



# Working conditions and working time in an enlarged Europe

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# Introduction

*Working conditions and working time in an enlarged Europe* presents a comparative study of working time in 10 central and eastern European countries (CEECs). Eight of these countries (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) are among the 10 new Member States (NMS) of the European Union, while Bulgaria and Romania are two candidate countries whose accession is set for 2007.

The report makes extensive use of the Foundation survey data on working time and contrasts this with research available from other sources. Also included are cross-national comparisons among 10 of the countries covered by the survey (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia) and comparisons with the EU.

## First survey on working conditions in the acceding and candidate countries

In 2001, the European Foundation for the Improvement of Living and Working Conditions carried out its first survey on working conditions in the acceding and candidate countries (henceforth the 'Foundation survey'), including the 10 countries that were then at the 'acceding' stage of joining the European Union (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) and two countries at the 'candidate' stage in the process (Bulgaria and Romania). The survey was similar in nature to those carried out every five years in the European Union, allowing for comparisons to be drawn between these two groups of countries.

The Foundation survey addresses a wide range of issues related to the quality of work and employment, such as physical risk factors, working time patterns (e.g. working hours and working time arrangements), features of work organisation, social relations and work-related health outcomes.

The main findings of the Foundation survey are:

- that workers in the former acceding and candidate countries have longer working days and weeks than workers in the EU;
- that part-time work is less widespread than in the EU;
- that atypical forms of work, such as night work or shift work, are more widespread (European Foundation for the Improvement of Living and Working Conditions, 2003).

The factors examined are multidimensional, and not only because of the complexity of the subject in question. They encompass statistical analysis, and look at:

- whether the results of the Foundation survey are confirmed and/or are added to by other statistical sources;
- whether there are some country-specific profiles behind the overall picture of the area.

In order to fulfil all these objectives, the following strategy has been adopted. Whenever possible, data from the Foundation survey have been systematically compared to other statistical sources. This methodology is necessitated by the fact that while the Foundation survey covers many aspects of working time and working conditions and takes into account a number of factors (e.g. gender, branch of activity and occupation), it relies on a relatively low representative sample of the population in employment (1,000 interviews in each of the 10 countries considered here) and in some cases received low response rates, specifically in Poland (23%) and to a lesser extent, Slovenia (54%). Availability of other sources covering the same or similar working time issues are therefore of great use.

Secondly, the most notable results, both in cross-country analysis and in comparison with the EU, are presented. As will become apparent, in many cases results from the Foundation survey are confirmed by other sources, though some differences do emerge.

## **Structure of the report**

Chapter 1 presents an overview of the current legislation on working time in the 10 countries and highlights the main legislative changes that have taken place in recent years. It also looks at the role played by collective agreements in each country.

Chapter 2 describes the main characteristics of the working population covered by the Foundation survey in the acceding and candidate countries and the main results concerning the length of the working week. This focuses on the main economic and structural characteristics of the countries covered.

Chapter 3 deals with working time and working time organisation of the self-employed and of employees, respectively. The decision to take a professional status approach was motivated by the fact that the determinants of working hours and working time conditions of the self-employed and employees are different in many aspects. Socio-economic and cultural determinants play a major role for the self-employed, whereas the regulatory framework concerning working time is essential for employees.

Chapter 4 explores the level of part-time work in these countries. Until recently in many countries, part-time work was considered simply as a contract with reduced hours, allowing the employer to react to a decline in business activity or to regulate very flexible forms of work. In the analysis, it was not always possible to distinguish part-time employees from the part-time self-employed, so that many results refer to total part-time workers. Gender aspects are mentioned in this section, but given that adding a breakdown by gender can lead to poor reliability of survey data, the research has not integrated this dimension into the other sections.

## **Overview of national statistical sources**

There are four main types of statistical sources covering working time and working time organisation issues that can be identified in the acceding and candidate countries.

### **Labour force surveys (LFS)**

In the last decade, each of the acceding and candidate countries has introduced LFS, which are one of the main instruments used for assessing the characteristics and developments in European labour markets. For purposes of comparison with the data collected by the Foundation survey, LFS have two key advantages. They use similar concepts for hours worked (usual hours worked in the main job, multi-activity and hours worked in second jobs) and provide information on professional status, type of contract (full or part time), occupation and branch of activity, which is very useful for assessing the data collected in the Foundation survey. The size of the sample of the national LFS is large, and hence allows for more reliable breakdowns. The LFS also collect information on the occurrence of atypical work (night, evening, Saturdays and Sundays).

However, although great efforts have been made by the national statistical offices to use the same concepts and definitions as those set out by the different European Commission regulations pertaining to the organisation of the European Community LFS, convergence of the surveys has been only progressively implemented, and is in many aspects far from being achieved. This is stressed by Eurostat (for example, see Eurostat, 2000, 2004) and is important to note, as some of the discrepancies may affect the comparability of the data collected on working time issues.

### *Professional status*

On the basis of the national questionnaires for which information is published by Eurostat, it appears, for instance, that the professional status mentioned in the questionnaires varies greatly among countries. The Hungarian questionnaire lists 11 different professional statuses. For example, for the self-employed without employees, four categories are considered: members of cooperatives, members of LTD, self-employed with one to 10 employees and self-employed with more than 10 employees. In contrast, the Polish questionnaire distinguishes four professional statuses: self-employed with or without employees, full-time employees and part-time employees.

Considering the classification as self-employed or employees, the principles and classifications used in the acceding and candidate countries' LFS should be in compliance with the standards used in the EU, that is, the international classification of employment status according to the International Classification of Status in Employment (ICSE)-93, the International Labour Organisation (ILO) and the Fifteenth International Conference of Labour Statisticians. In this classification, six categories are distinguished: employees, self-employed with employees, self-employed without employees, contributing family members, members of producers' cooperatives classified as self-employed in the European Community surveys and all workers not classifiable by status.

However, not all countries adopt the same principles for the classification of employment status. In the Czech Republic, Hungary and Slovakia, for example, members of cooperatives are considered as employees and not as self-employed, but this should have only a minor impact as, at least for Hungary, members of cooperatives represented less than 1% of total employment in 2001 (compared with slightly more than 5% in 1992).

The discrepancies described above reflect different national statistical needs, but also changes in employment relationships which have occurred since the beginning of the transition in the acceding and candidate countries. They may also affect the comparison with the Foundation survey, as the LFS contain more detailed questions than the Foundation survey, in which interviewed persons were asked about only four professional statuses (self-employed without employees, self-employed with employees, employed and other).

### *Hours worked and type of contract (full or part time)*

There is far greater harmonisation of the questions about hours worked, though some specifics can be noted. The question on usual hours worked in the main job was introduced in 2001 in the Polish questionnaire, which had collected only actual hours worked in previous years. This renders the interpretation of time trends in this country more difficult. Concerning overtime, the Czech and Slovak questionnaires are relatively precise. Interviewed persons are asked about the correspondence of their hours worked in the week preceding the survey with their contractual hours, about the frequency of their overtime hours (Czech Republic) and about the number of paid or unpaid overtime hours they usually work and worked in their main job in the last week. Other questionnaires are more in accordance with the Commission regulations and present the interviewees with three reasons for having worked more than their usual hours in the reference week (variable hours, e.g. flexible working hours, overtime and other reasons). The impact of these divergences should not be understated. As for the professional status, respondents are most likely to give precise answers to the amount of overtime worked when asked precisely about it. Moreover, asking about contractual hours may lead to the inclusion of more overtime hours, as the persons may consider as overtime hours those they usually perform, whereas persons who are asked directly on the reasons why their actual working time differs from their usual working time may include only the number of overtime hours they performed in the reference week. This should be kept in mind when interpreting the data collected on overtime, as the Czech Republic and Slovakia belong to the countries where the incidence of overtime work is high in cross-country comparison.

Finally, lack of convergence in the determination of the type of contract is noted. Self-assessment is used in the questionnaires of the Czech Republic, Estonia, Lithuania, Poland, Romania and Slovakia, but it has been introduced only

recently in Estonia and Poland (2001 for the latter country), where an hours threshold of 35 and 40 hours, respectively, was used in previous years. It is still lacking in Hungary, where an hours threshold of 40 hours is used, and was lacking at least in 1998 in Bulgaria and Slovenia, where an hours threshold of 30 and 35 hours, respectively, was used (Eurostat, 2000). These specificities reflect in part the late harmonisation of the definition of part-time work with the EU Directives (see Chapter 2), but may affect the cross-country comparisons. For example, the choice of a relatively low hours threshold can lead to the underestimation of the number of hours worked by part-time workers, as those working relatively long hours are excluded. This should also be kept in mind when comparing the data collected by LFS with those of the Foundation survey, as the classification as part-time or full-time worker is based on self-assessment in the Foundation survey (Q14).

