while the employee’s consent is required if he or she falls into certain specific groups – for example, pregnant or breast-feeding women, parents of young children and people with disabilities.
<b>MT</b>	No general definition or regulation of on-call work exists in employment legislation. A review of a selection of collective agreements indicates that, while they tend not to define workers who are on call (also referred to as standby), some agreements specify that on-call workers must ensure that they are contactable by their employer and must respond immediately to the issues over which they are called. Some agreements stipulate that failure to be contactable and to respond promptly may lead to disciplinary action.
<b>NL</b>	There are two forms of on-call contract. The first is an employment contract under which the employee works only when called on (arbeidsovereenkomst met uitgestelde prestatieplicht). If the parties agree on the minimum and maximum number of hours the employee will work, this is known as a ‘min/max’ contract; if the contract does not guarantee any work, it is called a ‘zero-hours’ contract. The second form of on-call contract is a ‘framework agreement’ (voorovereenkomst), which states the conditions under which the work will be done, if and when there is an employment contract. The worker is entitled not to respond to a call but, every time he or she does respond, a fixed-term employment contract with the employer is concluded. The 1999 Flexibility and Security Act (Wet Flexibiliteit en Zekerheid) (NL9901117F) made the on-call framework agreement less appealing to employers (NL9905140F): following four consecutive calls in three years with intervals of less than three months, an open-ended employment contract is deemed to exist, although collective agreements may derogate from this rule.  As it is often difficult to determine between employment contracts and framework agreements, the Civil Code’s provisions on information about employment relationships are also applicable to on-call framework agreements. The employer must

	<p>thus provide the employee with written information about matters such as the position of the employee, working time, wages, notice periods and the type of contract. Where the information provided is vague, the Flexibility and Security Act strengthens the position of the employee with two presumptions of fact. The first is that when a worker performs work for the benefit of another person for three consecutive months, weekly or for not less than 20 hours a month, it is presumed that this was done on the basis of an employment contract. The second is that, if an employment contract has lasted for at least three months, the contracted work in any month is presumed to amount to the average working period per month over the three preceding months. In both cases, it is possible for the employer to prove that there was an agreement otherwise, for instance in the case of temporary workload peaks and seasonal work.</p> <p>The Flexibility and Security Act provides that an employer may not, after the first six months of an employment contract, use a contractual clause to waive its obligation to pay wages if no work is available, although collective agreements may extend the six-month period. The act also obliges employers to pay for at least three hours of work in respect of any call, in the case of contracts for less than 15 hours a week and with no certainty as to the number of hours of work.</p> <p>Many collective agreements contain provisions on on-call work. A typical example is the agreement for the cleaning and window-cleaning services sector, which includes model contracts for both types of on-call arrangement. An on-call employment contract in this sector must be for an indefinite period or for a fixed period of up to six months, and eight hours of work must be guaranteed per four-week period. A framework agreement in this sector must state explicitly that the worker is not compelled to work when called on and that the employer is never obliged to call on a specific worker. The collective agreement for the audio/video retail trade defines an on-call worker as an employee who, due to special circumstances for a short period of time and a limited number of hours, after being called on, is deployed to do occasional work. An employment contract comes into existence only when the worker actually commences the work and it ends automatically after the work is finished.</p>
<b>NO</b>	<p>No specific statutory definition and regulation of on-call work exists. On-call workers are normally temporary employees, but such arrangements may also be used in open-ended employment contracts. The relevant legislation is that pertaining to temporary and open-ended employment, and to employment contracts. On-call work is seldom regulated or defined in collective agreements, although some provisions are likely to affect this type of employee predominantly. In the hotels and restaurants sector agreement, an on-call worker (ekstrahjelp) is defined as an employee who is called on when needed by the employer. Such employees have no permanent shift plan; they are called on when required and have no guarantee of work. Definitions of 'extra' workers along these lines are found in other collective agreements, but will also cover groups such as 'summer substitutes' – that is, types of employee who are not strictly 'on-call workers'.</p>
<b>PL</b>	<p>The Labour Code allows an employer to demand that an employee be on call or on standby at the workplace or at another place designated by the employer outside of the employee's normal working hours as defined in the employment contract. Time on standby is included in the employee's working time if the employee remains at his or her place of work, even when no actual labour is performed. For standby time outside the home, the employee is entitled to equivalent time off or to a cash sum corresponding to 60% of pay.</p>

