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département d'Economie Appliquée de l'Université Libre de Bruxelles

DOCUMENT DE TRAVAIL

WORKING PAPER

N°09-08.RS

RESEARCH SERIES

**GENDER AND FLEXIBILITY IN
WORKING TIME IN BELGIUM**

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Gender and flexibility in working time in Belgium

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March 2009

Abstract

Since the 90s European discourse tends to present flexibility as the magic tool to raise employment, even if in a context of crisis, more flexible workers will be dismissed faster. The purpose of this paper is to assess the evolution of working time arrangements in Belgium as of 1992 from a gender perspective. It appears that new innovative forms of flexibility have not spread widely in Belgium but that the basic form of time flexibility, i.e. part time work, has developed (and continues to develop) rapidly amongst women workers. Part-time work is however one of the main causes of existing gender gaps on Belgium's labour market.

Keywords: Flexibility, working time, gender gaps, part time work

JEL codes: J71, J2

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1. Introduction

Since the 90s European discourse tends to present flexibility as the magic tool to raise employment, even if in a context of crisis, more flexible workers will be dismissed faster.

The purpose of this paper is to assess the evolution of working time arrangement in Belgium as of 1992 from a gender perspective. The question addressed in this paper is the following: Did the overall context as it is characterised by the European directive on working time result in a radical change in working time arrangements in Belgium and are the observed changes the same for women and men?

The 1993 European Directive on working time explicitly allowed for exceptions with respect to the European limit in terms of working hours of 48 hours a week, if the worker agrees (the so-called “opting out” clause). This marked an important step backwards in terms of social protection: workers are on their own to face their employers’ pressure without any collective protection. The major points of this Directive were:

- The maximum weekly duration of work is 48 hours;
- Annual paid holidays are minimum 4 weeks;
- Night work is limited at 8 consecutive hours;
- Minimum mandatory rest periods are fixed: work extends over maximum 11 consecutive hours a day and 24 consecutive hours a week.

According to the Directive the average weekly working time of 48 hours maximum may be computed over a reference period of maximum 4 months. The reference period may be extended to 12 months in the presence of a collective labour agreement.

Belgian labour law is more favourable for waged workers. It goes further than the minimum requirements set in the EU Directive. The “opting out” clause does not exist in Belgium.

This “opting out” clause has been one of the main points of the recent revision process of the 1993 Directive. The adoption of this clause by the European Council of Ministers awakened fierce discussions. In December 2008, the European Parliament refused to validate the application of this clause. In June 2008, when the amendments were voted (by a qualified majority) by the Council of Ministers, Belgium (alongside 4 other European member states) refused to vote “yes”, essentially for two reasons: 1) the necessity to define more strictly the possible derogations to the 48-hour week rule, and 2) the proposed change in the rules concerning inactive on-call time. The famous “opting-out” clause consisted in making derogations with respect to general working time regulations possible by individual (not collective) agreement of the worker. Belgium opposed this clause because of the potential pressure it could put on individual workers. If it could not prevent the clause from being adopted, then Belgium advocated a “phasing out” system that would gradually abolish this clause over a period of three years.

The second part of this paper describes the regulatory framework of working time in Belgium. Collective agreements play a crucial role in the determination of working time. The introduction of flexibility in traditional working time schemes is part of amore general protective process that implicates the social partners.

The third part is devoted to the presentation of available data and studies. It appears that new innovative forms of flexibility have not spread widely in Belgium but that the basic form of time flexibility, i.e. part time work, has developed (and continues to develop) rapidly amongst women workers. Part-time work is however one of the main causes of existing gender gaps on Belgium’s labour market.

2. Regulatory framework

The actual legislative framework for working time variation and annualised hours schemes tables mainly on the laws of 16 March 1971 (as amended on 10 August 2001) and 17 March 1987 and national collective agreements No. 42 of 2 June 1987 and No. 42bis of 10 November 1987. Note that in Belgium, direct collective bargaining coverage is at a 100 per cent meaning that all workers' pay and working conditions are laid down, at least to a certain extent, by collective agreements.

In Belgium, the statutory maximum working week comprises 38 working hours and a working day should not exceed 8 hours. The working week is organised from Monday to Saturday, there are thus 6 working days in a week. Moreover, work is not performed at night, between 8 p.m. and 6 a.m.

Statutory maximum figures may be exceeded in the context of working time flexibility schemes allowing weekly and daily hours to vary around an average over a reference period (as permitted by the EU Directive). Indeed, maximum daily hours can be 9 under flexible working week schemes (the daily hours rate may be pulled up from 8 to 9 hours in a five day week employment regime if working time regulation foresees in $\frac{1}{2}$ day, 1 day or more than 1 day rest, other than on Sunday, per week) and even 11 or 12 for specific reasons. Maximum weekly hours may reach 45 under flexible working week schemes and 50 or 56 for specific reasons. Flexible working week schemes normally require a sectoral collective agreement and on average over the reference period (maximum 12 months) the statutory maximum working time should not be exceeded (and therefore flexible working week schemes do not open entitlement to compensatory rest and workers receive a constant monthly wage). The expression "Specific reasons" refers to the fact that annualised hours schemes are permitted for technical or practical reasons or to cope with an exceptional surge in work. Here as well an agreement of a sectoral joint committee is generally required. In Belgium, many sectoral agreements provide for annualised hours schemes, often linked with working time reductions, while referring details of implementation to the company level. Examples of such agreements include: clothing and garment manufacturing (blue-collar workers); chemicals (blue-collar); food retail (white-collar); banking; and healthcare. If throughout a reference period, the number of hours worked exceeds normal limits by more than 65 hours (the maximum number of overtime hours allowed), then immediate compensatory rest should be granted.

Furthermore, statutory working time varies as to whether the maximum figure includes overtime. In Belgium, the threshold marking the beginning of overtime is set by legislation and agreements (at sector or company level) at 8 hours per day, 38 hours per week. The maximum overtime limit is fixed by law at 65 hours² which should be compensated before the end of the reference period. Overtime may only be used on specific grounds - exceptional peaks of work, force majeure, unforeseeable needs. Authorisation procedures vary according to the reason invoked. For overtime an enhanced pay rate is applied: +50% pay rate (+100% at weekends and public holidays). This enhanced pay may be converted into time off in lieu if provided for by collective agreement. According to the Flemish Workability Monitor survey

² This limit may be raised to 130 hours maximum in two cases. First, a royal decree may authorise 130 overtime hours and this time should then be completely compensated in time afterwards (within the three-month period following the end of the reference period). Second, in the case of an extraordinary surge in work or in the case of unforeseeable necessity, the overtime limit may be pulled up to 130 hours that are not necessarily fully compensated in time (depending on workers' personal choice, this overtime is either compensated temporally or financially) (Royal decree 19 September 2005).

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.

The statutory minimum annual paid leave was 20 days in 2003. 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. Finally, there are 10 public holidays per year.

The basic legal principle for part-time work 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 work³ or Sunday work⁴, 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 at least 5 days beforehand when they have to work. 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, workers 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. 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. 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 with a certain extent of flexibility if well-defined procedures are followed (change in the work regulation to be approved by the works council, etc.). 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. No reliable data are available but ad-hoc surveys have suggested that under 1% of employment is on an on-call basis. 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. The case was rejected by the High Court of Arbitration (Cour d'arbitrage de Belgique/Arbitragehof van België).

³ Night work (between 8 p.m. and 6 a.m.) is prohibited by law. Exceptions exist for workers above 18 years of age in case the nature of the work or activity justifies night work, e.g. hotels, cultural performances and games, press, pharmacies, health providers, agriculture, bakeries, hostels, etc.

⁴ The law prohibits Sunday work although certain activities may be performed on Sundays: if a firm's normal functioning does not allow these activities to be carried out on other days; in the hotel and restaurant business and in health care providing services. Workers doing Sunday work are entitled to a compensating rest period in the six-day period that follows the Sunday on which they worked.

Working time variation and annualised hours schemes are the object of national collective agreements No. 42 of 2 June 1987 and No. 42bis of 10 November 1987.

In 2006, average collectively agreed normal weekly working hours were at 37.6 hours (one of the lowest figures of the EU-27), 40 hours in the metalworking sector, 38 hours in the chemicals sector, the retail sector, in civil service, for blue-collar staff, for nurses and for doctors in public sector hospitals, and 35 hours in the banking sector. Over the period 1999-2006, average collectively agreed normal working time dropped by 1.4 hours.

In 2006, the average number of actual weekly hours of work of full-time employees in their main job was at 38.3. Actual hours worked are thus amongst the shortest in Belgium (also in France and Finland)

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.

Weekly working time need not be fixed and can be variable, when this is agreed with the trade unions, although employees must know at least 5 days beforehand when they have to work. Exceptions to the three-hour rule (and the one third of normal weekly hours rule) thus exist based on law or collective agreements at sectoral or company level. 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.