In conclusion, it appears that close examination of the national LFS questionnaires reveals much heterogeneity across countries. In comparison, the Foundation survey has the advantage of being based on a common questionnaire for each country, which at least partially counterbalances the low size of the representative samples. Although national LFS and the corresponding data transmitted to Eurostat for the LFS in the accession countries have been our chosen source for assessing the Foundation survey results, they generally provide little reliable information on the organisation of the working time schedule, quality of work or physical work factors. Hence, they need to be complemented by other sources, either specific LFS surveys, such as the Eurostat ad hoc LFS module of 2001 (European Commission regulation (EC) N 1575/2000 of 19 July 2000), which has collected important information on the length and pattern of working time in the acceding and candidate countries and in the EU, or other kinds of surveys, such as surveys on working conditions or time use surveys.

### **Household- or establishment-based surveys on working conditions**

Surveys on working conditions or specific surveys have been identified in a majority of the acceding and candidate countries. For Estonia, Latvia and Lithuania, specific attention must be given to the Working Life Barometer in the Baltic Countries, undertaken by the Finnish Ministry of Labour in 1999 and 2002. The subjects of the survey were working people (both wage earners and entrepreneurs) aged 16–64 years. The data collected covers nine themes: unionisation and bargaining, salary and livelihood, working time and contracts, stress factors, wage earners' possibilities for influencing their jobs, satisfaction, telework and information technology in working life, job-related training and development of work organisations (Antila and Ylöstalo, 2003).

Specific surveys are also available for the Czech Republic, Poland and Slovakia. In the Czech Republic, in 2000–2001 the Research Institute of Labour and Social Affairs carried out two surveys on working conditions, the first being households based, the second covering 441 establishments. Issues addressed by the first include job satisfaction, work from home and success in combining work and family duties. Issues addressed by the second include non-traditional types of employment, flexible types of work organisation, working time and overtime.

In Poland, a specific households-based survey on working time was conducted at the beginning of 2000 by the Institute of Labour and Social Affairs of the Ministry of Labour, covering aspects such as average actual working time, Saturday work, public holiday work and overtime.

In Slovakia, a specific survey was conducted in 1999 by the Research Institute of Labour, Social Affairs and Family in 152 companies, covering, among other topics, flexible working time organisation.

### **Harmonised European time use studies programme**

Most acceding and candidate countries are integrated in the Harmonised European Time Use Studies Programme (HETUS). Pilot surveys were carried out in 1996, and most studies began in 1999–2002. This type of source is considered to provide alternative and more reliable information on working hours and is a valuable information source

for assessing commuting time and some of the physical work factors covered by the Foundation survey, such as teleworking and home working. Considering the scarcity of the information collected, data from time use surveys are not included in this report.

**Other establishment-based surveys**

Most of the acceding and candidate countries have also developed establishment-based surveys. Some of these surveys began before the transition period and could in principle have been used for pre-transition analysis. However, as in the other European countries, concepts (such as those regarding paid or actual hours worked, or hours per job and hours per person) and coverage differ widely from one survey to another, and are also different to those used in the Foundation survey. Results collected by these surveys have therefore not been used in this report, except in those instances where they provided information on collectively agreed working time.

# 1 Working time regulatory framework

In all acceding and candidate countries, many efforts have been undertaken recently to reform social and labour standards in order to transpose the *acquis communautaire* into national laws, and to fulfil the criteria set at the Copenhagen European Council for entering the European Union. As a result, new labour codes or amendments to existing labour codes have been adopted. The last three years have thus been characterised by substantial legislative activity, with new provisions being added, or recently adopted provisions being repealed, in a context of intensive discussion between social partners.

At the beginning of 2004, new labour codes are in force in every acceding and candidate country, and the pace of reform should slow down. As noted in the latest version of the European Commission monitoring reports on preparation for membership and in the reports on progress towards accession published at the end of 2003, hardly any improvement is required from the 10 countries as regards working time and working conditions, with the main exception being part-time work in Estonia and Poland.

For the first time, the achievement of most of the reforms allows a comparison of the new working time regulatory frameworks in the acceding and candidate countries without the need to assess major forthcoming changes. This will be the emphasis of the first section of this part of the report. Concerning the legislative frameworks, the analysis mainly draws upon information collected at a national level on the respective labour codes.

Since the Foundation survey was conducted during the second quarter of 2001, i.e. exactly in the middle of the transitional regulatory period for many acceding and candidate countries, it is also necessary to have a clear picture of the main legislative changes that have since altered the working time regimes. This is provided in the second section.

Lastly, a clear understanding of the working time regulations requires an assessment of the role played by collective agreements, which is the focus of the third section.

## Current legislation on working time

Working time regulations include four main kinds of provisions.

- They set standard working time regimes for full-time employees on a weekly and/or daily basis. They determine the conditions under which it is possible to work above these standards by defining maximum working time and overtime limits, and setting conditions and rules on compensation and/or remuneration of overtime.
- They set general conditions for the organisation of working time by defining the number of working days in the week, imposing minimum weekly rest periods and defining the conditions under which it is possible to work outside the core hours, such as at night, in the evening, on the weekly rest days or during holidays.
- They specify the conditions under which working hours can be organised in non-standard working time arrangements, either through an uneven distribution of working time over a specific reference period or through flexible work arrangements, which are alternate arrangements or schedules from the traditional working day and week. While the former are generally intended to meet specific needs of the work process and allow the organisation to reduce the amount of paid overtime, the latter are usually intended to meet personal or family needs. Such flexible work arrangements can, for example, take the form of ‘flexi-time’, where employees work a full day but can vary their working hours; ‘banking of hours’, which allows employees to choose their days and hours of work to the maximum for a set period of time, which can be a week, month or year; and ‘telework and telecommuting work arrangements’, which are when people do at least some of their regular work from home instead of going to the office. But flexible working arrangements can also apply to many other work arrangements, such as part-time and reduced hours, job sharing and gradual retirement.



- They set the conditions under which collective agreements can define working time arrangements that deviate from those specified in the legislation.

This section concentrates on the working time regulations set by labour codes and other related laws. Although in every acceding and candidate country initiative is left to collective bargaining for setting some aspects of the working time regimes, the percentage of employees covered by collective agreements is still low (see below). As a consequence, most of the norms regulating working time are legislative, although a weak presence of trade unions at company level can have some impact on the degree of enforcement of the laws.

For the description of overtime working time regimes, the terminology used by Freyssinet and Michon (Freyssinet and Michon, EIRO, 2003) is adopted, which can differ from the vocabulary used in national legislation. The threshold marking the point at which overtime begins will be distinguished from normal working time whenever it is relevant. Normal working time will be called 'working time norm' or 'standard working time', even if other terms referring to the same concept are used by the national labour code. Overtime hours refer to the hours that attract enhanced compensation, either in the form of an enhanced pay rate or compensatory time off. Extra time is the hours worked beyond usual working time (either set by collective agreement for full-time workers or contractually for part-time workers), but below the threshold defining overtime, and for which no enhanced pay rate is granted. Overtime and extra time are both considered as additional hours.

#### **Standard working time according to current legislation (in 2004)**

The standard working time of full-time employees is the same in every acceding and candidate country. It is set at 40 hours a week and eight hours a day, except in the Czech Republic, where no specific daily working time is given. In Slovenia, it includes a 30-minute break per day, so that using the same concepts as in the other countries would result in a 37.5-hour weekly standard working time.

Specific provisions apply in every acceding and candidate country for young employees and specific sectors in regard to working conditions or work organisation. For example, protection of young employees is high in Estonia and Romania, where the working week of employees less than 18 years of age cannot exceed 30 hours, compared with a general 35-hour threshold in other countries. Continuous work in progress can allow higher average working time to be set, generally at the maximum of 48 hours on average per week allowed by the European Directive on Working Time (see Box 1 for a description of the main provisions). Lastly, specific mention must be made of Hungary, the only country where the labour code allows a higher standard working time for employees who are close relatives of the employer.

In line with the EU Directive, maximum working time is addressed in all countries by legislation, either through setting daily/weekly maximums or through stipulating upper limits for the number of overtime hours per week or per day (for example, in the Czech Republic or Estonia). In all countries, the 48-hour weekly maximum (including overtime) has been transposed into national legislation. Some specific features emerge, however. In Lithuania, the number of daily overtime hours is set at four hours, but over two consecutive days and not per day, as in other countries, which imposes some implicit restrictions on the number of overtime hours that can be performed in a week. In Slovenia, the maximum daily working time is set at 10 hours, a lower level than in the other countries, where, considering either the minimum daily rest periods or the maximum daily working time including overtime, the upper limit for daily working time is 12-13 hours, and can be extended under specific circumstances up to 16 hours (for example, in the Czech Republic, Hungary and Slovakia).

In addition to maximum daily/weekly working time, the national labour codes stipulate upper yearly limits for overtime work. Considering only the legal provisions, these limits are set at 120 hours in Lithuania and Romania; 150 hours in the Czech Republic, Poland and Slovakia; 180 hours in Slovenia; and are the highest in Bulgaria, Estonia, Hungary and Latvia, at 200 hours, levels comparable to the 15 current European Union countries (Freysinet and Michon, 2003).