<b>PT</b>	On-call work is not specifically regulated by law or collective agreements.
<b>RO</b>	On-call work is not regulated by law or collective agreements.
<b>SE</b>	The Working Time Act defines on-call work as a period when an employee is available at the workplace to be called on to work by the employer, when required. The on-call work period includes the inactive part, when an employee is available at the workplace but not working. Employees may not be on call for more than 48 hours during a four-week period, or 50 hours during a calendar month. On-call work – including the inactive part – is taken into account in the calculation of working time, which may not exceed 48 hours a week. Before a clearer implementation of the EU working time directive came into force in Sweden on 1 July 2005, on-call duty was not included in the definition of working time. For employees bound by collective agreements – as most are in the sectors primarily affected by on-call work – a transitional period extended until 1 January 2007 to implement the new rules.
<b>SI</b>	On-call work appears to be specifically regulated mainly in the healthcare sector. The Law on Doctors' Services covers doctors' 'turn of duty', which consists of active periods when a doctor is actually performing work tasks and inactive periods when a doctor is only present at the workplace. The whole turn of duty, including both active and inactive periods, is counted as working time. The Law also regulates periods of 'readiness', which means a doctor being within reach by telephone or other means when away from the workplace, with the aim of enabling them to offer advice and, if needed, to attend the workplace. Payment for hours of readiness should be regulated by collective agreement, and these hours are not counted as working time.
<b>SK</b>	The Labour Code defines 'work standby' as a situation where an employer, in justified cases in order to perform necessary tasks, requires an employee, or agrees with him or her, to remain for a determined time at a determined place in readiness for work outside the normal work schedule and beyond normal weekly working time. An employer can require an employee to work on standby for up to eight hours a week, 36 hours a month and 100 hours a year. Longer standby working is possible only with the employee's agreement. The law also sets minimum rates of pay for standby work. Collective agreements also set standby rates, which are higher at weekends and on public holidays than on work days. According to ISWC data, the highest standby rates in 2006 were found in the following sectors: post and telecommunications, commerce and tourism, transport, and healthcare.
<b>UK</b>	On-call work is not specifically regulated by law. The Working Time Regulations 1998 state that working time is when someone is 'working, at his employer's disposal and carrying out his activity or duties'. In light of the ECJ judgements in the Simap and Jaeger cases (see main text of this report), government guidance indicates that on-call time should be counted as working time when workers are required to be at their place of work, whether or not they are actually engaged in work tasks. When a worker is away from the workplace while on call and accordingly free to pursue leisure activities, on-call time is not counted as working time unless and until the worker is actually called in to work. Under the National Minimum Wage Regulations 1999, working time includes time when a worker is available at or near a place of work for the purpose of doing 'time work' and is required to be available for such work. The worker is thus entitled to the minimum wage for the whole of that period, regardless of whether he or she is actually working. This excludes time spent asleep at the workplace or if a person is on call at home at or near the place of work and the time in question is time which the worker is entitled to spend at home.

Source: EIRO

Table 9 provides data or estimates on the extent of on-call work or duty in the various countries, and the sectors and categories of worker most involved. Information is available only from nine countries; elsewhere, it seems that either the issue has not been researched or on-call work does not exist in a significant way. Among the countries for which information is available, the differing national conceptions and practices of on-call work make comparison difficult. Nevertheless, it is apparent that on-call work of some kind seems most prevalent in the healthcare, transport, and hotels and catering sectors, and that overall – however defined – it seems most common in Norway and the Netherlands.

**Table 9: Data on extent of on-call work or duty**

	<b>Extent of on-call work or duty</b>
<b>BE</b>	No reliable data are available but ad-hoc surveys have suggested that under 1% of employment is on an on-call basis.
<b>DK</b>	There are no official data on the overall extent of on-call work. It is thought to be most common in hospitals among doctors and nurses, in civil aviation and other transport, and among specific occupations such as electricians responsible for important machinery. With regard to the groups where on-call work is most prevalent, in 2006 civil aviation employed some 10,000 pilots, cabin crew and air-traffic controllers – 37% of whom were women – while 34,100 nurses (96% women) and 9,900 doctors (56% women) were recorded.
<b>FI</b>	<p>No official data exist on the overall extent of on-call work. Judging from the degree of attention paid to the issue in collective agreements, on-call work is relatively common in sectors such as public healthcare, and hotels and catering. According to a 2006 labour market survey conducted by the Confederation of Unions for Academic Professionals in Finland (Akateemisten Toimihenkilöiden Keskusjärjestö, AKAVA), its members performed an average of 0.4 hours of on-call work per week. In Finland, the issue is linked to that of temporary agency work, which is on the increase and constitutes 1.2% of total employment and over 7% in construction and in hotels and catering.</p> <p>Outside the field of ‘formal’ on-call working, a 2005 Ministry of Labour (Työministeriö) study of the relationship between working time and leisure found that, for about half of employees, work issues intruded to some extent into their leisure time, especially in jobs involving ‘ideas and innovation’. Communication on work issues during leisure time was continuous or regular for a sixth of employees, and less frequent for a further third. Actual work tasks were carried out at home by a third of employees, usually on a voluntary basis and not considered as part of working time.</p>
<b>IT</b>	Employment on specific on-call work contracts is not widespread. According to a 2006 report from the National Council for Economic Affairs and Labour (Consiglio Nazionale dell’Economia e del Lavoro, CNEL), in 2005 some 31,337 workers were employed on such contracts – 29,581 workers in companies with one to 15 employees and 1,756 workers in companies with more than 15 employees. They were mainly employed in northeast Italy (44%), and in tourism and catering (46.4%) and construction (28.6%). Overall, only 0.43% of companies used on-call work, with a slightly higher rate (0.58%) among companies with more than 15 employees. A study by the employers’ confederation Confindustria, published in January 2006, concluded