In Belgium, work regimes form the basis of the whole organisation of working time. Work regimes are forms of work organisation that guarantee a certain level of steadiness/invariability. Each firm has one or more work regimes that it applies generally. The introduction of a work regime in a firm requires in general the adoption of new working hours that need to be mentioned in the work regulation. Such a change in the work regulation is to be done by the works council. If there is no works council, the firm will be required to follow a procedure of direct workers' consulting. The entire working and rest time regulation is based on a rule that is considered "normal" or in any case "the most commonly used practice". However, derogations to these general rules exist at the sectoral or individual level so as to allow for adjustments to the specific needs of firms, activities and workers. As mentioned above, the "normal" work regime is one of 8 hours a day, 40 a week (38 hours a week on an annual basis) and the working week covers 6 days between Monday and Saturday. There is no work at night, between 8 p.m. and 6 a.m. and rest should be respected on public holidays.

Continuing the trend of recent years, working time flexibility was a much more important theme than its duration, with agreements focusing on topics such as 'time savings accounts' or 'banks', as in the Belgian auto industry, and on overtime hours.

Throughout 2007, several sectoral agreements adopted new regulations on overtime ranging from 66 to 130 working hours a year.

In the construction sector, the ban on Saturday work has been partially lifted. It will now be allowed under the following conditions:

- for specific types of work;
- for a maximum of 64 hours a year and paid at a rate of 150% of the normal wage; with the consent of the workers involved and in agreement with the trade union at the workplace.

In the retail sector, a new regulation stipulated in March 2007 allows shops to open from six to nine Sundays a year, if the local council agrees.

However, the new law states that an agreement has to exist between employers and employees on wage compensation for working on Sundays. The new regulation therefore distinguishes between retailers with a trade union representation and those without union representation. For companies without trade union representation, Sunday openings can only be organised if a collective agreement on wage compensation exists at sector level between the employer organisations and trade unions. Companies with trade union representation can be bound by a sectoral agreement or, if no such agreement exists, the matter can be dealt with at company level or on an individual basis. In the two latter situations, the new regulation prescribes that the wage for working Sundays has to be at least double the normal wage.

A law regulates the number of Sunday openings per year in the retail sector.

Collective agreements concerning temporary workers were agreed in the joint committee no. 322. In total, 32 collective agreements concerning temporary workers were concluded.

3. Trends observed in working time

Since the 90s flexibility has become a magic formula and it is commonly believed that the traditional nine-to-five working day is a reality of the past. However, nothing is less true, as it is shown by a study on time allocation by the centre for sociological studies, the **research group TOR and the Vrije Universiteit Brussel** (VUB, *Free University of Brussels*) and commissioned by the Directorate General for Statistics and Economic Information. This study shows that between 1999 and 2005 traditional working time schemes have changed only marginally. Even over a longer period, labour market flexibility has developed only so far. For example, compared with 1966, the greatest change is the reduction of work on Saturday. Belgium thus remains far from being a 24h/24h economy. 84% of work hours are between 6 a.m. and 7 p.m. However, whereas in 1988, 85% of workers had no say whatsoever in their own working time, in 1999 working time was imposed on workers by their employer in more than 50% cases, and in 2004 this happens much less frequently still. However, there are important graduations in this time sovereignty of workers. In 2005, 16.1% of active people in Flanders can totally change their work hours without having to inform their hierarchical superior (this was only 4% in 1988). In 2005, almost 10% can change their work hours to some extent without having to inform their superior and the same proportion can totally change their work hours after having informed their superior. An important finding of this study is nevertheless that the freer workers decide on their work hours, the longer is their working week! It seems that it is first and foremost the nature of the job that determines whether a worker is concerned by flexible working time or not. Social professions are concerned, employees not. Managers and sales persons are extremely flexible. In their case it might be the fact that most of them work as self-employed rather than the nature of their job that explains their greater flexibility. Men more often have flexible working time than women despite the fact that women are overrepresented in services and social professions (inside these sectors that are most likely to be associated with flexible hours, women have flexible hours much less frequently than men). Flexibility is also linked to education. The lower

workers' level of education the more they are likely to work flexible hours. In general, it is workers with the most fragile labour market situation that are most likely to work atypical hours: youngsters, people for whom work plays a central role (men and the self-employed), and/or those with a less demanding family situation (no partner, no children).

An international study commissioned by **Manpower** and carried out by **Mori** on the evolution of labour market trends surveyed 12 000 workers in 15 countries of which 992 in Belgium in 2005. A key aspiration seems to be more flexibility. Seven out of ten Belgians is willing to keep on working later in their lives in return for more flexibility throughout their entire working life and more than half of all interviewees would accept a longer working week in return for flexible working hours. However, few are willing to literally pay for more flexibility: only 28% of Belgians would accept a shorter working week accompanied by a lower wage. The survey also shows that work from the home is gaining in popularity. 54% of the Belgian respondents believe work from the home would enhance their productivity. Finally, it seems that there is a positive evolution in workers' attitude towards mobility (although actual mobility remains low, cfr. infra). 45% of Belgians (and 53% of 25-34 year-olds) positively consider moving abroad for work. This study seems to show a demand for more flexibility in working time.

But looking at the reality, it appears on the contrary⁵, that Belgian workers' mobility had never been so low. The study further shows that responses to this lack of mobility such as telework or flexible working time are insufficiently offered or used. Merely 20% of respondents declare they are allowed to work from home and less than half of Belgian workers have flexible work hours. The self-employed are those that are most likely to work from home (77%), followed by top-level managers (51%), assistant managers (27%), employees (20%), intermediate supervisors (14%) and finally, blue-collars (10%). Assistant managers are the most likely to have flexible hours (63%), followed by the self-employed (62%), top-level managers (60%), employees (49%), intermediate supervisors (47%) and again blue-collars come in last (38%).

⁵ Ssurvey commissioned by **Tempo** team and based on a national and representative sample of Belgian workers was carried out by an independent institute Insites in 2008

Box: Summary figures for 2007 (2004 data for flexible hours)

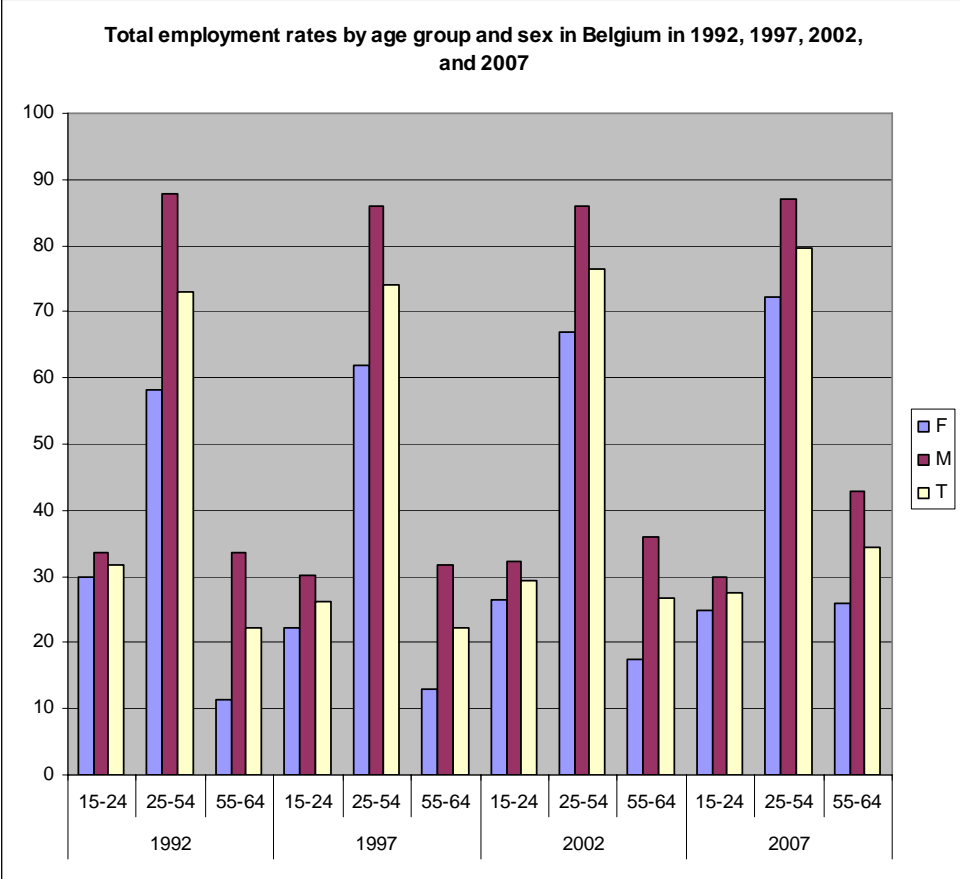
	age	women	men	gender gap
total employment rate (%)	15-24	25	29.9	4.9
	25-54	72.3	87	14.7
	55-64	26	42.9	16.9
part-time rate (%)	15-24	32.8	11.4	-21.4
	25-49	42	5.8	-36.2
	50+	54	13.7	-40.3
long hours when usual working hours < 48 (hours)	15-24	32.3	36.6	4.3
	25-49	31.7	37.6	5.9
	50+	28.7	36.2	7.5
shift work (%)	15-24	11.6	16	4.4
	25-49	7.9	12.6	4.7
	50+	6.4	8.2	1.8
Sunday work (%)	15-24	12.4	9.6	-2.8
	25-49	8.4	7.7	-0.7
	50+	7.3	7.7	0.4
Saturday work (%)	15-24	29.1	17.3	-11.8
	25-49	16.1	13.4	-2.7
	50+	13.6	12	-1.6
night work (%)	15-24	4	7.3	3.3
	25-49	2.7	6	3.3
	50+	2.2	4.7	2.5
evening work (%)	15-24	12.6	15.3	2.7
	25-49	9.2	14.5	5.3
	50+	9.4	12	2.6
flexible hours				
fixed start and end		70	67	-3
staggered hours		7.6	7.8	0.2
variable start and end		7.2	6.4	-0.8
free work schedule		2.1	5.2	3.1
working time banking		8.9	10	1.1