The threshold for the beginning of overtime is determined in most acceding and candidate countries by the collectively agreed or scheduled standard, which can be lower than the legal standard working time of 40 hours a week or eight hours a day. However, the threshold is set at the legal working time in Latvia, where reference is made in the labour code to the regular working time, stipulated as the standard working time of 40 hours a week and eight hours a day; but also in Lithuania, although only the weekly threshold, and not the daily one, of 40 hours is considered; and in Poland, where overtime work is considered as the hours worked in excess of the working time limit of 40 hours a week and eight hours a day. In Lithuania and Poland, this can be explained by the fact that the labour codes do not stipulate conditions under which collective agreements can set different working time norms. In Poland, the provision allows in principle for some extra hours (worked below standard working time, but not considered nor remunerated as overtime hours).

In each of the acceding and candidate countries, national legislation stipulates conditions for the use of overtime. These conditions refer generally to extraordinary situations, to the need to complete work processes or to *force majeure* situations. Overtime work cannot generally be imposed on women raising young children or disabled persons and is forbidden for young employees. The strictest provisions are in Lithuania, where specific conditions are imposed even in the case of voluntary overtime. The loosest conditions are in the Czech Republic and Slovakia. In the Czech Republic's labour code, the upper limit for voluntary overtime can be extended to 48 hours per week on average for a whole year, and only 'serious operational reasons' need to be cited. In Slovakia, overtime is also possible in a wide range of situations, but this is also one of the few countries where pregnant women can be asked to work overtime, a provision which was heavily criticised during the discussions that preceded the adoption of the new labour code.

Compensation for overtime can take the form of extra pay or time off in lieu. The lowest overtime premiums are in the Czech Republic and Slovakia, with 25% overtime rates. A 50% rate is applied in Bulgaria, Estonia, Hungary, Lithuania and Poland. The highest overtime rates are in Romania (at least 75% of basic pay) and Latvia, with an enhanced pay rate of 100%. As in Bulgaria, the Czech Republic and Slovakia, time off in lieu is not always stipulated. It is not always granted to the employee, as, for example, in Poland, where the employer has the right to decide the kind of compensation.

*Box 1: Main provisions of EU Directives on working time and part-time work*

The Council Directive 93/104/EC of 23 November 1993 on working time applies to minimum periods of daily rest, weekly rest and annual leave, and to breaks and maximum weekly working time. According to the Directive, 'working time' means any period during which the worker is working, at the employer's disposal. 'Rest period' means any period that is not working time. 'Night time' must include the period between midnight and 05.00. Every worker is entitled to a minimum daily rest period of 11 consecutive hours per 24-hour period. When the working day is longer than six hours, every worker is entitled to a rest break. Every worker is entitled to a minimum uninterrupted rest period of 24 hours per seven-day period. If objective, technical or work organisation conditions so justify, a minimum rest period of 24 hours may be applied. The average working time for each seven-day period, including overtime, does not exceed 48 hours over a reference period not exceeding four months. It is possible to deviate from the four-month period by means of law, regulation or administrative provisions, or by means of collective agreements or agreements between the two sides of industry. The reference period can be extended up to six or even twelve months under specific conditions. Every worker is entitled to a paid annual leave of at least four weeks. Normal hours of work for night workers do not exceed an average of eight hours in any 24-hour period.

Box 1: Main provisions of EU Directives on working time and part-time work (cont.)

According to the EU Council Directive 97/81/EC of 15 December 1997 on part-time work, the term ‘part-time worker’ refers to an employee whose normal hours of work, calculated on a weekly basis, or on average over a period of employment of up to one year, are less than the normal hours of work of a comparable full-time worker. The Directive stipulates the principle of non-discrimination, according to which part-time workers shall not be treated in a less favourable manner than comparable full-time workers solely because they work part time, unless justified on objective grounds. It also stipulates the pro rata temporis principle. Workers’ refusals to transfer from full to part time cannot be considered as a valid reason for termination of employment, and, as far as possible, employers should give consideration to requests by workers to work part time, make part-time work available in their company and facilitate access to part-time work.

Table 1: Standard working time and overtime

Country	Source of law	Weekly working time statutory norm	Maximum working time/minimum daily rest period	Weekly rest days	Specific maximum overtime limits	Conditions for use of overtime	Enhanced pay rate/time off in lieu
Bulgaria	Labour code, 2001	Eight hours a day, 40 hours a week	Minimum daily rest of 12 hours.	Minimum two free days per week, one of these being Sunday.	30 hours a month, six hours a week, 150 hours a year.	Extraordinary cases, e.g. disaster prevention, national security defence, major utility repair.	+50%, no time off.
Czech Republic	Labour code, 2003	40 hours a week (can be shortened by collective agreement)	No weekly maximum specified. Minimum daily rest of 12 hours (up to eight hours if compensated in the next daily rest period, for a dult workers (18 years and over) for continuous operation; uneven work schedules or overtime; agriculture or public catering/services; and natural disasters).	Minimum uninterrupted weekly rest of 35 hours; 48 hours for adolescents. If operational activity allows, to be set so as to include Sunday.	Maximum overtime eight hours in a single week, 150 hours a year. Voluntary overtime: Overtime in excess of these limits possible on a voluntary basis, exceptionally. Limits: Maximum overtime eight hours a week on average. Total voluntary overtime can be lowered by collective agreement.	Record keeping compulsory. Extraordinary cases when serious operational grounds require. Not authorised for adolescents, pregnant women or women with children under one year of age.	+25% pay rate.
Estonia	Working and Rest Time Act, in force since beginning of 2002	Eight hours a day, 40 hours a week (can be set by collective agreement)	No weekly maximum specified. Minimum daily rest of 11 hours for shift work (exceptions allowed by law, administrative legislation or collective agreement).	Minimum of two days off, generally Saturday and Sunday.	Four hours a day. 200 hours a year.	Record keeping compulsory. On request of employers: Prevention of disaster, accident, damage to property and for the completion of the work process. Agreement of both parties, except when necessary for ‘the completion of the work process’. Not authorised for pregnant women and minors. Only with consent of the employee for women raising disabled children or children under 14 years of age.	+50% pay rate or time off in lieu.
Hungary	Labour code, in force since July 2003	Eight hours a day, 40 hours a week (can be shortened by collective agreement, or for medical or economic-structural reasons)	48 hours a week. Minimum daily rest of 11 hours (up to eight hours by agreement).	Minimum of two free days per week, one of which to be Sunday. Other provisions possible in the case of collective agreement.	200 hours a year, can be raised to 300 by agreement.	Record keeping compulsory. Allowed only for ‘profound reasons’. Not authorised for pregnant women, women with children under one year old, employees younger than 18 years old, health or dangerous working conditions. Only with consent for single parents with children under four years of age.	+50% pay rate or time off in lieu.

Table 1: Standard working time and overtime (cont.)

Country	Source of law	Weekly working time statutory norm	Maximum working time/minimum daily rest period	Weekly rest days	Specific maximum overtime limits	Conditions for use of overtime	Enhanced pay rate/ time off in lieu
Latvia	Labour law, in force since June 2002	Eight hours a day, 40 hours a week. Seven hours a day for six-day working week.	Maximum of 48 hours a week. Minimum daily rest of 12 hours.	Weekly rest period of at least 42 hours. Two days if a working week of five days is specified, one day if a working week of six days is specified. Six-day working week needs consultation of employee's representatives, if this is possible given the nature of the work. Sunday is considered the main day of rest.	200 hours a year.	Record keeping compulsory. No specific reason mentioned if the two parties agree. Can be imposed by the employer if there is a public need, <i>force majeure</i> or completion of urgent, unexpected work within a specified period of time. In the latter case, authorisation of the State Labour Inspection is required if overtime work continues for more than six consecutive days. Not allowed for people under 18 years old, pregnant women or women for a period up to one year after giving birth.	No less than +100% for overtime, weekly day of rest, holiday. <b>Can be raised by collective agreement.</b>
Lithuania	Labour code, in force since January 2003	Eight hours a day, 40 hours a week	Maximum of 48 hours a week. Minimum daily rest of 11 hours.	Uninterrupted weekly rest period shall not be shorter than 35 hours. Two rest days compulsory only for persons aged under 18 years. Saturday and Sunday 'where there are five working days'. Sunday where five-day working week is impossible due to the type of production. Other weekday if required by continuity of service or technical grounds.	Maximum four hours overtime over two consecutive days . 120 hours a year.	Record keeping compulsory. Allowed in exceptional cases, such as national defence, accidents, necessity for the public, necessity to finish work if danger for the production material, repair, renovation of machinery, loading and unloading. Not authorised for people under 18 years old and schoolchildren. Other restrictions possible by collective agreement. Only with the consent of the employee, for pregnant women, employees taking care of children under three years of age, or raising a child of under 14 years of age, or under 16 years of age if disabled, alone.	+50% rest days and holidays. +100% (or time off in lieu if not provided in the work schedule).
Poland	Labour code, amended in October 2002 and October 2003	Eight hours a day, 40 hours a week (can be shortened by collective agreement or for health reasons)	Maximum of 48 hours a week. Maximum of 12 hours a day (if required by the type of work); replaced by a minimum daily rest of 11 hours in October 2003.	Minimum of two free days per week.	Four hours a day (repealed in October 2003). 150 hours a year. Can be raised by collective agreement, provided the 48-hour upper ceiling is respected.	Record keeping compulsory. Allowed for saving life, health, property or special needs of the employer. Not authorised for pregnant women, women with children up to four years old if they refuse, or employees working in pollution above legal limits. Not authorised for young people.	+50% if normal working days (or time off in lieu, but the employer has the right to decide). +100% for work at night and on rest days if not normally scheduled (or time off in lieu).