	that companies are not very interested in this form of contract and in any event find it difficult to introduce because of resistance among workers and trade unions.
<b>NL</b>	In 2006, according to CBS data, 1.9% of the active working population had an on-call or homeworking contract, with women comprising 63% of this group. According to a 2006 report from the Institute for Labour Studies (Organisatie voor Strategisch Arbeidsmarktonderzoek, OSA), in 2004 some 2.8% of employment was on on-call or homeworking contracts, with a rate of 3.7% for women and 2.1% for men. The rate was highest in agriculture, at 7%, ‘other services’ (6.5%), healthcare and well-being (5.6%), transport (3.8%) and trade (3.6%). In terms of the type of work concerned, the rate of on-call employment contracts was highest in ‘elementary’ (7.8%) and ‘lower’ (5.5%) occupations. Regarding the age of the workers concerned, the rate was by far the highest among those aged 16–24 years, at 9.1%.
<b>NO</b>	In 2004, according to the SSB labour force survey, 4% of employees stated that they worked only when the employer needed extra labour. This type of contract/work was mainly found among young people, and was more common among women than among men. On-call work was most prevalent in the hotels and restaurants sector, but areas such as trade and social welfare services were also above average. A 2006 study from the Fafo Institute of Applied Social Science (Fafo) indicated that 19% of employees with temporary contracts had no pre-set working hours at all, and were called on only when the employer needed extra labour.
<b>SE</b>	No official data are available on the extent of on-call work. It primarily occurs in the healthcare sector – mostly among doctors and emergency medical services – as well as in fire services, some manufacturing and power-supply maintenance work.
<b>SI</b>	There are no official data on the extent of on-call work. All doctors working in the healthcare service must work on call.
<b>UK</b>	No official data exist on the extent of on-call work. It is known to be an important feature of the healthcare and transport sectors.

*Source: EIRO*

Finally, Table 10 provides brief information on court cases relating to on-call work and the main issues concerned. Cases are reported from 10 countries – elsewhere, it appears, either there are no known cases of relevance, as in Malta and Sweden, or on-call work is largely unknown, or no source of data on case law exists on the issue.

Only one or two cases are known in Austria, Belgium, Denmark, Norway and the UK. However, numerous cases have arisen in Hungary and Ireland, mainly related to on-call duty in healthcare, while the Netherlands appears to have the most developed case law in this area, arguably reflecting the long-standing and complex legislative regulation of the issue.

The issues dealt with seem to be predominantly payment for on-call time and whether on-call duties count as working time. The healthcare sector appears to be the main source of litigation in this field.

**Table 10: Court cases relating to on-call work or duty**

	<b>Court cases relating to on-call work or duty</b>
<b>AT</b>	There have been two known cases since 2005. In the first case, the Supreme Court of Justice (Oberster Gerichtshof, OGH) ruled that on-call work is legal even if it occurs irregularly, and confirmed that it may be paid in a different way to normal working hours. In the second case, the OGH ruled that an employee maintains his or her legal claim for pay for on-call duty even in companies affected by strike action, unless the employer explicitly renounces the employee's on-call duty.
<b>BE</b>	Only one case with any relevance to on-call work was found in the juridical databases Juridat and Jura, which mainly cover higher court cases. This referred to the legal situation of employees working under the 'service voucher' scheme, a government employment measure to promote low-skilled work in the personal services sector, including work such as house cleaning or laundry. The case challenged the legality of the employment status of these workers, which included an exception from the general rule that an employee's working period cannot be shorter than three successive hours (see Table 8). The case was rejected by the High Court of Arbitration (Cour d'arbitrage de Belgique/Arbitragehof van België).
<b>DE</b>	No overall data are available on the number of cases, but several stand out. In 2001, the labour court in the city of Gotha in central Germany ruled in a case concerning ambulance staff that standby duties (see Table 8) should be considered as working time, whereas on-call duties during which employees are free to pursue their own interests should be considered as rest periods. This view of standby duties was shared in the same year by a decision of the labour court in the northern city of Kiel. In 2003, the Federal Labour Court (Bundesarbeitsgericht, BAG) ruled (in German) that standby duties should be considered as working time, and that how this time is paid depends on the relevant collective agreement.
<b>DK</b>	There was one known case in the Industrial Court (Arbejdsretten) in 2006. This related to alleged incorrect payment for a hospital doctor's on-call periods over a seven-year period.
<b>FI</b>	Since 1977, some 16 Labour Court (Työtuomioistuin) cases have arisen concerning on-call work. Most of the cases relate to the municipal healthcare sector, with border guards and the transport sector also well represented.
<b>HU</b>	Dozens of cases have emerged in the healthcare sector. Based on the ECJ's judgements in the Simap and Jaeger cases (see main text), but contrary to Hungarian legislation, the courts have considered on-call periods as working time.
<b>IE</b>	A search on the Labour Court website generates 129 cases directly or indirectly relating to on-call work, the majority in the healthcare sector. The issues raised include disputes over the level of on-call payments and compensation for loss of such payments.
<b>NL</b>	Until 1999, when the Flexibility and Security Act was enforced, courts often dealt with questions about the nature of on-call contracts or agreements, developing criteria to establish whether these were employment contracts or 'framework agreements' (see Table 8). The courts found that, if a minimum number of hours is agreed on or if it is obligatory to work after being called on, an employment contract exists. The Supreme Court (Hoge Raad) ruled in 1980 that an on-call worker with an employment contract