Source: ELFS

Over the period 1992-2007, the most striking feature is the increase in the employment rate of prime-age women as opposed to the stagnation (or even slight reduction) of men's employment rate in this age group. This positive development should be put into perspective given that here we are analysing headcount employment rates. As we will show below, part-time work has known an expansion especially for women over recent years. Moreover, it remains true that, regardless the age group, male employment rates are higher than female rates. However, the largest gender gap is observed in the age group of 55-64 year-olds but it has been narrowing over the period 1992-2007. In other words, differences between men's and women's employment rates widen with age. Finally, whereas the employment rate of women aged 55-64 was well below that of women aged 15-24 in recent years it has been able to catch up so that in 2007 it is even slightly above the employment rate of young female workers. In 2007, in the youngest age group, the total employment rate was at 27.5% with a gender gap of 4.9 percentage points. The employment rate of prime-age workers was at 79.7% but with a gender gap of 14.7 percentage points. Finally, the rate for 55-64 year-olds was at 34.4% associated with the largest gender gap in employment, notably of 16.9 percentage points. The fact that the gender gap in employment is smallest in the youngest age group is at

least partly linked with the fact that in Belgium education is compulsory up until the age of 18. This results in an increase in women’s level of education that in recent years has come to exceed that of men.

Figure 1



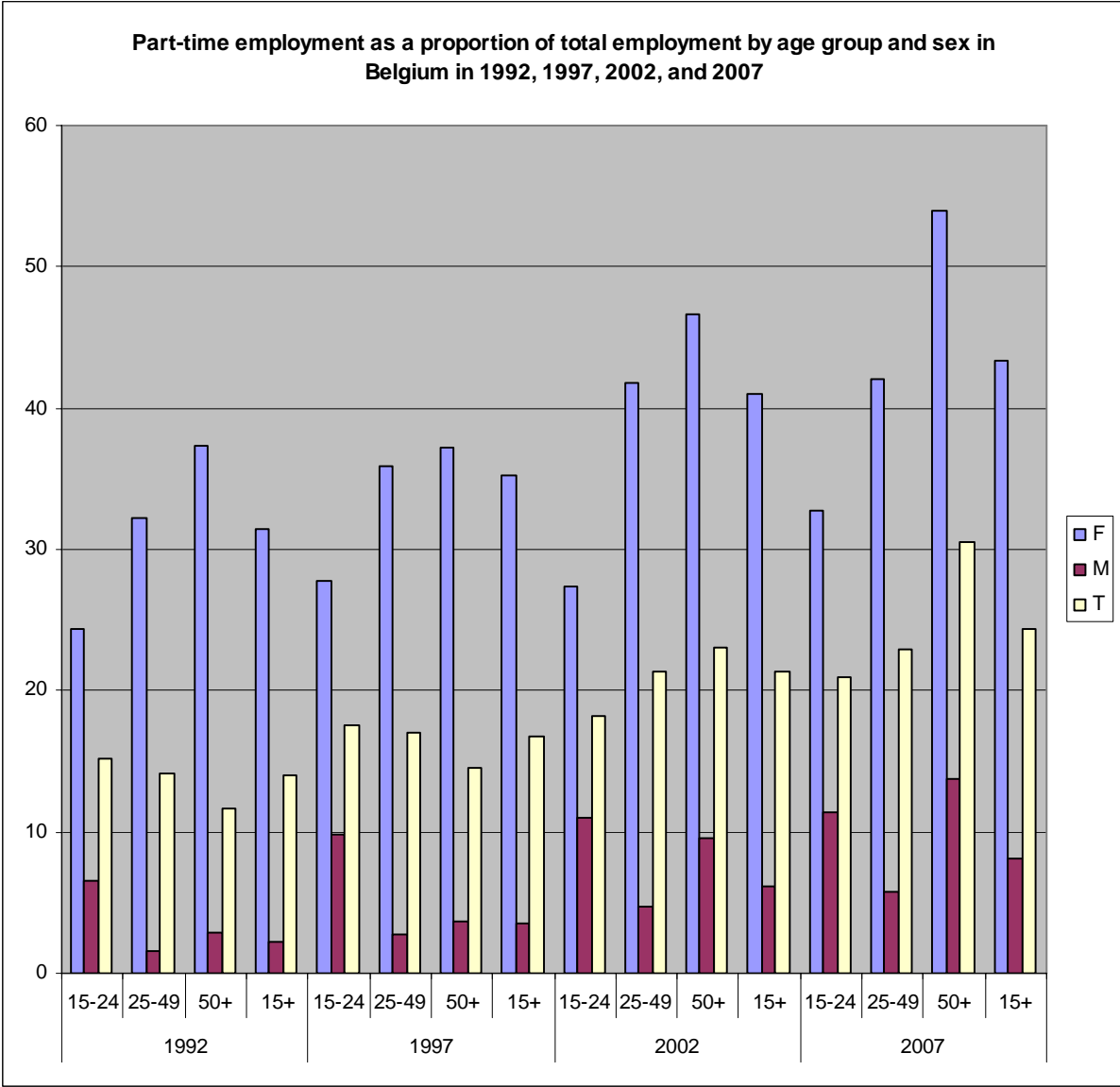
Source: ELFS

3.1. Part time employment

Figure 2 shows that part-time employment was nearly exclusively reserved for women already in 1992 and that this is still the case in 2007. Between 1992 and 2007 proportions of female part-timers have grown in all age groups. Moreover, for women the proportion of part-time work increases over the three age groups whereas for men part-time work has always been more characteristic of young men’s labour market attachment, although in recent years (see the year 2007 in Figure 2) also male workers above 50 years of age have become more involved in part-time work with a proportion of part-time work exceeding that of young men aged 15-24. In 2007, the respective proportions of female and male part-timers in the youngest age group (15-24 years) were 32.8% and 11.4%. Amongst prime-age workers, the share of women in part-time work amounted to 42% compared with a mere 5.8% for men. Finally, amongst workers above 50 years of age, 54% of women held part-time jobs whereas only 13.7% of men did so. To conclude, male part-time work characterises the start and end of their career, it seems to be a means to both phase in and out of the labour market whereas for women part-time employment seems to be more of a trap, they get into it in their early careers

when juggling with their multiple roles as housewives, mothers, workers, and so forth, and never get back into full-time work afterwards.

Figure 2



Source: ELFS

In Belgium, part-time work is defined as “regular and voluntary work that is shorter than normal” for full-time workers in a comparable situation in the same establishment. “Normal” working hours of full-time workers vary substantially across sectors and occupations. If an establishment has only part-time workers then the normal working time of the sector of activity is taken as the reference.

Part-time work is very widespread only among women. This is why their employment rate drops as low as 46.8% in full-time equivalent compared to 55.3% in headcount in 2007 (Key indicators for monitoring the Employment Guidelines 2008). Not surprisingly, there is only a marginal difference between both indicators for men (68.7% in head count and 68.9% in FTE).

The reasons stated for being in non-standard employment, be it part-time or fixed-term, also differ greatly according to sex. For men, the incapacity of finding a full-time, respectively permanent, job is by far the most important reason for being in non-standard employment whereas for women, the care for children or other dependants forces them most to opt for this kind of employment.

A high level of professional segregation is associated with part-time jobs. Recent NRPs for Belgium present no policy measures to fight this segregation. Occupational segregation has been stable between 2001 and 2006 but the proportion of total employment in a gender imbalance remains high at 26%. Segregation in sectors has also been stable but at an almost equally high level: 18% roughly of total employment is in a gender imbalance. Obviously, this is related to the highly feminised nature of part-time work. It is precisely through their involvement in part-time work that large numbers of women are often confined to low-paid jobs (there is a part-time penalty of 15% which is fully due to differences in observed characteristics between full-time and part-time working women which give rise to indirect discrimination even if no pure discrimination exists, Jepsen et al. 2005), without any job security, undesirable working hours, etc.

In October 2004, the **FGTB** (Fédération Générale des Travailleurs Belges/ General Federation of Belgian Workers) published a report on part-time work in Belgium. From this study are drawn the following figures and tables on part-time work by sectors of activity, occupations, levels of education, and so forth. From Table 1, it can be seen that part-time jobs are mostly available female-dominated sectors of activity: health and social work, other community, social and personal service activities, private households with employed persons and also, although to a lesser extent, education. Furthermore, a sizeable share of part-timers can be found in the hotel and restaurant business and in trade. Finally, one quarter of employment in agriculture, hunting, forestry and fishery concerns part-time jobs.