Table 1: *Standard working time and overtime (cont.)*

Country	Source of law	Weekly working time statutory norm	Maximum working time/minimum daily rest period	Weekly rest days	Specific maximum overtime limits	Conditions for use of overtime	Enhanced pay rate/ time off in lieu
Romania	Labour code in force since March 2003, national collective agreement, constitution Obligation to involve, and obtain acceptance from, trade unions in setting working norm	Eight hours a day, 40 hours a week (can be reduced or increased by collective agreements for specific activities)	Maximum of 48 hours a week. Minimum daily rest of 12 hours.	Two consecutive weekly rest days, usually Saturday and Sunday. Other days if in the public interest or if required for the normal functioning of the establishment.	National collective agreement: 120 hours a year. Can be raised by collective agreement.	Without consent of employee only in case of <i>force majeure</i> . Not authorised for people under 18 years old.	At least +75% of the basic pay or time off in lieu (can be raised by collective agreement).
Slovakia	Labour code, in force since July 2003	Eight hours a day, 40 hours a week	Maximum of 48 hours a week Minimum daily rest of 12 hours. Can be shortened to eight hours for adult workers involved in continuous operations, urgent repair works, if there is a need to prevent imminent danger or extraordinary events. Only with agreement of the employee in agriculture, public catering and other public services.	Two consecutive weekly rest days, one of which to be Sunday. In the case of specific conditions of operation, at least Sunday must be free.	150 hours a year. Can be raised for substantive reasons to 400 hours a year (by collective agreement).	Can be requested only for temporary and urgent increases in work demand or the public interest. Is authorised for pregnant women, employees taking care of a child under three years old, single employees taking care of a child under 15 years old, but only with the approval of the employee. Not authorised for adolescents.	+25% (higher rates by collective agreements).
Slovenia	Labour code, in force since January 2003	Eight hours a day, 40 hours a week (up to 36 by collective agreement)	Maximum of 48 hours a week. 10 hours a day.	Two weekly rest days.	Maximum 20 hours a month, 180 hours a year.	Unusual increase in activity, specific production reasons, protection of life, transport, telecommunication. Other reasons to be determined by collective agreement.	Enhanced pay rates to be determined by collective agreements.

### The organisation of working time

The prevalence of the five-day working week is not shared by all acceding and candidate countries. A minimum of two free days are granted in Bulgaria, Estonia, Hungary, Poland, Romania, Slovakia and Slovenia, whereas a minimum weekly rest period of 35 hours (24 hours under certain circumstances) is granted in the Czech Republic and Lithuania, and of 42 hours in Latvia, allowing for six-day working weeks. In every country, Sunday is considered as a rest day. When two weekly days are granted, the second day of rest is not necessarily Saturday, as in the cases of Hungary and Slovakia. When working weeks of six days can be specified, Saturday is considered as the usual second rest day in Latvia and Lithuania, but not in the Czech Republic.

Work on the weekly rest days is authorised only under specific conditions, but must be compensated by enhanced pay rates or time off in lieu. Enhanced pay rates are set at higher levels than for overtime; generally the rates are 100%. However, the labour code in the Czech Republic allows for the premium payment to be agreed by the employer and the employee. The enhanced pay rate for Saturdays and Sundays is 30% in Slovakia, while compensatory time off is compulsory in Poland for work performed on Sundays. Restrictions generally apply for pregnant women, employees

raising children and young employees. Enhanced pay rates are often granted even in the cases of normal work schedules (for example, 20% in Estonia and Poland, 25–30% in Hungary, 50% in Latvia).

In all of the countries, work on holidays is authorised only under specific conditions, generally associated with specific needs (for example, providing a public service) or in the case of continuous work processes. The enhanced pay rates in these cases are set at the same levels as for the non-scheduled rest days, or at higher levels (for example, at 100% in Slovakia and 75% in Bulgaria).

Night work is considered as work performed between 22.00 and 06.00, except in Poland, where it is between 21.00 and 07.00. Mention must also be made of the absence of regulation of retail shop opening hours in Estonia, and of the common nature of 24-hour openings in this sector there.

Table 2: *Provisions for night work, weekly rest days and holidays*

Country	Night work	Weekend work and holiday work
Bulgaria	22.00 to 06.00. Not authorised for young employees (under 18 years old), pregnant women and mothers with children younger than three years old. Only with agreement for women raising children between three and six years of age, and disabled children.	Weekly rest periods: Enhanced pay rate +75%. Holidays: Enhanced pay rate +100%.
Czech Republic	22.00 to 06.00. Requirement to consult regularly with the relevant trade union bodies on the organisation of night work. Not authorised for adolescents. The employee is entitled to wage and extra bonuses as determined by government decrees.	<i>Weekly rest periods</i> : The minimum rest period can be lowered to 24 hours for people aged 18 years and older when there is the need to increase the number of employees for a temporary period not exceeding five consecutive months per year in communication, cultural establishments, health care, social welfare establishments, continuous operations or when there is an uneven schedule of work for preventing natural disasters or civil engineering breakdowns. Necessity to consult trade union organisation. Premium payment for work on Saturdays and Sundays is to be agreed between the employer and his employee. <i>Holidays</i> : Same conditions. Employees are entitled to time off in compensation, or, on agreement, a +100% enhanced pay rate.
Estonia	22.00 to 06.00. Not authorised for pregnant women, minors or for medical reasons. Only with agreement for women raising children who are disabled or younger than 14 years old. A specific provision: Retail shop opening hours are not regulated at all, and 24-hour opening hours are common. Supplementary restrictions to night work are possible by collective agreement. At least +20% enhanced pay rate for night work.	<i>Weekly rest days</i> : Can be imposed on the employee in cases of natural disaster, industrial accidents, prevention of an accident or damage to the employer's property. Unauthorised for pregnant women and minors. With agreement of the employee for women raising children who are disabled or younger than 14 years old. <i>Holidays</i> : Can be required if there is a need to provide services to the public, continuous work organisation or urgent production requirements. Enhanced pay rate of 100% for work on holidays.
Hungary	22.00 to 06.00. +30% of the hourly rate (20% in the case of second shift in 2001).	<i>Rest days</i> : Can be compensated with time off. Enhanced pay rate compulsory if the second rest day is not provided. <i>Sundays and holidays</i> : Allowed only in exceptional circumstances. Enhanced pay rate granted in all cases. <i>Holidays</i> : Enhanced pay rate of 100% if no time off in lieu, 50% in all cases.
Latvia	22.00 to 06.00. Not allowed for young employees (under 18 years old), pregnant women, women raising children up to one year old. Only with the consent of the employees if child under three years old. Enhanced pay rate +50%, can be raised by collective agreement.	<i>Rest days</i> : Can be imposed by written order for public needs, <i>force majeure</i> or completion of urgent, unforeseen work. Enhanced pay rate of 100% or time off in lieu. Can be raised by collective agreement. Not allowed for young employees (under 18 years old), pregnant women, women raising children up to one year old. <i>Holidays</i> : Only for continuity of the work process. Time off in lieu or +100% enhanced pay rate. Can be raised by collective agreement. No specific provision for unauthorised persons.
Lithuania	22.00 to 06.00. Not allowed for employees under 18 or disabled. Only with the consent of the employees for pregnant women, employees who raise children (same people as for overtime).	<i>Rest days</i> : Allowed only on technical grounds, for public services, urgent repairs and loading. Only with the consent of the employee for pregnant women, employees who raise children (as for overtime). Enhanced pay rate: +100% (or time off in lieu if not provided for in the work schedule). <i>Holidays</i> : Same provisions as rest days.

Table 2: Provisions for night work, weekly rest days and holidays (cont.)

Country	Night work	Weekend work and holiday work
Poland	21.00 to 07.00. Enhanced pay rate of 100% if not usual work schedule; +20% otherwise. Not allowed for young employees (16–17 years old). Pregnant women or women with children up to four years: only with their consent.	<i>Sundays/public holidays:</i> Allowed in the case of saving life, health or property, continuous work, unavoidable renovations, transportation and telecommunication, security and fire security, agriculture and animal farms and socially useful activities. Compensatory time off day is compulsory for Sundays. Enhanced pay rate of 100% if not usual work schedule, or time off in lieu.
Romania	22.00 to 06.00. Cannot exceed eight hours within any 24-hour period. Employees working at least three hours at night are entitled either to a decrease in their working time or to a salary rise of 25%.	<i>Saturdays and Sundays:</i> Allowed if in public interest or to ensure normal carrying out of the establishment's activity. <i>Holidays:</i> Allowed where activities cannot be interrupted because of production requirements. Enhanced pay rate or time off in lieu in the next 30 days.
Slovakia	N/A Specific provisions for public service (enhanced pay rate).	Work on the weekly days of rest and on holidays are allowed only exceptionally and after prior negotiation with the employee's representatives. Specific provision for public service: +30% enhanced pay for Saturdays and Sundays, 100% for holidays.
Slovenia	N/A	Enhanced pay rates for night work, Sundays, national holidays and non-working days.