	<p>has a right to employment if he or she can prove that work is actually available. In 2002, the Supreme Court ruled on the applicability of the Minimum Wage and Minimum Holiday Allowance Act (Wet minimumloon en minimumvakantiebijslag) to on-call contracts. The case related to an employee with a part-time employment agreement and, for additional hours, an on-call contract. The contracted pay for the additional hours was below the minimum wage. The Supreme Court decided that the Minimum Wage Act is applicable to employment relationships based partially or wholly on on-call agreements. The employee had to be paid the minimum wage for the extra hours.</p>
<b>NO</b>	<p>No detailed information is available on the number of cases referred to the courts, but the general impression is that, where such cases arise, they are generally resolved before being taken to court. However, one notable case emerges. In 2006, the Supreme Court (Høyesterett) ruled in a case involving the use of temporary employment in the form of standby duty employment contracts (NO0610059I). The case related to a worker employed by a municipality as a substitute on standby duty in the ambulance service. His contract stipulated that he was employed on a call-out arrangement with sporadic duty and no fixed working time, and the employee was free to accept or reject a call out as he pleased. Each call out was regarded as a time-limited employment contract, which was terminated at the end of the call out. The ruling reinforced the principle that temporary employees may not fill predictable vacancies in the workforce, and prescribed when substitute or standby duty contracts may legitimately be used. It did not make the use of such substitutes illegal but set boundaries for their use, implying that standby employment may be allowed only in cases where there is an immediate but temporary need for labour.</p>
<b>UK</b>	<p>The ECJ judgements in the Simap and Jaeger cases (see main text) have been most significant in informing policy and employer practice on on-call work. The only other known relevant case dates from 2003 and relates to nine female residential care-home workers employed by Harrow Council who were required to be on call at work on the premises for 76 hours a week. The North London Employment Tribunal ruled that their working time included the time that they were on standby as well as their 37 hours a week on active duty. The verdict concluded that the employer had not given the women proper daily rest or paid them the national minimum wage for their time on standby, and decided that the hours the workers were on call counted as work. The result was that the women won claims against Harrow Council under both the Working Time Regulations and the National Minimum Wage Regulations.</p>

Source: EIRO

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# Appendices

## Appendix 1

Back to Figure 1

The data in Figure 1 should be read in conjunction with the following notes:

- Austria: figure is an estimate based on the most important collective agreements, which generally provide for a 38.5-hour to 39-hour working week.
- Belgium: figure is an estimate calculated by the Federal Public Service for Employment, Labour and Social Dialogue (SPF Emploi, Travail et Concertation sociale/FOD Werkgelegenheid, Arbeid en Sociaal Overleg) on the basis of sectoral collective agreements in the private sector; this excludes the effects of company agreements.
- Bulgaria: figure, from the Confederation of Independent Trade Unions in Bulgaria (CITUB), refers to the normal week – which is also the statutory figure – set in the great majority of agreements.
- Cyprus: figure from Cyprus Labour Institute (INEK).
- Czech Republic: figure from Information System on Working Conditions (ISWC) and the Czech-Moravian Confederation of Trade Unions (Českomoravská konfederace odborových svazů, ČMKOS). It refers to hours set by enterprise-level collective agreements, the more prevalent bargaining level. According to ČMKOS, about 56% of higher-level collective agreements signed by its affiliates in 2006 set normal weekly hours at 37.5 hours.
- Denmark: figure refers to almost all collective agreements.
- Estonia: as set by law; according to the Confederation of Estonian Trade Unions (Eesti Ametiühingute Keskliit, EAKL), few cases arise of collective agreements reducing normal hours below the statutory figure.
- Finland: figure is an estimate, based on typical provisions of sectoral agreements.
- France: since 1 January 2002, normal weekly hours must, by law, be set at 35 hours in all companies; those with fewer than 10 employees have an exemption scheme relating to overtime.
- Germany: figure covers whole of Germany; the figure for western Germany was 37.4 hours in both 2005 and 2006, while the figure for eastern Germany was 39 hours in 2005 and 38.9 in 2006. Data from the Institute for Economics and Social Science (Wirtschafts- und Sozialwissenschaftliches Institut, WSI) collective agreement archive.
- Greece: figure refers to most collective agreements.
- Hungary: collective agreements usually lay down the statutory working week of 40 hours. Although the Labour Code allows collective agreements to stipulate a shorter period, in practice deviations from the statutory hours are relatively rare.
- Ireland: figure refers to most collective agreements.
- Italy: figure represents the mid-range of agreements, which provide for 36–40 hours a week.
- Latvia: as set by law.
- Lithuania: as set by law.

- Luxembourg: figure is an estimate.
- Malta: while no statistical data exist, most collective agreements specify a normal weekly working time of 40 hours.
- Netherlands: figure is an EIRO estimate, based on collective agreements.
- Norway: figure represents normal working hours for employees covered by collective agreements; employees working shifts (for example, in metalworking) or at nights (for example, in local government healthcare) work fewer weekly hours.
- Poland: as set by law.
- Portugal: figure from employment survey of Ministry of Labour and Solidarity's General Directorate for Studies, Statistics and Planning (Direcção-Geral de Estudos, Estatística e Planeamento, DGEEP); refers to the first three quarters of 2005.
- Romania: as set by the tripartite national collective agreement, which provides a minimum basic framework for employment conditions, and by sectoral agreements; the same figure is set by law.
- Slovakia: figure refers to workers in single-shift systems – the equivalent figure for workers in two-shift systems was 35.7 hours, while it was 33.5 hours for those in three-shift systems and 33.6 hours for those in continuous shifts; data from the Information System on Working Conditions (ISWC), Trexima Bratislava.
- Slovenia: figure based on standard in sectoral collective agreements; same figure is set by law.
- Spain: figure calculated from the Ministry of Labour and Social Affairs (Ministerio de Trabajo y Asuntos Sociales, MTAS) collective bargaining statistics on average agreed annual working hours (1,755.9 in 2006), on the assumption of a six-day week and 274 working days a year.
- Sweden: figure, from Statistics Sweden (Statistiska Centralbyrån, SCB), is the average of agreed working hours in the industrial sector.
- UK: figure from Incomes Data Services (IDS) 'Hours and holidays', September 2006, based on a study of around 460 organisational and industry agreements.

