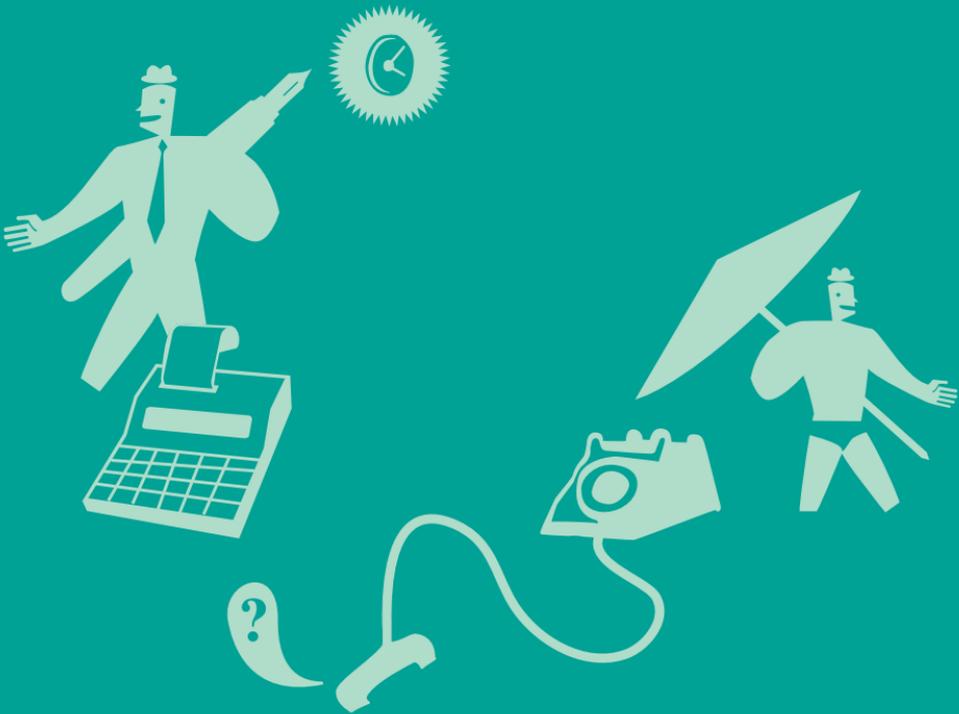


FACT SHEET

WORKING TIME IN THE COMMERCE SECTOR



WORKING TIME IN THE COMMERCE SECTOR

01	Employment in the commerce sector	2
02	Working time	3
03	The growth of involuntary part-time work and temporary contracts	6
04	Short time working in the commerce sector	7
05	Sunday and night/late working in the commerce sector	8



EMPLOYMENT IN THE COMMERCE SECTOR

In the last decade the commercial sector has been a source of employment growth. In 2008 the retail sector employed a total of 17.4 million people in the EU (8.4% of the total EU workforce). However, the sector has been hit by significant job losses and the imposition of short working time arrangements, as a direct result of the economic recession.

The trend towards part-time work and flexibility in working time has intensified in recent years. The economic crisis has led to a shift in priorities amongst the social partners, with a greater emphasis on the introduction of mechanisms to secure employment in times of economic recession, with working conditions generally receiving a lower priority in bargaining.

The sector is typified by a large share of low-skilled work; 60% of employees in the sector are women, and 35% of workers work part-time. The workforce is relatively young, with 30% of those employed under the age of 30. There are differences between Member States regarding the share of employment in the sector, which is the highest in the UK (10.5%) and lowest in Sweden (5.5%). A recent report of the European Commission (2010) noted the tensions between the social objectives of providing decent quality jobs and career progression opportunities in a highly competitive sector that requires flexible staffing schedules.

TEMPS DE TRAVAIL

Average full-time weekly working hours range from 35.6 to 40 hours in the commercial sector. The trend to longer opening hours in the retail sector, including Sunday, night and late evening working has meant that the demand for workers being more flexible has grown. **Bargaining** in the sector concerns wages, working time and working conditions, as well as opening hours and Sunday working, night/late working hours, overtime, voluntary part-time work, and flexible working hours. Unions have been instrumental in negotiating a range of flexible working time schedules in the retail sector, particularly for women and older workers. Some of these have been very innovative, aiming to give workers more time sovereignty and improved work-life balance.

Example: Tesco overtime booking scheme

The supermarket chain, Tesco, employs 340,000 staff in 2,500 stores. The company has introduced an online overtime booking system, based on a one-year pilot called 'slivers of time'. The online overtime booking system was a joint initiative between Tesco, the union USDAW and the National Forum Representatives. A working group was formed to design and develop

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the new system and to agree the guiding principles that support the process. The trade union believe that the scheme has been particularly important in improving work-life balance as staff can plan up to six weeks ahead, rather than being asked to work overtime hours at short notice, which often does not suit the workers themselves.

The scheme enables employees to state when they are available to work overtime in their own stores or in stores nearby to them. Managers use the scheme to book the staff when they are needed. It enables staff to work additional hours/overtime hours above their core contracted hours, and therefore to increase their earnings. Staff register the hours and days they are available to work, which provides greater flexibility to meet their needs. The system allows staff to work in their 'home' store or other Tesco store formats where overtime/additional hours are available. There is less pressure on staff to work additional hours/overtime at short notice and staffing requirements can be planned in advance to meet customer demands and trading. Trained and knowledgeable staff who are able and willing to work additional/overtime hours are available to work for other stores if needed. The better use of technology allows for a fair, transparent and efficient allocation of available additional hours/overtime and the booking system is more efficient for store managers and is less time consuming. There is greater opportunity to support flexible requests, a large diverse workforce and people with very

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different and individual needs. Most importantly, staff are in full control of their additional/overtime hours availability.