Table 3: Annual leave and public holidays

Country	Annual leave	Public holidays
Bulgaria	20 days.	13
Czech Republic	20 days. Employer and employee can agree on a longer holiday allowance. Leave for pedagogical employees and academic employees of universities: eight weeks.	11, of which nine on average on a weekday.
Estonia	28 days (including public holidays). 56 calendar days for public servants of central and local government bodies.	Nine, of which 7.75 on average on a weekday.
Hungary	20 days. Increases from the age of 25 to a maximum of 30 days from 45 years old. Can be extended by agreements.	10, of which 8.25 on average on a weekday.
Latvia	At least four weeks.	10, of which 8.75 on average on a weekday.
Lithuania	20 days.	11, of which 7.25 on average on a weekday.
Poland	18 days after one year. 20 days after six years, 26 days after 10 years.	10, of which 8.25 on average on a weekday.
Romania	Minimum 20 days (labour code). (Collective bargaining agreement concluded at national level provides for a minimum of 21 working days.)	Nine, of which 6.75 on average on a weekday.
Slovakia	Four weeks (increases to five weeks with age and years worked). Eight weeks for teachers, supervisors. Five weeks in the public sector.	10.5 on average on a weekday.
Slovenia	Four weeks. Can be raised by collective agreement.	12

### Non-standard working time arrangements

Following the EU directive, all countries have included specific provisions for fluctuations of working time. A reference period of four months, in which the average maximum working time including (voluntary) overtime cannot exceed 48 hours per week, is stipulated in the Czech Republic, Latvia, Lithuania and Slovakia. In the Czech Republic, this can be extended up to six months. Some countries, however, have applied these uneven timeframes to standard working time rather than to maximum working time, allowing for less flexibility. The reference period for the weekly working time norm is set at six months in Estonia, eight weeks in Hungary, four months in Poland and one month in Romania.

Specific flexible work arrangements stipulating different working time patterns (daily, weekly or monthly flexi-time) are mentioned in the labour codes of the Czech Republic, Hungary, Romania and Slovakia, and cannot always be introduced at the request of the employees (as, for example, in Hungary). When such provisions are introduced, the labour codes generally specify a core working time of at least five hours. Working arrangements allowing annual timeframes are stipulated only for Hungary.

Table 4: *Uneven distribution of working time schedules*

Country	Variability of working hours	Flexi time/banking of hours/other working time arrangements
Czech Republic	The reference period for calculating the average maximum number of hours of voluntary overtime is of maximum four months in the case of regularly scheduled work, and six months for unevenly scheduled work. Can be extended to 12 months by collective agreement. In the case of uneven time schedules, the employer is required to prepare a plan for the distribution of working hours in writing, and make it available two weeks before the start of the period.	Can be introduced in the interest of making better use of employees' working time and meeting their personal needs more satisfactorily. After consultation of competent trade unions. Core working time: At least five hours within 40-hour working time schedules. Can take the form of flexible working day, flexible working week or flexible four-week period.
Estonia	Record keeping in companies where it is not possible to adhere to the standard working week can be undertaken for periods up to six months. Authorisation of State Labour Inspection required for three months' or more record keeping.	Working time regimes determined by employers (internal rules or collective agreements).
Hungary	Reference period for average weekly normal hours: eight weeks (by law), and up to 26 weeks (by collective agreement).	Allowed, to the extent that the division of working time is not determined by the employer. Core working time: 9 to 10 to 14–15 hours. Annualised hours possible for seasonal jobs, on-call jobs, jobs without break periods and multiple shift jobs.
Latvia	Reference period for the average maximum weekly hours (48): four months.	No specific provisions mentioned.
Lithuania	In the cases of continuously working companies and technological processes where it is impossible to observe the duration of a working day set for a specific category of workers, recording keeping is authorised. In these cases, the average maximum is 48 hours a week, 12 hours a day, over a reference period of maximum four months.	Working time schedules are set by internal rules. Work schedule to be approved by the management or in accordance with the procedure established by collective agreement.
Poland	Reference period for average weekly 40 hours: four months. Reference period can be extended to six months (construction, agriculture, animal farming, security, socially useful branches) and 12 months in the case of specific organisation of work. Extension of timeframes requires a collective agreement or authorisation of the Local Labour Inspection.	Working time schedules are set in each company by collective agreements/regulations made by the company.
Romania	Labour code: Overtime has to be compensated with time off within the next 30 days, or paid at an enhanced rate. Working time generally has to be uniformly distributed throughout the week (eight hours a day, two days off). Uneven pattern possible under certain circumstances (by collective agreement or internal regulation). National collective agreement: Under collective agreements, weekly programmes of 36–44 hours can be negotiated, provided that a 40-hour week average in the month is attained. Daily hours cannot exceed 10 hours under these programmes. The employer must inform the employee one week before the start of the programme.	Labour code: Start and finish time set by employer's regulations. Personalised working schemes, either with the consent or at the request of the employees. Compulsory negotiation of collective agreements in all establishments of 21 and more employees, concerning working conditions, working time and organisation, since 1996.
Slovakia	Reference period for the maximum overtime work of eight hours is set to four months (up to 12 months in the case of agreement with the employee representatives, since July 2003).	Three possible flexible working time patterns (on employer's initiative in agreement with the trade unions): daily, weekly and monthly flexi-time. Daily core working time of at least five hours.
Slovenia	N/A	Long tradition of workers' councils that help to determine working time patterns.

### Part-time work

Until very recently, part-time work was poorly regulated in the acceding and candidate countries, reflecting the overwhelming pattern of full-time employment relationships of the pre-transition period. Although some of the labour codes adopted in the first years of the transition contained provisions for part-time work, these were often linked to certain specific circumstances or categories of employees, as in the Baltic States or Slovenia. A definition of part-time work was lacking until 2003 in Hungary and Romania, and is still missing in Poland, where no detailed rules are stipulated and where some specific contracts (regarding weekend work, for example) are not regulated at all.



Part-time work has consequently been applied to quite different employment situations. In Estonia, since 1993 employers have had the right to impose part-time work in the case of a temporary decline in the volume of orders, if agreed by the State Labour Inspection. In Hungary, the only reference to a shorter working duration before 2003 applied to specific regulations in the tax and social security law concerning working time of a duration of less than 36 hours per week. If the worker holds two jobs and the main one entails working time of over 36 hours, then since 1997 all social taxes have had to be paid for the full-time position, and only the pension contribution for the part-time position. This is considered to have created an incentive for the employers to employ false part-time employees in order to bypass the legislation.

In Romania, the only specification is for persons working no more than three hours per week, who were exempted from social contributions. In Slovenia, before 2003 a right to work part time was granted to persons having pre-school children, but the working time duration was required to be at least half-time. In Slovakia, until 2002 the most common form of part-time work agreement was a contract of less than 20 hours a week, providing no minimum wage or holidays and exempting the employer from social contributions. These contracts were abolished in April 2002 (except for students), but they have been replaced by very similar contracts, valid for specific projects with clearly stated objectives.

To a great extent, the new labour codes have harmonised the definition and working conditions of part-time workers, in compliance with the EU Directive on part-time work (see Box 1, p.8). Part-time work is now explicitly mentioned by legislation in Bulgaria, Hungary, Latvia, Lithuania, Slovakia and Slovenia.

In the Czech Republic, Estonia and Romania, part-time work refers, respectively, to reduced working hours, part-time working time and employment on a part-time basis. In line with the EU Directive, part-time work is defined as work of shorter duration than the full-time standard in the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia. In Slovenia, lower working time limits have been abolished.

Labour codes have also introduced principles of equal treatment of part-time and full-time employees, provisions concerning the opportunities for working part time and giving some employees (such as pregnant women and employees raising young children) the right to work part time. The last of these provisions was already stipulated in several old labour codes, such as those in Latvia and Slovenia, but could not be requested by the employee in, for example, Latvia until 2002. Lastly, additional hours worked by part-time workers above their agreed working time are generally considered as overtime, except in Lithuania.