## Appendix 2

Back to Figure 2

The data in Figure 2 should be read in conjunction with the following notes:

- Belgium: figure is for blue-collar workers in metal, mechanical and electrical engineering (joint committee 111) and white-collar workers in metal engineering (joint committee 209); agreements within these committees are differentiated by province and/or subsector, and in general set normal weekly working time at 38 hours. These agreements are amended at company level by working time reductions and/or the use of flexible working time regimes.
- Cyprus: figure from Cyprus Metalworkers, Mechanics and Electricians Trade Union (SEMMHK-PEO).
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements – the more prevalent bargaining level – signed by the Metalworkers' Union (Odborový Zváz Kovo, OZ KOVO); the figure for OZ KOVO higher-level collective agreements was 37.5 hours.

- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure, from the WSI collective agreement archive, applies to western Germany; the figure for eastern Germany was 38 working hours.
- Italy: estimate based on annual figure from Bank of Italy (Banca D'Italia) of 1,724 hours in 2005, assuming 28 days of annual leave and 12 public holidays.
- Luxembourg: figure from the Luxembourg Confederation of Independent Trade Unions (Onofhängege Gewerkschaftsbond Lëtzebuerg, OGB-L).
- Netherlands: estimate based on an annual figure from Statistics Netherlands (Centraal Bureau voor de Statistiek, CBS) of 1,736 hours a year, assuming 25.6 days of annual leave and five public holidays.
- Slovenia: sectoral agreement for metal industry allows for a shorter working week to be set by company collective agreement or unilateral employer decision – no statistical data on such agreements and decisions, but it is thought unlikely that any exist.
- Spain: figure is calculated from MTAS collective bargaining statistics on average agreed annual hours in whole industrial sector (1,754.4 in 2006), not solely metalworking, on the assumption of a six-day week and 274 working days a year.
- Sweden: recent collective agreements have provided for a proportion of paybill to be taken as paid leave, cash or to be saved in a working time account, but no data exist on how these 'working time deposits' have affected working time.
- UK: figure from IDS 'Hours and holidays', September 2006.

### Appendix 3

Back to Figure 3

The data in Figure 3 should be read in conjunction with the following notes:

- Belgium: figure is for blue-collar workers in chemicals industry (joint committee 116) and white-collar workers in chemicals industry (joint committee 207); the sectoral agreements are amended by company-level accords in relation to, for example, working time, shiftwork and night work.
- Cyprus: figure from Cyprus Industrial, Commercial, Press-Printing and General Services Workers' Trade Union (SEVETTYK-PEO).
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements – the more prevalent bargaining level – signed by the ECHO Trade Union (Odborovy svaz ECHO, OS ECHO); the figure for higher-level collective agreements was also 37.5 hours.
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal working hours below the statutory figure.
- Germany: figure, from the WSI collective agreement archive, applies to western Germany; the figure for eastern Germany was 40 hours.
- Hungary: working hours are lower, typically at 36 hours, in hazardous jobs.

- Italy: estimate based on annual figure from Bank of Italy of 1,727 hours in 2005, assuming 28 days of annual leave and 12 public holidays.
- Luxembourg: figure from OGB-L.
- Malta: figure, from the chemical, energy and printing section of the General Workers' Union (GWU), applies to those working regular hours; the figure is 37.5 hours for shiftworkers.
- Netherlands: figure based on a sample of agreements; for shiftworkers, the figure is 33.6 hours.
- Norway: night and shiftworkers work fewer hours.
- Portugal: figure from Portuguese Association of Employers in the Chemical Industry (Associação Portuguesa das Empresas Químicas, APEQ).
- Slovenia: sectoral agreement for chemicals and rubber industry allows for a shorter working week to be set by company collective agreement or unilateral employer decision. No statistical data available on such agreements and decisions but it is thought unlikely that any exist.
- Spain: figure is calculated from MTAS collective bargaining statistics on average agreed annual hours in whole industrial sector (1,754.4 in 2006), not solely chemicals, on the assumption of a six-day week and 274 working days a year.
- Sweden: recent collective agreements have provided for a proportion of paybill to be taken as paid leave, cash or to be saved in a working time account, but no data exist on how these working time deposits have affected working time.
- UK: figure from IDS 'Hours and holidays', September 2006.