Prior to the scheme being introduced overtime had to be booked manually by line managers approaching people in-store or by staff signing themselves up for additional hours on staff noticeboards, often at very short notice.

THE GROWTH OF INVOLUNTARY PART-TIME WORK AND TEMPORARY CONTRACTS

There is evidence of increasing levels of involuntary part-time employment (where the worker wants a different working arrangement than that being offered) in retail services. A significant percentage- 20% - of part-time employees worked involuntary part-time in the EU-27 in 2007 in the retail sector. The countries that report the highest levels of involuntary part-time contracts include Spain, where part-time work has tripled, while in Greece and Italy it has doubled in the last decade (Labour Force Survey 2007).

Fixed-term contracts are also more common in the retail sector than other sectors, which rose to 25% of contracts in the EU27 in 2007. These contracts are usually for a short-time period to meet seasonal demands. However, those demands are well known in advance and the use of fixed-term contracts in this context needs to be questioned. The retail sector also relies on personalised work schedules, which can vary from week to week or even from day to day.

SHORT TIME WORKING IN THE COMMERCE SECTOR

The impact of the economic and financial crisis in Europe has hit certain parts of the commercial sector, with job losses hitting the sector badly, particularly in SMEs. Some multinational companies, while remaining profitable, have used the crisis as an excuse to cut jobs and increase workloads. Some Member States have responded by introducing short time working schemes, with funding from the government to compensate the loss of working time. For example, employees who have been put on short time working contracts in the wholesale trade in North Rhine-Westphalia receive a wage supplement equal to 16% of their average net earnings over the preceding three months. However, net earnings including the supplement cannot exceed 100% of a worker's regular wage level. In Italy, the social partners in the retail sector have agreed a 'pact for work' that promotes a range of initiatives to prevent job losses and compensate workers wages as a result of short time working.

SUNDAY AND NIGHT/LATE WORKING IN THE COMMERCE SECTOR

Fighting against work on Sundays and nights/ late evenings is a priority for unions in the commerce sector. *The protection of a work-free Sunday is of paramount importance for workers' health, and has a greater impact on workers health and well-being compared to any other work-free day. Sunday work impacts negatively on work-life balance, and results in higher levels of stress, ill-health and absenteeism than other work-free days.*

The UNI Europa Commerce conference, held in Geneva in 2007, confirmed its opposition to Sunday shop opening and agreed to support affiliates in working against these developments and to build alliances across Europe. It argued that:

Late night and Sunday opening creates serious social problems for commercial workers and their families, and threatens cultural values and social fabrics of our societies, without bringing real added value, neither to the industry itself, nor to its workers and the consumers.

(Paragraph 17 of Conference Conclusions)

In June 2010 UNI Europa adopted a 'Resolution on Sunday and night/ late evening working hours in the Commerce sector', in response to the proliferation of legislation favourable to Sunday and late opening hours in the retail sector.

The Resolution states that Sunday and late working hours are damaging to the working conditions of commerce workers, which have a broader societal and environmental impact. It calls for workers to benefit from policies on the reconciliation of work and family life and highlights the need for specific attention to be given to the societal impact of Sunday and late/night working on the boundaries between leisure/family time and shopping time. It urges the EU institutions and the national authorities to adopt measures that protect the workforce and keep late/night evening and Sunday work free as a principle. Any initiative that undermines this should principally be withdrawn so that protection is given to the health and safety and personal life of workers. It recommends that derogations should only be permitted if they are collectively agreed between recognised social partners in the sector; that Sunday and late/night work should never be compulsory; should be compensated primarily by free time to protect the health and safety of workers; and that an objective assessment of the social and environmental consequences of Sunday and late/night working should be carried out in advance.

A European Alliance for Sundays Free of work was established at a conference held by the European Parliament in March 2010.

The conference brought together political parties to civil society, religious organisations and trade unions, who declared their opposition to Sunday work. The supporting organisations issued a Statement to the EU Commissioner for Employment and Social Affairs and Inclusion, Mr. László Andor, calling for a work free Sunday.

For further information see:

<http://www.europeansundayalliance.eu/>

UNI Europa Commerce is preparing a campaign and providing information to unions in the sector about **the social, familial and environmental impact of Sundays and late/night working, and on regulations and collective agreements. A dedicated web page has been established in five languages¹.**

10 1 http://www.uniglobalunion.org/Apps/iportal.nsf/pages/20090529_hc6tEn

For further information:

Eurofound (2010), *Industrial relations developments in the commerce sector in Europe - Overview report*, Eurofound, Dublin.

<http://www.eurofound.europa.eu/pubdocs/2010/81/en/1/EF1081EN.pdf>

European Commission (2010), *On Retail Services in the Internal Market Accompanying document to the Report on Retail Market Monitoring: «Towards more efficient and fairer retail services in the Internal Market for 2020»*, COM(2010)355 final, Brussels, 5.7.2010

http://ec.europa.eu/internal_market/retail/docs/monitoring_report_en.pdf

UNI (2010), *'Resolution on Sunday and night/ late evening working hours in the Commerce sector'* Resolution of the UNI Europa Commerce Steering Committee, Adopted on 18 June 2010 in Copenhagen

[http://www.uniglobalunion.org/Apps/UNINews.nsf/vwLkpById/474D5727938BE3A8C1257769002BC67C/\\$FILE/UNI%20Europa%20Commerce%20resolution%20working%20hours%20EN.pdf](http://www.uniglobalunion.org/Apps/UNINews.nsf/vwLkpById/474D5727938BE3A8C1257769002BC67C/$FILE/UNI%20Europa%20Commerce%20resolution%20working%20hours%20EN.pdf)



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