Table 5: *Main provisions concerning part-time contracts*

Bulgaria	<p><b>Labour code 2001</b> Work for a part of statutory working hours. Can be imposed by the employer in case of a decrease in order volumes.</p>
Czech Republic	<p><b>Labour code 2003</b> Reduced working time contracts. Such contracts can be concluded for operational reasons. Can also be agreed provided that the employer's operation allows it. Can be requested by women with children under 15 years old. Additional hours: count as overtime if above the predetermined schedule.</p>
Estonia	<p><b>Law on Additional Regulation of Part-time Work, February 1993:</b> Employer has the right to impose part-time working in cases of temporary decline in the volume of orders, if agreed by the Regional Labour Inspection. Up to three months.</p> <p><b>Working and Rest Time Act 1994:</b> Part-time work not specifically considered, but part-time working time is considered as work of a shorter duration than the established standards at the place of employment. Upon agreement of parties.</p> <p><b>Working and Rest Time Act 2003:</b> Same definition as 1994 Act. Can be imposed in case of temporary decrease of volume of orders. Right to work part time: pregnant women, women raising children of less than 14 years of age. Additional hours: count as overtime if above the agreed schedule. Second job: duration of work in second job cannot exceed 20 hours.</p>

Table 5: *Main provisions concerning part-time contracts (cont.)*

Hungary	<p><b>Labour code amendment, July 2003:</b> First introduction of the concept of part time and of the right to transfer a contract from full to part time or vice-versa. Previously: 36 -hour threshold according to regulations in the tax and social security law. If the worker holds two jobs, one of which is full time (&gt;36 hours): All social taxes to be paid for the full-time position and only the pension contribution to be paid for the part-time position. Extra work: counts as overtime, even if less than full time.</p>
Latvia	<p><b>Labour code 1989, 1992, 1993:</b> Right to work part time, on agreement with the employer, for pregnant women, or for one of the spouses with a child of less than 16 years of age. <b>Labour code 2002:</b> Part-time work: work shorter than regular daily or weekly working time. Employees have the right, 'if the possibility exists'. Can be requested by pregnant women, women with children of less than one year of age, employees with children younger than 14 years old or younger than 16 years old if disabled. Same rights and duties as full-time workers. Additional hours: overtime only in excess of regular hours of full-time workers.</p>
Lithuania	<p><b>Law on Labour Protection, 1993:</b> Specifies the employment conditions of persons working less than full day. <b>Labour code 2003:</b> Defines part time as part-daily or part-weekly working time. Right to work part time for specific employees (health or medical reasons; pregnant women; employee raising a child under three years of age; employee raising a child alone until the child is 14 years old, or 16 years old for a disabled child; young employees less than 18 years old). Additional hours: count as overtime, even if less than full time. Second job: maximum of 12 hours for multiple contracts.</p>
Poland	<p>Poorly regulated. No detailed rules; no regulation at all for some specific labour contracts (for example, weekend work).</p>
Romania	<p><b>Before 2003:</b> No detailed rules. The only specification was for working conditions of persons working no more than three hours a week (absence of social security coverage). <b>Labour code 2003:</b> No definition of part time, only of employment on a part-time basis: employees can be employed on a part-time basis, whereby daily working time is at least two hours; weekly working time at least 10 hours. Same rights as full-time workers. Second job: part time can be added to full-time work, although this is not specifically provided for by the code. It derives from the principle that every worker has the right to accumulate several positions based upon individual labour contracts. This is not encouraged by tax legislation: standard deductions refer to the main position.</p>
Slovakia	<p><b>Amendments of April 2002 and July 2003 to the labour code</b> Harmonisation of job security and benefits enjoyed by full-time and part-time workers. <b>Before 2002:</b> Most common form of part-time work agreement was less than 20 hours a week, no guarantee for minimum wage or holiday benefits, and exemption of social security charges for the employer. <b>April 2002:</b> Abolition of previous agreements, except for students. But new contract: agreement on work of less than 20 hours, valid for specific projects with clearly stated objectives, no vacation or minimum wage, employer exempted from <b>employee's benefits</b>. <b>July 2003:</b> Abolition of these contracts. From 2004 on, part-time work can be concluded by contracts of reduced duration (less than full-time work). Same rights as full-time workers. Typical part time schedule: 0.5% or 0.75% of standard full-time work. Additional hours: employee cannot be obliged by the employer to work full time; overtime is considered as work in excess of the agreed working time. Multi-activity: since July 2003, no upper ceiling for multiple job holders. Before July 2003, this ceiling was 58 hours.</p>
Slovenia	<p><b>Yugoslav Law on Basic Rights in Labour Relationships, 1989</b> Introduction of provisions for part-time work, limited to certain specific circumstances. Provisions aimed at allowing accumulation of two part-time jobs. Same rights and duties; but on request of the employee only for parents (automatically if the child is younger than one year old, under specific circumstances if the child is aged one to three years). <b>New legislation, 1991</b> Right to work part time (though at least half-time) granted to persons having pre-school children. Part time begins with less than 36 hours per week. <b>Labour code 2003:</b> Part time is not limited in any way; employment for one or two hours is possible. Same contractual rights and duties as full-time workers. Extension of the possibilities to work part time.</p>

## Main recent legislative changes

With regard to many aspects, the Foundation survey was carried out in a period of transitional changes to acceding and candidate countries' working time regulatory frameworks. This is true for all the acceding and candidate countries, as the adoption of all the new labour codes took place between 2001 and the end of 2003. Nevertheless, the extent to which this applies to each acceding and candidate country differs.

The 40-hour week, eight-hour day and five/six-working day norms were stipulated as early as the first years of the transition in Estonia, Latvia, Lithuania, Romania and Hungary. But the transition from the 46-hour week and six working days to the 40-hour week and five/six-working days norm was more gradual in the Czech Republic, Slovakia and Poland.

In the Czech Republic and Slovakia, a first step was implemented with the amendments to the labour codes at the beginning of the 1990s. These reduced the weekly working time from 46 to 42.5 hours through the introduction of the five working day standard. But the 42.5-hour working week was maintained throughout the 1990s, and the 40-hour week was introduced only in January 2001 in the Czech Republic and April 2002 in Slovakia. In both countries, the working time reduction has been achieved partly through the exclusion of the 30-minute breaks included in the previous working time norm, so that the effective reduction in the weekly hours of work has probably been lower than the legal one.

In Poland, the legal weekly working time was 46 hours before 1996. It was reduced to 42 hours in the period 1997–2001. In 2001, the working week was set to 42 hours (eight hours a day, five days a week) over a reference period not exceeding three months. It was reduced to 41 hours in 2002 (eight hours a day, five days a week, over a reference period not exceeding three months) and to 40 hours in 2003 (eight hours a day, five days a week, over a reference period not exceeding four months). The process of reaching 40 hours has thus been gradual.

The reduction in working time in Poland has been accompanied by an increase in the upper limit of overtime hours (which was raised from 120 to 150 per year in 1996), but with relatively penalising enhanced pay rates for the third and fourth consecutive overtime hours, aimed at reducing the effective amount of working time. As in the Czech Republic and in Slovakia, the working time reduction in Poland has partly been achieved by excluding the (15-minute) break granted to employees working at least six hours in a 24-hour period. This has been replaced by an optional one-hour daily break, which is no longer counted as working time. In Poland, employers have been obliged to retain the previous remuneration of their employees, and consequently to raise the hourly wage rates of those remunerated on an hourly basis.

Although changes have been less radical in the other acceding and candidate countries, some are still significant. Increased flexibility has been a matter of concern in Hungary, with the adoption in 2001 of an amendment aimed at harmonising the legislation with the *acquis communautaire*. But the amendment's provisions were widely criticised by trade unions, and most of them were repealed in 2002.

In Latvia, major changes occurred in September 2002 regarding overtime work. In 2002, the upper limit for annual overtime work was raised from 120 to 200 hours, and the calculation of daily maximum overtime hours over two consecutive days was replaced by a reference to a 24-hour period. Until very recently, Latvia can thus be considered to have belonged to the group of countries stipulating quite strict regulation for overtime work (see above).

In Hungary and Romania, the 48-hour ceiling on weekly working time introduced by the labour codes of 2001 and 2003, respectively, reduced the maximum number of permitted overtime hours per week, and as a result was criticised by employers. For some countries, the 2002–2003 new labour codes have improved the protection of some categories of workers or reduced asocial hours (light night work). Harmonisation with the very flexible EU standards has thus moved hand in hand with an improvement of some aspects of the working conditions, at least from a legislative point of view.