## Appendix 4

Back to Figure 4

The data in Figure 4 should be read in conjunction with the following notes:

- Belgium: figure is for banking (joint committee 310), excluding small savings banks; the sectoral agreement provides a basic rule of 35 working hours a week and 1,650.2 hours a year.
- Cyprus: figure from Cyprus Union of Bank Employees (ETYK).
- Czech Republic: figure, from ISWC, refers to working hours set by enterprise-level collective agreements – the more prevalent bargaining level – in 2006; the figure for higher-level collective agreements was 40 hours in 2006.
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure from the WSI collective agreement archive.
- Italy: estimate based on 2005 annual figure from Bank of Italy of 1,579 hours, assuming 28 days of annual leave and 12 public holidays.
- Malta: estimate from Malta Union of Bank Employees (MUBE).
- Portugal: figure from Banking Trade Union of the South and Islands (Sindicato dos Bancários do Sul e Ilhas, SBSI).

- Romania: as set by tripartite national collective agreement; no sectoral agreement exists.
- Spain: figure is calculated from MTAS collective bargaining statistics on average agreed annual hours in whole services sector (1,758.3 in 2006), not solely banking, on the assumption of a six-day week and 274 working days a year.
- UK: figure from IDS ‘Hours and holidays’, September 2006.

## Appendix 5

Back to Figure 5

The data in Figure 5 should be read in conjunction with the following notes:

- Belgium: figure is for small-scale independent retail (joint committee 201).
- Cyprus: from 2006, the weekly hours of shop workers are governed by law.
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements, the more prevalent bargaining level; the figure for higher-level collective agreements was 37.5–40 working hours.
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure, from the WSI collective agreement archive, applies to western Germany; the figure for eastern Germany was 38.1 working hours.
- Italy: estimate based on annual figure for 2005 from Bank of Italy of 1,708 hours, assuming 28 days of annual leave and 12 public holidays.
- Luxembourg: figure from OGB-L; while a 40-hour figure is generally the case, some companies may have an agreed week of 39.5 working hours or lower.
- Malta: figure, from the hospitality and food section of GWU, refers to a number of supermarkets where workers are represented by GWU; most retail outlets in Malta are non-unionised small family-run enterprises.
- Netherlands: figure based on a sample of agreements.
- Portugal: retail working hours set by law.
- Romania: as set by tripartite national collective agreement; no sectoral agreement exists.
- Spain: figure is calculated from MTAS collective bargaining statistics on average agreed annual hours in whole services sector (1,758.3 in 2006), not solely retail, on the assumption of a six-day week and 274 working days a year.
- UK: figure from IDS ‘Hours and holidays’, September 2006.

## Appendix 6

Back to Figure 6

The data in Figure 6 should be read in conjunction with the following notes:

- Austria: usual figure for civil servants; working time for this group is fixed by law or decree, as almost all public sector employees are excluded from the right to conclude collective agreements.

- Bulgaria: as set by law.
- Cyprus: data from Pancyprian Union of Public Servants (PASYDY).
- Czech Republic: as set by law.
- Estonia: as set by law.
- Germany: figure, from the WSI collective agreement archive, applies to the whole of Germany; prior to 2006, the figures were 38.5 working hours for western Germany and 40 hours for eastern Germany.
- Greece: 40 working hours is the general rule, but certain exceptions allow a 37.5-hour week.
- Italy: estimate based on 2005 annual figure from Bank of Italy of 1,448 hours, assuming 28 days of annual leave and 12 public holidays.
- Latvia: as set by law.
- Lithuania: as set by law.
- Luxembourg: as set by law.
- Malta: figure is from public services employees section of GWU.
- Poland: as stipulated by law.
- Portugal: as set by law.
- Romania: as set by law.
- Spain: figure calculated from MTAS collective bargaining statistics on average agreed annual working hours in ‘public administration, defence and social security, extra-territorial organisations’ (1,606.8 hours in 2004), on the assumption of a six-day week and 274 working days a year.
- UK: civil service arrangements are decentralised; the figure is the average of a range of 35–37 working hours reported by IDS ‘Hours and holidays’, September 2006. However, longer hours are found in parts of revenue and customs departments.

## Appendix 7

Back to Figure 7

The data in Figure 7 should be read in conjunction with the following notes:

- Cyprus: figure from PASYDY.
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements signed by the Trade Union of Health Service and Social Care (Odborový svaz zdravotnictví a sociální péče, OSZSP).
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure refers to municipal hospitals in both eastern and western Germany; until 2006, the figure was 38.5 working hours in western Germany. At university hospitals owned by the federal state, weekly working time is 42 hours from 2006 although doctors can opt out of the new system and continue to work 38.5 hours in western Germany and 40 hours in eastern Germany, which was the general regime until 2006.

- Italy: figure includes four hours a week of compulsory vocational training.
- Luxembourg: the figure applies only to the 5%–10% of hospital doctors who are covered by a collective agreement; the remainder are ‘independent’.
- Malta: figure, from Malta Union of Midwives and Nurses, refers only to doctors in casualty departments; hospital doctors’ working hours depend on grade and place of work – for example, consultants work 35 hours a week while ‘housemen’ doctors work 65 hours.
- Netherlands: hospital doctors are not covered by a collective agreement but by a separate arrangement for medical specialists, which provides for a 40-hour working week that can be increased at the doctor’s request to a maximum of 45 hours (52 hours including evening, night and weekend shifts) or occasionally 55 hours.
- Norway: the basic normal week for hospital doctors is 37.5 working hours although many doctors have a 35.5-hour week for historical reasons. However, the social partners in the sector have agreed to depart from the statutory rules on weekly hours, with the effect that the employer has the right to ask doctors to work 2.5 hours extra per week on a regular basis. Doctors will thus generally work 40 or 38 hours, depending on whether their basic week is 37.5 or 35.5 hours; if doctors work unsocial hours such as evenings or nights, weekly hours are reduced.
- Poland: as set by law.
- Portugal: the figure applies to doctors who work exclusively in the national health service; doctors may alternatively opt to have additional jobs outside the national health service, in which case their weekly hours within the service are set at 35 working hours.
- Slovakia: figure is for the sectoral collective agreement for public hospitals; no specific data are available for doctors.