Table 1: Proportion of part-time-work by sector of activity (Nace) in 2002

Agriculture, hunting, forestry and fishing	25.40%
mining and quarrying	2.10%
manufacturing	7.80%
electricity, gas and water supply	3.00%
construction	5.50%
wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods	28.20%
hotels and restaurants	43.00%
transport, storage and communication	7.90%
financial intermediation	16.80%
real estate, renting and business activities	19.10%
public administration and defence, compulsory social security	17.60%
education	26.80%
health and social work	43.00%
other community, social and personal service activities	29.60%
private households with employed persons	53.00%
extra-territorial organisations and bodies	10.10%

Source: FGTB (2004)

Huge gender differences also mark the distribution of part-time jobs over different occupations. For men, part-time work is most prevalent amongst service workers and shop and market sales workers but also in occupations in agriculture and fishery. For women, on

the other hand, all occupations have a sizable share of part-time work. More than half of all sales and service jobs are part-time and almost 60% of all elementary occupations. In sum, it seems that whereas for men, the type of occupations determines the prevalence of part-time work, for women it is rather their sex that is crucial given that part-time jobs are widely present whatever the occupation a woman decides to enter.

Table 2: Proportion of part-time work by sex and occupational group in 2002

	men	women
armed forces	3.2%	22.1%
legislators, senior officials and managers	2.9%	17.6%
professionals	6.2%	34.7%
technicians and associate professionals	3.1%	31.2%
clerks	4.7%	33.7%
service workers and shop and market sales workers	17.2%	57.3%
skilled agricultural and fishery workers	13.4%	34.9%
craft and related trades workers	3.4%	22.1%
plant and machine operators and assemblers	3.4%	20.7%
elementary occupations	5.8%	57.5%

Source: FGTB (2004)

For men, the greatest proportion of part-time work is held by the lowest educated (no degree or primary education at most). This also holds true for women although there are also substantial numbers of female part-timers with a very high level of education (tertiary be it of the university type or not). Again this seems to indicate that it is women's sex that determines the availability of part-time jobs whereas for men it is rather their level of education.

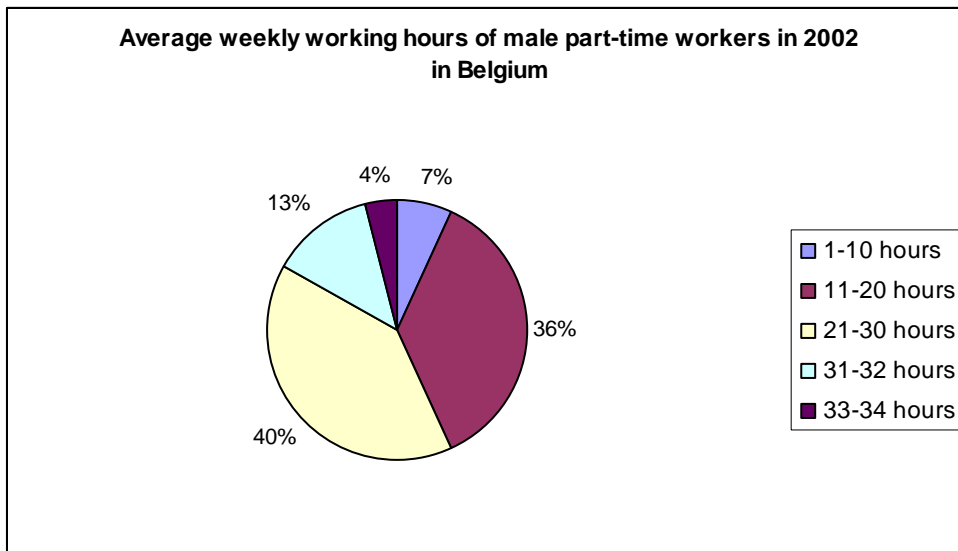
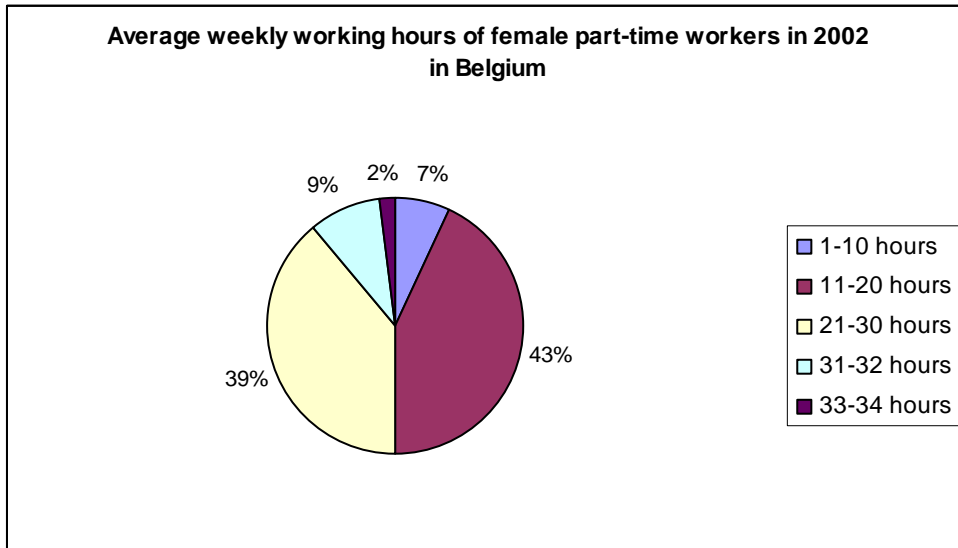
Table 3: Proportion of part-time workers by sex and level of education in 2002

	men	women
no degree or primary education	7.4%	49.5%
lower secondary education	5.9%	52.5%
upper secondary education	4.4%	41.7%
tertiary non-university education (short type)	4.7%	31.2%
tertiary non-university education (long type)	6.0%	25.3%
university	3.7%	28.2%

Source: FGTB (2004)

Figure 3 informs on the average weekly working hours of female and male part-timers in 2002 in Belgium. It shows that male part-time workers usually work slightly longer hours than female part-timers. In general, the bulk of part-time workers usually work between 11 and 30 hours a week. 43% of women in part-time jobs work between 11 and 20 weekly hours and 39% between 21 and 30 hours. For men, a slightly smaller share work between 11 and 20 hours a week on average (36%) and a roughly identical share between 21 and 30 hours (40%). Whereas 11% of female part-time workers have usual weekly hours above 30, 17% of male part-timers have such longer hours.

Figure 3



Source: FGTB (2004)

Maron and Meulders (2008) studied the employment impact of parenthood. Their sample was composed of women and men aged between 25 and 49 years of age taken from the 2006 European Labour Force Survey. Figure 4 presents their results for the EU-25. They showed that there is a gender gap in part-time employment rates of 19 percentage points amongst women and men without children (the part-time rate of men is at 5.8% and that of women at 24.8%). In the presence of one child this gap raises to 37.5 percentage points. Moreover, there is a difference in part-time rates between women without children and mothers of one child. Mothers' part-time rate is 17 percentage points higher than that of women without any children. On the contrary, fathers of one child are less likely to work part-time than men without children, the gap amounting to 1.5 percentage points. Gender, motherhood and fatherhood gaps further increase with the number of children. In the presence of two children, the difference between women's and men's part-time employment rate rises to 45.9 percentage points and to 53.3 points when there are three children or more. Also the gap between mothers of two children and non-mothers is larger than in the case of one child. It rises from 17 percentage points (difference between the part-time rates of mothers of one child and non-mothers), to 24.8 points (difference between the part-time rates of mothers of

two children and non-mothers) and to 32.7 points (difference between the part-time rates of mothers of three or more children and non-mothers). As the number of children increases fathers become less likely compared with non-fathers to work part-time. The gap decreases from -1.5 percentage points (difference between the part-time rates of fathers of one child and non-fathers) to -2.1 points (difference between the part-time rates of fathers of two children and non-fathers). When there are three or more children, the gap is comparable in size to the case of one child, at -1.6 percentage points (fathers of three or more children have a part-time employment rate that is 1.6 percentage points lower than that of non-fathers).