Table 6: Major legislative changes

Country	Historical information	Main changes between end of 2000 and 2003/2004
Czech Republic	<p><b>Labour code 1965:</b> 46 hours a week, six working days.</p> <p><b>Beginning 1990s – December 2000:</b> 42.5 hours, including a 30-minute break.</p> <p><b>Legislation in force in 2001:</b> standard working week 40 hours, without any breaks. Overtime hours: 150 hours per year, eight hours per week. Can be raised by authorisation of the local employment office.</p> <p><b>Labour code 2003.</b></p>	<p><b>January 2001:</b> Reduction in the standard working week, exclusion of breaks.</p> <p>No other major changes identified.</p>
Estonia	<p><b>Several laws 1993/1994–end 2001:</b></p> <p>Standard working time reduced from 41 hours to 40 hours in 1993 (40 hours a week, eight hours a day).</p> <p>Reduced working time for teachers (35 hours), teenagers (20–30 hours) and workers underground (35–36 hours). Overtime limit 200 hours a year, four hours a day. +50% enhanced pay rate (or time off in lieu).</p> <p><b>Working and Rest Time Act in force since beginning of 2002.</b></p>	<p>No major changes identified.</p>
Hungary	<p><b>Labour code 1992:</b> 40 hours a week, eight hours a day. For purposes of reducing overtime, yearly upper ceiling reduced (144 hours). Relaxed in 1995.</p> <p><b>2001 amendment</b> (in force in July 2001).</p> <p>Introduction of the ceilings for daily hours (12) and weekly hours (48).</p> <p>No weekly standard, only a daily standard of eight hours.</p> <p>Two rest days, which can be shortened, but a minimum of 40 uninterrupted hours of rest.</p> <p>Introduction of the possibility of annual timeframes.</p> <p>Work during holidays made legal.</p> <p><b>2002 amendment</b> (in force in September 2002).</p> <p>Repeal of some provisions introduced by the 2001 amendment (including rest days and weekly standard).</p>	<p><b>July 2001:</b> More flexibility allowed. Introduction of the daily (12 hour) and weekly ceilings (48 hour).</p> <p><b>September 2002:</b> Measures of July 2001 concerning rest days, night work and holiday work repealed.</p> <p><b>July 2003:</b> Launch of tripartite negotiations on reducing working time to 38 hours by 2006 had been scheduled. Failure of the negotiation in June 2003.</p>
Latvia	<p><b>Soviet era: 40 hours a week</b></p> <p><b>Labour code 1989, 1992, 1993:</b></p> <p>Standard working time 40 hours a week, eight hours a day.</p> <p>Reduced working time for teachers (35 hours), teenagers (24–35 hours), workers underground (35–36 hours). Overtime limit 120 hours a year, four hours on two consecutive days.</p> <p><b>New labour code adopted in 2001, in force in June 2002.</b></p>	<p><b>June 2002:</b> Increased upper ceiling for overtime hours (from 120 to 200 hours per year) and daily overtime.</p> <p>New issues incorporated into the law, e.g. non-discrimination on gender, rights to an extra vacation for fathers.</p>
Lithuania	<p><b>Soviet era: 40 hours a week.</b></p> <p><b>Legislation in force in 2000–2001:</b></p> <p>Standard working time 40 hours a week, eight hours a day. Reduced working time for teachers (35 hours), teenagers (24–36 hours), workers underground (35–36 hours).</p> <p>Five-day working week is the standard, but can be extended to six days.</p> <p>Daily maximum 10 hours, in exceptional cases up to 12 hours, including breaks for rest and meals.</p> <p>Overtime limit 120 hours a year, four hours on two consecutive days.</p> <p><b>New labour code adopted in June 2002, in force since January 2003.</b></p>	<p><b>January 2003:</b> Minimum daily rest period (11 hours per day) instead of maximum (10/12 hours per day). No more fixed enhanced pay rate for harmful and very harmful work (only enhanced pay rate).</p>
Poland	<p><b>Labour code 1974. Main amendments February 1996, March 2001, October 2002, October 2003.</b></p> <p><b>1996:</b> Shortening of the working week from 46 hours to 42 hours, through reducing the number of days worked from six (including Saturday) to five. Increase of the upper limit for overtime (120 to 150 hours per year).</p> <p><b>March 2001:</b> Adoption of the 40-hour week, transitional period:</p> <p>2001: On average 42 hours a week, eight hours a day, five days a week, over a reference period of three months.</p> <p>2002: On average 41 hours a week, eight hours a day, five days a week, over a reference period of three months.</p> <p>2003: 40 hours.</p> <p>No reduction in monthly wages.</p> <p><b>October 2002 (in force between November 2002 and July 2003):</b></p> <p>Extension of the accounting period from four to six or 12 months by collective agreement.</p> <p>Possibility to agree with employee's representative on upper limits for overtime.</p> <p>Introduction of compulsory record keeping.</p> <p>Reduction of the enhanced pay rate for overtime hours.</p> <p>In extremely difficult situations, possibility to suspend the application of a collective agreement for up to three years.</p> <p>Exclusion of the breaks from working time (before: 15 minutes granted to employees working at least six hours in a 24-hour period, counted as working time).</p> <p><b>October 2003 (in force January 2004):</b> Minimum rest period (11 hours) instead of maximum daily hours (12).</p> <p>Increase in the number of vacation days for those with less than 10 years of employment (20 days under five years, 23 for five to 10 years, 26 for 10 years and over.).</p>	<p><b>2001–2003:</b></p> <p>Reduction of working hours from 42 to 40.</p> <p><b>2003:</b></p> <p>Exclusion of any breaks from working hours, more flexible work schemes allowed, reduction of overtime payment.</p> <p>Introduction of a weekly upper limit of 48 hours (four hours overtime per day before), more overtime allowed by collective agreement.</p> <p><b>2004:</b></p> <p>Less favourable to employees for daily rests, more favourable for vacations.</p>

Table 6: Major legislative changes (cont.)

Country	Historical information	Main changes between end of 2000 and 2003/2004
Romania	<p><b>Labour code 1972:</b> Standard working time of 48 hours a week, eight hours a day, six working days, maximum daily working time of nine hours, to be compensated by a lower daily working time within the week.</p> <p><b>Labour code of 1991:</b> Standard working week of 40 hours a week, minimum one day of rest per week (most employees had five working days), overtime to be paid in excess of 40 hours, weekends or holidays. +100% enhanced pay rate for overtime.</p> <p><b>National collective agreement:</b> Upper ceiling of 120 hours a year.</p> <p><b>Labour code 2003 (adopted in January 2003, in force March 2003).</b></p>	<p><b>2003:</b> Introduction of a weekly 48-hour ceiling for working time.</p>
Slovakia	<p><b>Labour code 1965:</b> Standard working week of 46 hours, six working days.</p> <p><b>Labour Law reform 1991:</b> Weekly working time of 42.5 hours, five working days, including a 30-minute break.</p> <p><b>Labour code 2001, in force in April 2002:</b> Reduction of working hours from 42.5 to 40 hours. Exclusion of any break. Maximum overtime 150 hours per year, can be raised to 300 by collective agreement. Maximum weekly hours (58) for all contracts. Minimum enhanced pay rate 25% for overtime. Four weeks of vacation. Specification of minimum standards of social rights, allowing room for further amendments by collective agreements.</p> <p><b>Amendment adopted in July 2003.</b></p>	<p><b>April 2002:</b> Reduction of the working week (42.5 to 40 hours), exclusion of any breaks.</p> <p><b>2003–2004:</b> Increase of the maximum upper limit for overtime per year (300 to 400 hours). No weekly upper ceiling for multiple contracts. Overtime is allowed for pregnant women or employees taking care of children. Reference period for average overtime hours worked is extended (up to 12 months by collective agreement, only for seasonal jobs before).</p>
Slovenia	<p><b>Legislation in force in 2001:</b> 36–40 hours a week for full-time employees. Maximum weekly overtime 10 hours a week. 18 days vacation.</p> <p><b>New labour code 2003 (adopted in 2002, in force since January 2003).</b></p>	<p><b>January 2003:</b> Increase of vacation days per year (18 to 20 days). Reduction of the number of overtime hours per week (by two hours). Better conditions for people under 18 years of age and for night work. Reduction of the role of trade unions within the company.</p>

## The role of collective agreements

### Initial conditions

The general context for collective bargaining in the acceding and candidate countries has undergone considerable changes since the beginning of the 1990s. Although the right of trade unions to bargain had been preserved under the communist regimes in principle, industrial relations were characterised by central control exercised by the government, which was clearly incompatible with basic individual and collective contractual freedom (Vaughan, 2003).

An important contribution to the development of industrial relations was made in the first years of the transition by the adoption of new laws recognising the role of independent social partners. By removing the previous regulations and introducing the principle of free choice to join, these laws have laid out the principles for the establishment of social dialogue processes.

These provisions have recently been completed by new laws and the amended labour codes. These have generally extended the scope of collective agreements, at least concerning working time and working conditions, and have given greater roles to the workers' councils at company level.

These new provisions can be seen as an incentive to develop social dialogue. Many of the acceding and candidate countries are indeed characterised by low levels of coverage, poor content of the agreements and the predominance of a single level of bargaining, usually at the company level. A trend shared by many of the new provisions is to allow more flexibility.

However, this overall picture hides significant diversity, as illustrated by the institutional framework regulating collective bargaining, the scope given by the labour codes to collective agreements for the determination of working time and working conditions and the extent and content of the collective agreements.

### **Institutional framework**

In most of the countries, the basic standards defining the principle of free establishment of trade unions and the scope of collective bargaining were set by the adoption of a new legal framework at the beginning of the transition. Collective Bargaining Acts were adopted in 1991 in the former Czechoslovakia, Latvia, Lithuania and Romania, and in 1993 in Estonia. New regulations were established in Hungary and Poland by the labour codes, adopted in 1992 and 1994, respectively, while in Slovenia the normative framework for collective bargaining was already defined by the labour code of 1989. In general, these laws have allowed multilevel collective bargaining, extensions to other parties and the introduction of *in favorem* principles, according to which lower-level agreements cannot adopt provisions that would be less favourable than those of higher-level agreements.

Some national specificities emerge, however. In the Czech Republic, the Act distinguishes company-level from higher-level collective agreements, but there is no concept of branch collective agreement, and for agreements concluded at the higher level, there is no obligation for the ministry to check conformity with the law. In Estonia, a collective agreement applies only to those belonging to the bargaining parties, although in practice most company agreements apply to all persons in the company. The possibility to extend by decree a sectoral agreement to all companies and workers in a sector was only granted in June 2000. In Romania, the principle of free representation of employers at collective negotiations was introduced only by the adoption of the Law on Collective Bargaining Agreements of 1996. In Slovenia, companies are obligatory members of the chamber of commerce, and hence have to adhere at least to the lowest standards defined in the general agreements.