## Appendix 8

Back to Figure 8

The data in Figure 8 should be read in conjunction with the following notes:

- Cyprus: figure from PASYDY.
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements signed by OSZSP.
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure refers to municipal hospitals in western Germany – the figure for eastern Germany is 40 working hours. However, in the federal states of Baden-Württemberg, Hamburg, Hesse and Lower Saxony, weekly working times of between 38.5 and 40 hours are possible for certain groups of municipal hospital employees. At university hospitals owned by the federal state in western Germany, from 2006 weekly working time varies between 38.7 hours and 39.73 hours although some groups may continue to have a 38.5-hour week, which was the general regime until 2006. A 40-hour working week remains the standard in eastern German university hospitals.
- Malta: figure from Malta Union of Midwives and Nurses.
- Netherlands: nurses may opt to work 40 hours a week; trainees work 32 hours.

- Norway: various shiftwork arrangements mean that many nurses work fewer than 37.5 hours a week.
- Poland: as set by law.
- Portugal: normal working time for nurses in the national health service is expressed as 140 hours over four weeks, giving an average of 35 hours a week; weekly working time may be increased to 42 hours in exceptional circumstances.
- Slovakia: figure is for the sectoral collective agreement for public hospitals; no specific data are available for nurses.
- Sweden: figure, from the Swedish Association of Health Professionals (Vårdförbundet), refers to agreed working time for nurses working both day and evening shifts and at weekends; nurses who solely work in the daytime have an agreed working time of 40 hours a week.

## Appendix 9

Back to Figure 9

The data in Figure 9 should be read in conjunction with the following notes:

- Cyprus: data from Panycprian Trade Union of Government, Military and Social Institutes (PASYEK-PEO).
- Czech Republic: figure, from ISWC, refers to hours set by enterprise-level collective agreements signed by OSZSP.
- Estonia: as set by law; according to EAKL, few cases arise of collective agreements reducing normal hours below the statutory figure.
- Germany: figure refers to municipal hospitals in western Germany – the figure for eastern Germany is 40 working hours. However, in the federal states of Baden-Württemberg, Hamburg, Hesse and Lower Saxony, weekly working times of between 38.5 and 40 hours are possible for certain groups of municipal hospital employees. At university hospitals owned by the federal state in western Germany, from 2006 weekly working time varies between 38.7 hours and 39.73 hours although some groups may continue to have a 38.5-hour week, which was the general regime until 2006. A 40-hour week remains the standard in eastern German university hospitals.
- Malta: figure from Malta Union of Midwives and Nurses.
- Slovakia: figure is for the sectoral collective agreement for public hospitals.
- Sweden: figure, from the Swedish Municipal Workers' Union (Kommunal), is for blue-collar workers working both day and evening shifts and at weekends. Blue-collar workers working solely in the daytime have an agreed working time of 40 hours a week, while those working solely night shifts have an agreed working time of 36.26 hours a week. However, many regions have chosen to introduce local agreements whereby employees working both day and evening shifts and at weekends work 34 hours a week, and employees working solely night shifts work 32 hours a week.

## Appendix 10

Back to Figure 11 The data in Figure 11 should be read in conjunction with the following notes:

- Austria: as set by law, expressed as 30 working days, including Saturdays.



- Bulgaria: estimate based on general provision of 20–28 days in collective agreements.
- Czech Republic: figures, from ISWC and ČMKOS, refer to leave (expressed as five weeks) set by 72.2% of higher-level collective agreements signed by ČMKOS affiliates and 78% of enterprise-level collective agreements.
- Denmark: comprising five weeks of annual leave, plus five days to be taken at employees' own choice or paid instead.
- Estonia: as set by law, expressed as 28 calendar days; according to EAKL, provisions on annual paid leave are rarely included in collective agreements, with two exceptions in the transport sector, which provide for five weeks (35 calendar days) of leave.
- Finland: 25 days (or 30 days including Saturdays) applies after one year of service, while 20 days (or 24 days including Saturdays) applies to employees with less service; some agreements provide for longer leave.
- France: as set by law, expressed as 30 working days, including Saturdays; the number increases with service.
- Germany: data from the WSI collective agreement archive, constituting 30.1 days in western Germany and 29.5 days in eastern Germany.
- Greece: mid-range of entitlements which vary from 20 to 25 days, depending on service.
- Italy: figure calculated as four weeks of leave, plus the mid-range of between five and 10 days awarded as a form of working time reduction.
- Luxembourg: figure is an estimate.
- Netherlands: figure, from CBS, is for 2005.
- Portugal: 24 or 25 days is the agreed standard, with the 25th day sometimes dependent on factors such as age and attendance.
- Romania: calculated on basis of national and sectoral collective agreements.
- Slovakia; figure is estimate, based on fact that – according to ISWC, Trexima Bratislava – 23.3% of sectoral collective agreements signed for 2006 provided for one week of leave above the statutory minimum.
- Sweden: figure calculated as statutory 25 days, plus the mid-range of between five and 10 days of additional leave awarded in most collective agreements.
- UK: figure from IDS 'Hours and holidays', September 2006.