Figure 4

	no children			1 child					2 children					3+ children				
	men	women	gender gap	men	women	gender gap	motherhood gap	fatherhood gap	men	women	gender gap	motherhood gap	fatherhood gap	men	women	gender gap	motherhood gap	fatherhood gap
DE	9.3	27.1	17.8	5.3	57.2	51.9	30.1	-4.0	4.2	74.0	69.8	46.9	-5.1	6.5	82.3	75.8	55.2	-2.8
AT	6.2	24.9	18.7	4.2	50.0	45.8	25.1	-2.0	2.7	65.8	63.1	40.9	-3.5	4.6	61.5	56.9	36.6	-1.6
BE	5.8	24.8	19.0	4.3	41.8	37.5	17.0	-1.5	3.7	49.6	45.9	24.8	-2.1	4.2	57.5	53.3	32.7	-1.6
DK	n.d	n.d	n.d	n.d	24.1	n.d	n.d	n.d	n.d	29.3	n.d	n.d	n.d	n.d	n.d	n.d	n.d	n.d
ES	3.6	16.5	12.9	3.2	26.2	23.0	9.7	-0.4	1.9	28.2	26.3	11.7	-1.7	3.2	32.7	29.5	16.2	-0.4
FI	6.2	10.8	4.6	2.8	9.7	6.9	-1.1	-3.4	1.7	11.6	9.9	0.8	-4.5	n.d	15.3	n.d	4.5	n.d
FR	5.9	17.1	11.2	3.0	26.4	23.4	9.3	-2.9	2.5	40.1	37.6	23.0	-3.4	3.0	48.1	45.1	31.0	-2.9
EL	2.9	7.7	4.8	1.2	9.0	7.8	1.3	-1.7	1.2	10.9	9.7	3.2	-1.7	n.d	14.6	n.d	6.9	n.d
IE	n.d	n.d	n.d	n.d	24.1	n.d	n.d	n.d	n.d	29.3	n.d	n.d	n.d	n.d	n.d	n.d	n.d	n.d
IT	4.8	19.0	14.2	3.0	32.2	29.2	13.2	-1.8	2.4	37.2	34.8	18.2	-2.4	3.8	39.6	35.8	20.6	-1.0
LU	2.5	14.4	11.9	n.d	44.1	n.d	29.7	n.d	n.d	59.6	n.d	45.2	n.d	n.d	59.0	n.d	44.6	n.d
NL	13.6	47.6	34.0	12.3	82.6	70.3	35.0	-1.3	11.5	89.4	77.9	41.8	-2.1	10.5	89.9	79.4	42.3	-3.1
PT	3.6	9.4	5.8	1.5	8.0	6.5	-1.4	-2.1	n.d	8.9	n.d	-0.5	n.d	n.d	17.1	n.d	7.7	n.d
UK	4.8	15.7	10.9	3.7	48.3	44.6	32.6	-1.1	3.7	62.7	59.0	47.0	-1.1	6.8	66.1	59.3	50.4	2.0
SE	n.d	n.d	n.d	n.d	24.1	n.d	n.d	n.d	n.d	29.3	n.d	n.d	n.d	n.d	n.d	n.d	n.d	n.d
CY	3.1	7.3	4.2	2.7	10.0	7.3	2.7	-0.4	1.5	9.7	8.2	2.4	-1.6	n.d	15.2	n.d	7.9	n.d
EE	n.d	n.d	n.d	n.d	24.1	n.d	n.d	n.d	n.d	29.3	n.d	n.d	n.d	n.d	n.d	n.d	n.d	n.d
HU	1.9	2.9	1.0	1.3	4.9	3.6	2.0	-0.6	0.9	5.2	4.3	2.3	-1.0	2.7	12.2	9.5	9.3	0.8
LV	4.2	5.7	1.5	n.d	4.6	n.d	-1.1	n.d	n.d	6.9	n.d	1.2	n.d	n.d	n.d	n.d	n.d	n.d
LT	9.3	7.5	-1.8	n.d	10.6	n.d	3.1	n.d	4.8	11.2	6.4	3.7	n.d	n.d	15.6	n.d	8.1	n.d
MT	n.d	n.d	n.d	n.d	32.5	n.d	n.d	n.d	n.d	35.9	n.d	n.d	n.d	n.d	:	n.d	n.d	n.d
PL	5.4	6.6	1.2	2.9	9.6	6.7	3.0	-2.5	2.9	9.8	6.9	3.2	-2.5	3.7	n.d	n.d	n.d	-1.7
CZ	1.4	3.6	2.2	0.7	7.7	7.0	4.1	-0.7	0.5	10.8	10.3	7.2	-0.9	1.3	15.1	13.8	11.5	-0.1
SK	1.0	3.4	2.4	n.d	3.0	n.d	-0.4	n.d	n.d	3.8	n.d	0.4	n.d	n.d	4.6	n.d	1.2	n.d
SI	3.7	7.1	3.4	2.5	5.5	3.0	-1.6	-1.2	1.5	5.7	4.2	-1.4	-2.2	n.d	6.9	n.d	-0.2	n.d

Source: Maron and Meulders (2008)

3.2 Working schedules

Working hours

A first finding from Table 4 is the absence of pronounced gender gaps in the flexibility of working hours. Secondly, it seems that in Belgium such flexibility remains rather limited as the bulk of workers continue to work days that start and end at a fixed time. Of the 1875 male workers and the 1509 female workers, respectively 67% and 70% start and end work at a fixed time. In decreasing order of frequency appear workers with staggered working hours (meaning that they can start and end their day within a time band) (7.8% of men and 7.6% of women), workers whose working day starts and ends at varying hours because they have settled an agreement with their employer (6.4% of men and 7.2% of women), workers who are free to determine their work schedule without any formal boundaries (5.2% of men and 2.1% of women), and, finally, workers that have the option to bank working time in order to take either hours or full days off in compensation afterwards (10% of men and 8.9% of women).

Table 4: Flexibility in working hours in 2004 in Belgium (in 1000s)

	men	women
determines own work schedule (no formal boundaries)	96.9	31.8
fixed start and end of a working day	1255.6	1058.4
staggered working hours, banded start and end	145.5	114.5
start and end of working day varying by individual agreement	119.6	108.3
working time banking with possibility only to take hours off	69.4	62.6
working time banking with possibility to take full days off (besides taking hours off)	76.3	52.1
other	111.3	80.9

Source: ELFS

OfficeTeam⁶ is a specialised division of the American group Robert Half International (RHI). OfficeTeam carried out an international study temporarily installing qualified administrative people and clerks in companies and then collecting the reactions of Human Resource Managers. The research was carried out in 9 countries (AUS, BE, CZ, FR, DE, IE, NL, NZ and the UK) and 777 HR managers were heard.

It appears from Table 5 that the most commonly reported way of supporting working mothers is by offering flexible working hours.

Table 5: What does your company do at present to support mothers choosing for a professional career?

	AUS	BE	CZ	FR	DE	NL	IE	NZ	UK
the company offer a child care slot or contributes in the costs	10%	6%	2%	7%	2%	64%	9%	9%	6%
the company offers the possibility to share a managerial job	63%	13%	5%	35%	22%	24%	54%	7%	57%
the company offers flexible working hours	76%	38%	61%	42%	75%	49%	65%	46%	84%
the company offers the possibility to work from home	39%	4%	5%	2%	22%	29%	5%	28%	17%
the company does nothing to support working mothers	7%	50%	28%	34%	12%	9%	7%	30%	11%
other	3%	6%	2%	2%	0%	4%	0%	0%	0%

Source: OfficeTeam, 2004

⁶ http://www.officeteam.be/Press_Corner/Press_Releases/Ot/BE/2004/Vrouwenwerk_nl.pdf

In terms of flexibility of working hours, the **2004 Panel Survey of Organisations** in Flanders (PASO) provides the following information for Flanders.

Table 6: Share of organisations applying a system of sliding working hours (Flanders, 2001)

sliding hours at the beginning of the working day		sliding hours at the end of the working day	
		yes	no
sliding hours at the beginning of the working day	yes	12.7	1.4
	no	1.6	84.2

Note: organisations with at least 10 employees, weighted by size and sector (N=701)

Source: Van Dongen 2004.

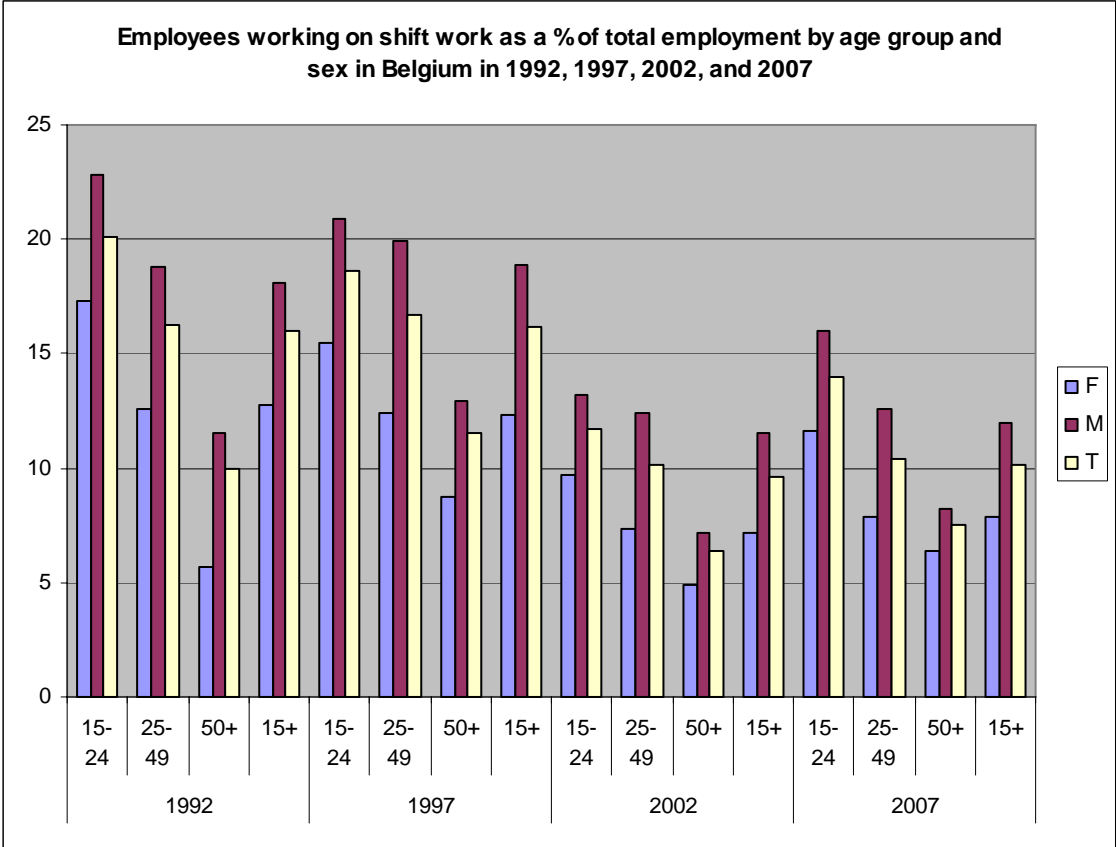
Systems of sliding working hours are most widespread in ‘Financial and business services’ (35.4%) and in ‘Public councils and community provisions’ (35.4%) but do not exist in the construction sector. They are not very common in ‘Education’ (3.2%) and in ‘Trade, distribution and the hotel and restaurant branch’ (8.5%). Finally, systems of sliding hours become more widespread as the size of the establishment grows bigger: from 12.2% (10-49 employees), over 24.2% (50-99 employees) and 29.1% (100-199 employees), to 33.6% in organisations with at least 200 employees⁷.