## **Appendix 11**

Back to Table 3

The data in Table 3 should be read in conjunction with the following notes:

- Austria: entitlement expressed as 30 working days, including Saturdays; it increases by five days after 25 years of service.
- Belgium: figure refers to private sector; minimum statutory entitlement in public sector is 26 days.
- Cyprus: 25 days for those working a six-day week.

- Czech Republic: entitlement expressed as four weeks.
- Estonia: expressed as 28 calendar days; statutory entitlement is five weeks (35 calendar days) for state and local government officials, and eight weeks (56 calendar days) for education sector employees.
- Finland: entitlement is two days of leave, including Saturdays, per calendar month worked in first year of employment relationship and 2.5 days per month thereafter.
- France: entitlement expressed as 30 working days or five weeks.
- Germany: entitlement expressed as 24 work-days, that is, Monday to Saturday.
- Greece: two additional days after three years of service.
- Italy: expressed as four weeks.
- Latvia: expressed as four calendar weeks.
- Lithuania: expressed as 28 calendar days; certain groups, such as people with disabilities and lone parents, have an entitlement of 35 calendar days.
- Malta: expressed as four working weeks and four working days.
- Poland: entitlement, expressed as 160 hours, increases from 20 days to 26 days (208 hours) after 10 years of employment.
- Slovakia: entitlement expressed as four weeks.
- Slovenia: expressed as four weeks; older workers, workers with disabilities and those taking care of disabled children are entitled to at least three additional days, and workers under the age of 18 years are entitled to seven additional working days. Leave entitlement increases for parents by one day a year for each child under the age of 15 years.
- Spain: entitlement expressed as 30 calendar days.
- UK: entitlement expressed as four weeks; in 2006, the government announced that employers will in future no longer be able to count the eight days of public holidays towards the 20-day minimum annual leave entitlement – the statutory entitlement will thus increase to 24 days from October 2007 and to 28 days by October 2008 or 2009.

## Appendix 12

Back to Table 4

The data in Table 4 should be read in conjunction with the following notes:

- France: data from the National Institute for Statistics and Economic Studies (Institut National de la Statistique et des Études Économiques, INSEE); 2006 figure is for first three quarters of the year only.
- Germany: figures cover the whole of Germany; the figure for western Germany was 1,643 working hours in 2005 and 1,645 hours in 2006, while the figure for eastern Germany was 1,719 working hours in 2005 and 1,720 hours in 2006; data from the WSI collective agreement archive.
- Italy: data from Bank of Italy.
- Malta: data from National Statistics Office (NSO).

- Netherlands: figure, from CBS, is for full-time employees; the total decreases to 1,315 working hours for all employees.
- Poland: no general data available but, in the construction sector, the figure was 2,016 working hours in 2005 and 2,008 hours in 2006.
- Romania: figures, which exclude overtime, are estimates based on provisions of national and sectoral agreements.
- Spain: data from MTAS labour statistics.
- Sweden: figure, from the Confederation of Swedish Enterprise (Svenskt Näringsliv), is for full-time workers and excludes overtime; the total is 1,554 working hours if overtime is included.

## Appendix 13

Back to Table 6

The data in Table 6 should be read in conjunction with the following notes:

- Austria: data from Statistik Austria.
- Bulgaria: data from National Statistical Institute (NSI).
- Estonia: data calculated on basis of findings of Working Life Barometer 2005 (EE0603SR01).
- Finland: data from Statistics Finland.
- Germany: data from Institute for Labour Market and Employment Research (Institut für Arbeitsmarkt- und Berufsforschung, IAB).
- Italy: data, from National Institute for Statistics (Istituto Nazionale di Statistica, ISTAT), cover only large companies – with 500 or more employees – in industry and services, excluding financial services.
- Latvia: data from Central Statistical Bureau (Centrālā statistikas pārvalde, CSP).
- Malta: data from NSO.
- Netherlands: data from CBS.
- Norway: data from Statistics Norway (Statistisk sentralbyrå, SSB).
- Portugal: data from DGEEP.
- Romania: figures based on data from National Institute of Statistics (Institutul Național de Statistică, INS).
- Slovakia: data from Statistical Office of the Republic of Slovakia (Štatistický úrad Slovenskej republiky, ŠÚ SR).
- Slovenia: data from Statistical Office of the Republic of Slovenia (Statistični urad Republike Slovenije, SURS).
- Spain: data from MTAS.
- Sweden: figures based on SCB survey data, calculated by dividing total hours of overtime during reference week by all employed, including part-time workers.
- UK: data from Office for National Statistics.

## Appendix 14

### Country groupings

Country grouping	List of countries
EU27	EU15 and 12 NMS
EU25	EU15 and 10 NMS
EU15	Member States pre-enlargement 2004: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and UK
12 NMS	10 NMS plus Bulgaria and Romania, which joined the EU on 1 January 2007
10 NMS	10 new Member States that joined the EU on 1 May 2004: Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia

## Country codes

Country code	Country name
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	Netherlands
NO	Norway
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

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