Shift work

As shown by Figure 5 the proportion of male shift workers is larger than that of female shift workers. There is also a clear decrease in the prevalence of shift work as the age of workers (men and women) increases. Mostly workers of the youngest age class are concerned by shift work. Over the four years considered, the prevalence of shift work decreased between 1992 and 2002 but then increased again by 2007. In 2007, 12% of female and 16% of male workers aged 15-24 worked in shifts. In the group of 25-49 year-olds, 8% of women and 13% of men did shift work. Finally, amongst the eldest workers (50+), 6% of women and 8% of men were concerned.

⁷ Van Dongen 2004.

Figure 5

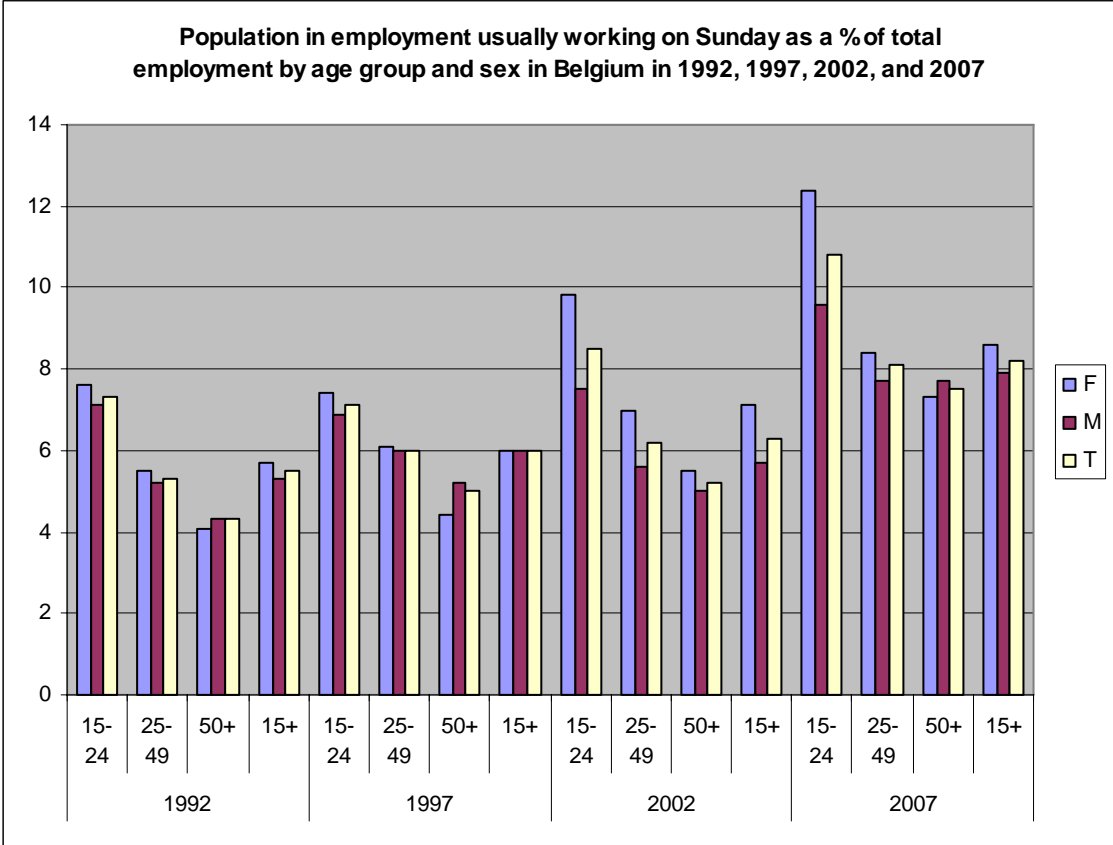


Source: ELFS

Weekend work

Proportions of workers that usually work on Sundays are slightly smaller than those that usually do Saturday work (Figures 6 and 7). Contrary to shift work, Sunday work gradually concerns larger proportions over time. As for shift work, Figure 6 shows a decrease in the proportions of workers doing Sunday work as age increases meaning that mostly young workers work on Sundays. In 2007, 12% of women and 10% of men aged 15-24 usually worked on Sundays. Smaller shares are observed among prime-age workers, 8% of women and men. Finally, 7% of women and 8% of men aged 50+ usually worked on Sundays in 2007.

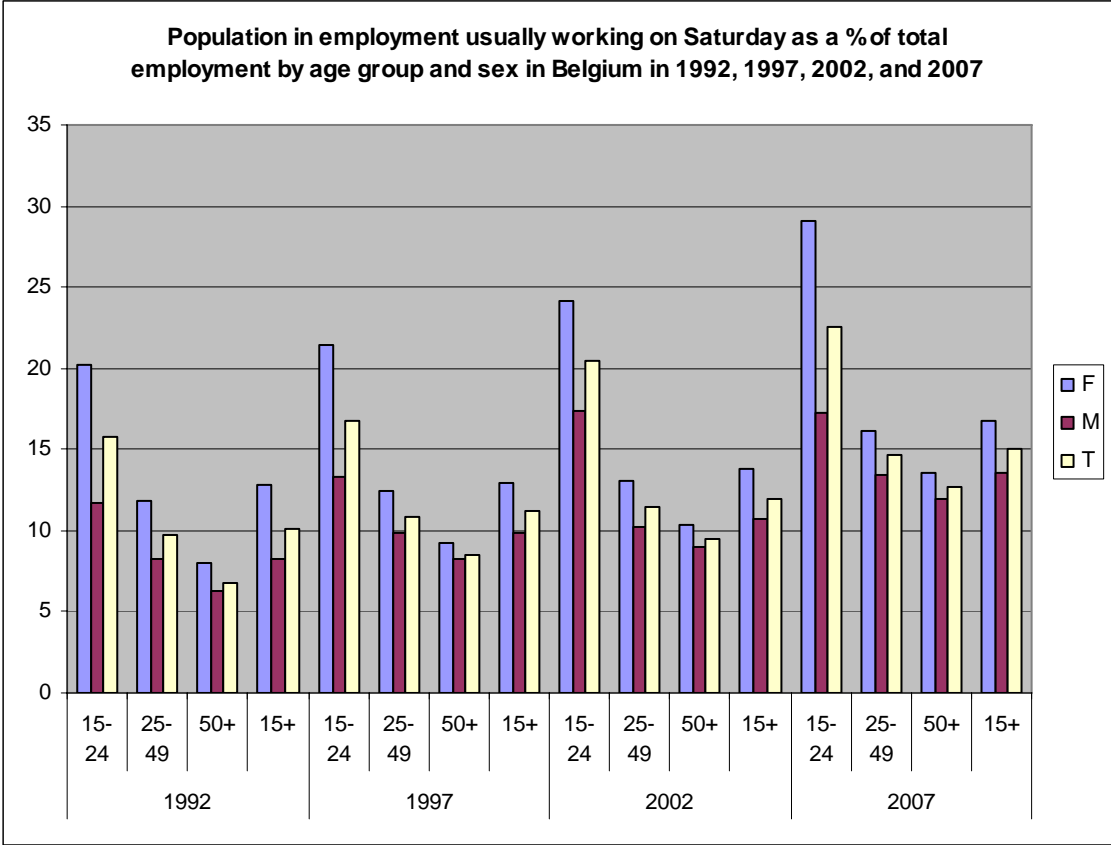
Figure 6



Source: ELFS

The same comments apply to Saturday work (Figure 7). Saturday work gradually concerns larger proportions over time and there is a decrease in the proportions of workers doing Saturday work as age increases meaning that mostly young workers work on Saturdays. However, both proportions of male and female workers concerned with Saturday work are larger than those doing work on Sundays and the gender gap in Saturday work is much more noticeable than was the case for Sunday work. In 2007, 29% of women and 17% of men aged 15-24 usually worked on Saturdays. Smaller shares are observed among prime-age workers, 16% of women and 13% of men. Finally, 14% of women and 12% of men aged 50+ usually worked on Saturdays in 2007.

Figure 7

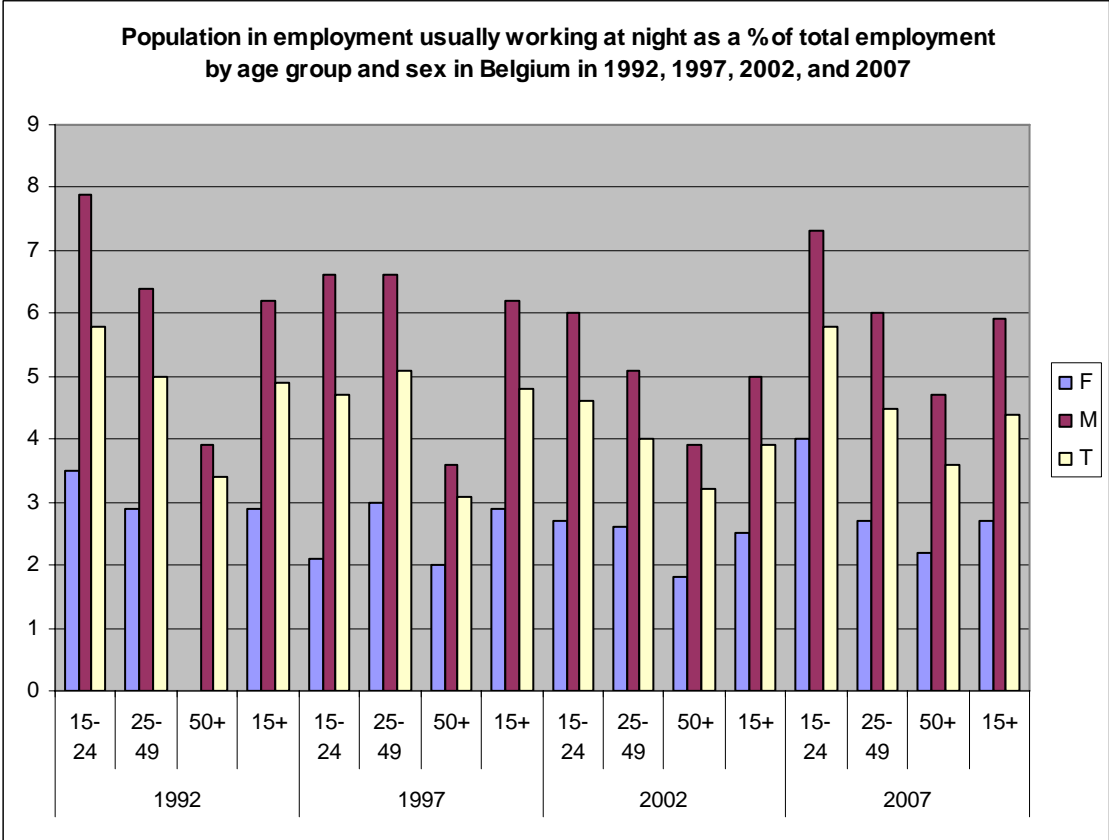


Source: ELFS

Evening and night work

Whereas proportions of workers usually doing night work seemed to be on the decrease in the beginning of the period they are rising again between 2002 and 2007 (Figure 8). Once again a decrease is observed in the proportions of night workers as their age increases. Mostly young workers usually work at night. Moreover, there is a substantial gender gap. Proportions of men working at night are generally more than twice as large as those of women in all age groups. In 2007, 4% of female and 7% of male workers aged 15-24 usually work at night, 3% of female and 6% of male prime-age workers and, finally, 2% of female and 5% of male workers above 50 years of age.

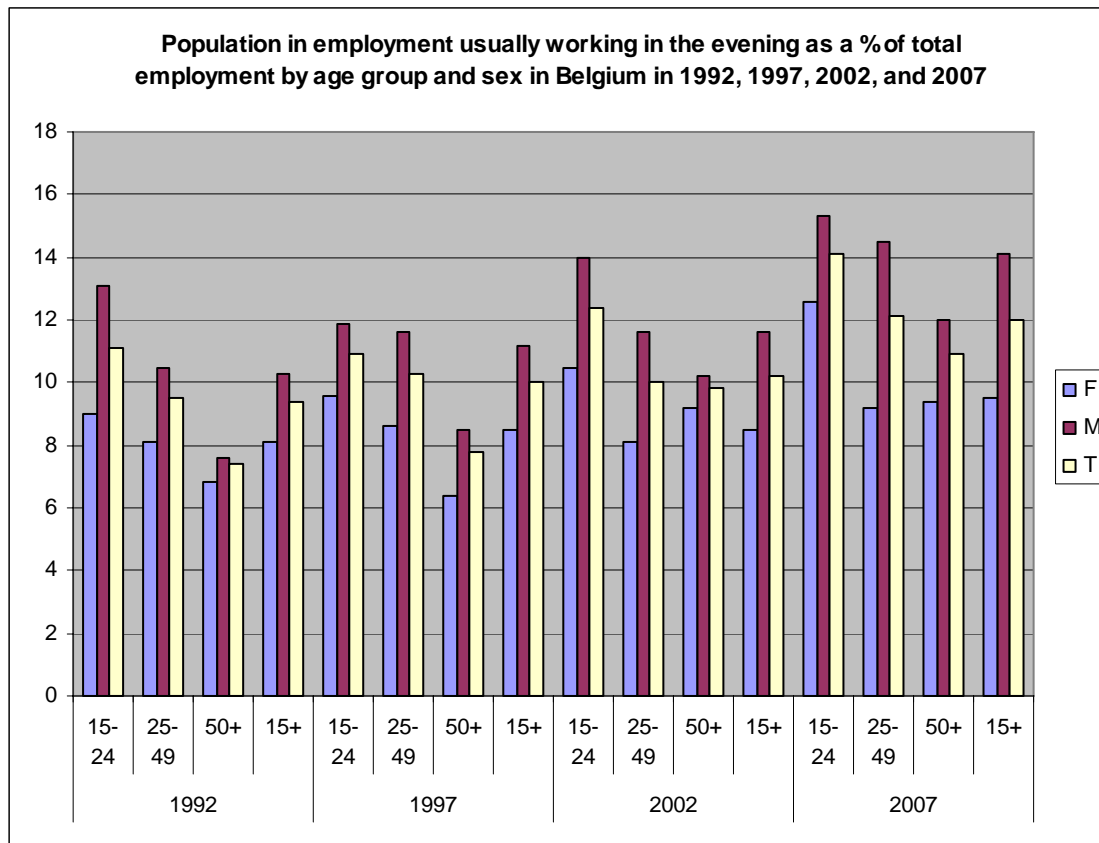
Figure 8



Source: ELFS

More workers usually work in the evening than at night (Figures 8 and 9). Figure 9 shows a decrease in proportions over age groups and an increase over time. Gender gaps are smaller than for night work but they remain substantial. In 2007, 13% of female and 15% of male young workers usually work in the evening. These proportions drop to 9% and 15% respectively for prime-age workers. Finally, of all workers aged above 50 years of age, 9% of women and 12% of men work in the evening.

Figure 9



Source: ELFS

Overtime

The proportions of men and women working overtime are lower in Belgium than in the EU-27. In 2006, the proportion of employees for whom the number of hours actually worked exceeds the number of hours usually worked due to overtime is 2.2% for men in Belgium (compared with 4.6% in the EU-27) and 1.2% for women (compared with 3.0% in the EU-27). Overtime is well regulated and gives rise to substantial pay increases (cfr. national regulations above).

The fact that managers' working time is not measured is a hot issue for Belgian labour unions. Managers' work is evaluated in terms of results rather than in terms of amount of time worked. They are not covered by labour law. This often translates into stress and bad physical and psychological health. Moreover, it is an obstacle for job creation as managers often work excessive hours that could otherwise be taken on by the unemployed. Overtime by some translate in unemployment for others. For example, at Carrefour (a hypermarket chain), managers are constrained to work 60-70 hours a week without any overtime compensation. Some social partners are also fiercely fighting against a recent proposal to increase the number of allowed overtime hours from 65 to 130. The first 65 hours could according to the proposal be either compensated in time or in money and would be made partly tax deductible so that they would cost less for employers and leave employees with a higher net wage. Opponents argue that such a reform is completely counterproductive in terms of job creation. Moreover, tax income would partly pay for the increase in real working time that would

follow from this change in regulation. Also telework is often a meagre advantage when non-compensated overtime is considered (cfr. below).

Saving hours / personal accounts

In Belgium, no system of time savings accounts is currently in place. In the inter-professional agreement of 22 December 2000, the social partners committed themselves to analysing the possibilities and experiences in the field in order to establish a potential framework for such a system. The governmental agreement of 10 July 2003 once again invited the social partners to reflect upon the question of introducing a new system of time savings accounts.

The objective is to develop such a system on a voluntary basis in accordance with labour law and existing regulations regarding working time. Each waged worker would be attributed a personal time savings account on which to accumulate holidays that were not taken up and overtime. The time saved on the account could then be used for non-market activities at a time considered best by the employee concerned.

Although this system should not be confused with the existing system of time credits the underlying logic is very similar. The difference is that the time savings account, in contrast to the time credit, does not grant an employee with a given number of tenure years (1, 5 or 20) in the firm the right to entirely or partially interrupt his/her career while receiving a replacement income from the national employment service.

The introduction of a system of time savings accounts would entail the abolition of the actual time credit system as well as of existing early retirement schemes which give employees a real right to balance work and private life associated with a social security allowance whereas the time saving system is rather a form of insurance financed uniquely by the employee's own earnings and without any social security contribution.

Job sharing

In general, very little information is available on job sharing in Belgium. It appears to be mainly a policy item on the liberal agenda and concerns mostly one sector, education. The liberals shortly develop a case for job sharing as a means to promote part-time employment among teachers so that they can simultaneously hold a job in the private sector. Inversely, older employees approaching the end of a professional career in the private sector are encouraged to reduce their working hours so that they can partly become active in the educational system and thus pass on their accumulated experience and knowledge to the younger generations.

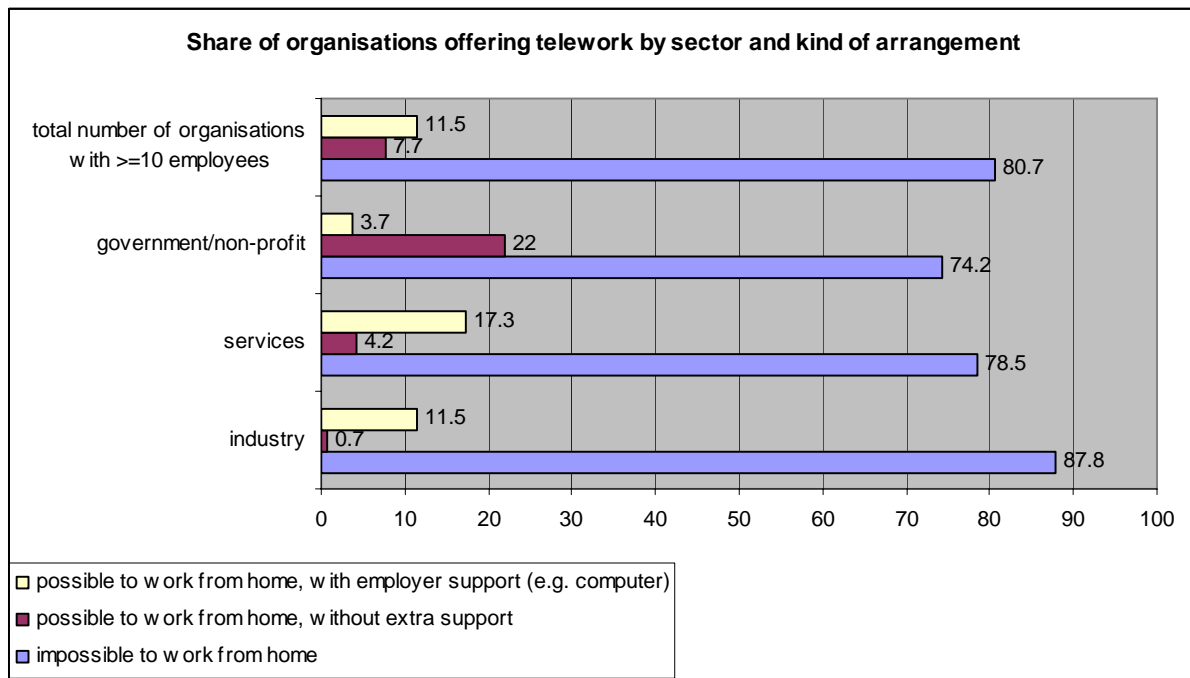
The Department for Emancipation Matters of the Ministry of the Flemish Community organised a pilot project entitled "Part-time management" granting managers and department heads the statutory right to work at 80 or 90%. The international study carried out by OfficeTeam (cfr. supra) showed that for only 13% of the interviewed managers, job sharing is a possibility. The pilot project of the Department for Emancipation Matters was designed after a survey had shown the growing interest for part-time managerial functions among the concerned employees. The Department for Emancipation Matters concluded that job sharing at management level or management functions conceived as 4/5 jobs can enhance the equal representation of men and women in the middle- and high-rank jobs. Moreover, the quality of management is improved if both male and female values, styles and methods are put to practice.

Working at home

The international study carried out by OfficeTeam (cfr. supra) showed that working from home is declared possible by just 4% of the interviewed managers.

Statistical information on teleworking is available for Flanders only. Overall telework seems to be quite widespread in Flanders. One out of 5 organisations offers this possibility to at least part of its workforce. The private sector somewhat lags behind. Indeed, telework is most likely to be possible in the public and non-profit sectors although even there it often lacks any form of support by the employer (who could e.g. provide concerned employees with a computer to use at home). In the commercial services sector (e.g. financial and business intermediation) 21.5% of organisations allow telework and 17.3% provide the necessary support in case the option is chosen by an employee.

Figure 10



Note: data for Flanders, 2001; organisations with at least 10 employees, weighted by size and sector (N=701)
Source: Van Dongen 2004.

A study by De Keyser and Hansez (2002) critically assessed telework showing that this work form involves a whole lot more stress for women than for men because of the fact that they are continuously occupied by a wide range of domestic tasks.

4. Summary and conclusions

Our conclusions are in line with those of Martinez (2007). A number of general trends, that shed light on the changes that have occurred and are occurring in time norms, come out of the analysis of the LFS data. Temporary work is much more widespread amongst young workers and part-time work amongst women. At the same time the working week is getting longer. However, this trend covers two very different realities. For full-time workers, usual weekly working hours increase towards the European average. Regarding part-time work, the

duration of working time is balancing out in the EU at a level below that of Belgium where part-time hours continue to rise. These combined trends result in increased and gendered working time disparity. On the other hand, the organization of working time changes and more particularly, atypical working hours are extended, essentially Saturday and Sunday work. Time references and markers such as Sundays (and Saturdays to a lesser extent) as well as full-time hours around 37-40 hours, seem to be weakening. Transformations of the working time norm come forth even more clearly when a sectoral analysis is done or when the social and gender division of work is examined.

Sectors of activity have their own ways to mobilize workers. The different forms of flexibility are complementary and/or substitutable depending on organizational constraints and specific social compromises. The use of temporary work forms, internal and external, and of varieties of part-time work goes hand in hand with the use of temporary unemployment and particular working hours in specific flexibility formula. Gender differences should not be minimized. The use of part-time employment does indeed balance out at very different levels for men and women. However, the organization modes in place in sectors of activity and in firms and the working conditions that they convey, remain preminent compared with individual trade-offs in the private sphere.

The different forms of working time flexibility are extremely gendered in Belgium. The part-time employment rate for women is increasing and the gender gap deepening. This is all the more worrisome given that part-time work is the most commonly used type of working time flexibility in Belgium. Part-time work however increases income inequality between men and women, it increases labour market segregation, it jeopardises the pension level, it hinders women's career advancement and makes them drop out on promotion and training opportunities. The new imbalance that has appeared to the disadvantage of women in terms of the prevalence of Sunday and Saturday work should be seen in the context of very strong gender segregation on the Belgian labour market

Gender differences are stronger than age-based differences. Precariousness most harshly touches youngsters and women of all ages. Young women thus accumulate the negative effects of sex and age.

There are no policies to reduce gender gaps in flexible working time arrangements. On the contrary, leave and career interruption policies are contrary to promoting equality by offering part-time take-up possibilities. Given the low replacement income during most leaves and breaks, it is mainly women that take them and that suffer the negative income consequences that come along with such leaves.

Part-time work, telework, flexible hours and the like can hardly be considered an ideal solution for all and do not necessarily increase work satisfaction and the work/life balance. Mainly low-qualified women suffer rather than benefit from these so-called "women-friendly" arrangements.

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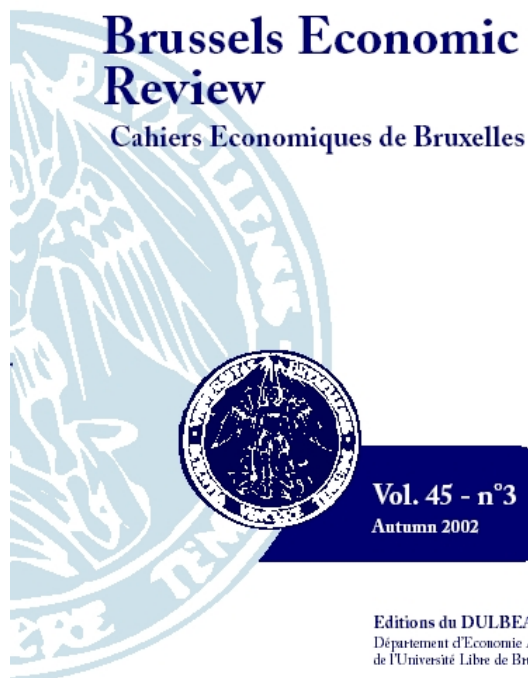
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ISSN 0008-0195

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