Concerning working time and conditions, the scope of collective agreements has been extended in two steps. The role of trade unions and collective agreements was reinforced in Poland by the law of 1997, which extended the scope of collective agreements for determining working time. In the same year, an important law was adopted in Romania, which introduced the obligation to negotiate (but not to come to agreements) on working time, working patterns and working conditions for companies with more than 21 employees.

A second step was implemented by the adoption of the new labour codes, mainly driven by the transposition of the *acquis communautaire*. The scope of collective agreements for the determination of working time was extended in most of the countries by the adoption of the new labour codes between 2001 and 2002. In Hungary, Lithuania, Poland and Slovakia, the new legal framework established the right of the workers' councils to conclude agreements if there is no trade union functioning at the company. Even in Slovenia, where worker self-management dates back to the 1950s and has been decisive for the determination of working time, by giving the responsibility to define internal work organisation to the workers' councils, fundamental new provisions have been adopted. The new labour code of 2002 enables the employer to supplement collective agreements with unilaterally defined internal rules.

Aimed at developing collective bargaining, these provisions can also go hand in hand with a reduction in the role of trade unions within companies, with possible consequences for working time. In Hungary, for example, a law of 1999 permits workers' councils to conclude collective agreements. This has led some companies to exclude trade unions in order to gain more control over industrial relations, and, perhaps as a consequence, 48-hour working weeks have recently been reported in many construction and textile companies (Vaughan, 2003).

### **Scope of collective agreements provided by the labour codes**

In the Czech Republic, as in other countries, a collective agreement could previously include only provisions explicitly permitted by the labour code. This provision was removed in 2000 in the Czech Republic, but remains in many other countries (Vaughan, 2003).

The scope given to collective agreements by the labour codes mainly concerns the:

- shortening of weekly working time;
- extension of the reference period for uneven distribution of working time;
- possibility to set upper limits for annual overtime hours;
- possibility to negotiate higher enhanced pay rates for overtime work;
- determination of working time patterns/arrangements in the company.

Nevertheless, involvement of the employee representative in the determination of the working time regime of the company is the only provision which is specified in all the countries.

The possibility is explicitly given by the labour code to shorten weekly working time below the legal standard in the Czech Republic, Estonia, Hungary, Poland and Slovenia. In Hungary and Poland, this possibility is conditioned on specific circumstances.

Following the EU Directive on Working Time, which allows significant flexibility for extending the reference period for calculating average weekly hours, some countries have included such provisions in the new labour codes. In the Czech Republic, Poland and Slovakia, the reference period can be extended up to 12 months by collective agreements. However, in the Czech Republic, this provision applies only to voluntary overtime. In Hungary, the timeframe is up to 26 weeks.

The possibility of setting an upper limit for the maximum number of overtime hours exists in Hungary, Poland, Romania and Slovakia. In Hungary and Slovakia, the labour code explicitly mentions the limits within which collective agreements can operate (300 and 400 hours per year, respectively). Yet no annual ceiling is mentioned in Poland and Romania, allowing for approximately 400 overtime hours per year, considering a maximum weekly working time of 48 hours. The Czech Republic is the only country where collective agreements can reduce the maximum number of overtime hours per year, but this provision concerns voluntary overtime, the amount of which is set at a very high level by the labour code (eight hours per week on average over a reference period of four months). Higher enhanced pay rates for overtime work can be negotiated in Latvia, Romania, Slovakia and Slovenia.

The range of orders that can be set by collective agreements thus varies greatly from one country to another. It is quite large in Hungary and Poland, smaller in the Czech Republic, Romania and Slovakia, and almost absent in, for example, Estonia and Lithuania. Except for the determination of the working time schedule of the company, the scope of collective agreements in Estonia is restricted to the possibility of setting shorter working hours and to the provisions concerning work on rest days (in this latter case, acceptance by the employee representative is not required). In Lithuania, the scope of collective agreements is restricted to the determination of constraints on overtime other than those provided by the labour code.

### **Extent and content of collective agreements**

Despite the relatively large scope given by the legal frameworks to collective agreements, the actual importance of collective agreements in setting working time and working conditions for the workers in the acceding and candidate countries is weak.

The elimination of compulsory trade union membership in the first years of the transition has gone hand in hand with a decline in trade union density in most of the acceding and candidate countries, and a great majority of employees are not covered by collective agreements (see Table 2, p.12). However, there are considerable differences across countries. The decline of trade union density has been particularly steep in the Baltic Countries, Poland and Hungary.

Moreover, significant differences have emerged between the public and the private sector, with a much lower trade union presence in the private sector (Lado and Vaughan-Whitehead, 2003). In Poland, for instance, trade unions are present in about 45% of companies, but only in 9% of newly established companies (Casale, 2001). By the end 2002, of the 155 multicompany agreements reported in Poland, 89% concerned employees of the communes (who were not teachers) (Stelina, 2003).

The reasons invoked for the decline in trade unionisation are numerous (Carley, 2002; European Commission, 2002): they encompass falling living standards, high levels of unemployment, privatisation, growing numbers of small and medium-sized companies and the sectoral shift towards services. In the Baltic countries, the particularly low trade union density is also the result of an overall negative attitude towards trade union collective bargaining inherited from the time of the Soviet Union.

Table 7: *Collective bargaining in the acceding and candidate countries*

<b>Country</b>	<b>Trade union density (2000) %</b>	<b>Collective bargaining coverage %</b>	<b>Main bargaining level</b>
Bulgaria	27	40	Company level
Czech Republic	30	25–30	Company level
Estonia	14.8	29	Company level
Hungary	20	34	Company level
Latvia	30	Under 20	Company level
Lithuania	15	10–15	Company level
Poland	15	40	Company level
Romania	58	?	Company level
Slovakia	40	48	Sectoral and intersectoral levels
Slovenia	41.3	100	Intersectoral level

Sources: *Trade union density: Carley (2002); Bulgaria and Romania trade union density: Vaughan (2003).*

As a result, the vast majority of employees are not covered by collective agreements, except in Slovakia and Slovenia. The very large coverage in Slovenia is explained by companies' compulsory membership of chambers of commerce, but this system is increasingly criticised and its dismantlement could have significant consequences (Vaughan, 2003).

The low coverage of agreements in the acceding and candidate countries is generally attributed to the single decentralised bargaining structures; institutional weakness of the social partners, especially at the sectoral level; and the changing nature of employment policies (Vaughan, 2003). Except in Slovakia and Slovenia, the dominant level for collective bargaining is the company level and sectoral-level agreements play a minor role. Moreover, in most cases sectoral-level agreements have a limited content, even in Slovakia.



Areas and topics concerning working time and working conditions covered by collective agreement are not homogenous among the acceding and candidate countries. The issue of overtime work is not a subject of disputes or negotiation in Poland, where more emphasis is placed on flexibility (Zadur, 2003). In Bulgaria, the main topic is longer paid leave and breaks. In Slovakia, in recent years collective agreements have covered items such as weekly working time, the limits of working time, paid vacation and the introduction or cancellation of flexible working schemes (in 33% of the agreements). In Estonia, the main topic covered at company level is wages.

Negotiations on shorter working weeks and increased entitlements for paid vacation are predominant topics in the Czech Republic and feature in almost all collective agreements. In 2001, the agreed working time for the whole Czech Republic was 38 hours, and 39.6 hours for single shift working time schedules (Cornejova and Fassmann, 2003).

In Slovakia, the main topics covered by the sectoral agreements, which involve over 50% of employees, are the payment of overtime, holidays, night work and extra payments for difficult and risky working conditions. At the company level, wages and remuneration are the predominant items.

Trade unions generally do not support overtime, as they take the labour market situation into consideration, but employees may. In Hungary, collective agreements are characterised by the predominance of the overtime topic. According to the collective agreement registry, 82% of the collective agreements contained provisions relating to the increase of the annual upper limit for overtime hours. For a long time, overtime has been a traditional and important tool for introducing flexibility for employers and is well accepted by employees as a way to increase their remuneration. Attempts to falsify overtime records are reported, suggesting an actual amount of paid overtime greater than the limits set by the labour code (Neuman and Tot, 2003).

### **Enforcement of regulations concerning working time**

Enforcement of existing laws and collective agreements is not easy to measure. Violations of overtime regulations in Hungary are described above. Similar violations are reported in Poland by the State Labour Inspection, which found that:

- 20% of the employers inspected demanded work above the daily and/or annual overtime limits;
- 20% breached the rules governing work on Sundays and public holidays by not providing time off in compensation;
- 37% did not give their employees the time off due to them under the five-day working week regime.

In Bulgaria, violations of legal provisions are reported for privately owned small and family companies.

There are factors that are likely to contribute to violations of regulations. One of these is the low trade union density. Another is the use of civil contracts, as people working under such conditions are considered to be self-employed and are not subject to the provisions of the labour codes. However, some countries have restricted the use of these contracts. For example, the practice of using civil contracts has been declared unlawful by the Supreme Court in Hungary (Neuman and Tot, 2003), and in 1996 Poland restricted the use of civil contracts to activities having a character other than that of a regular employment relationship (Cazes and Nesperova, 2003).

# 2 Employment structure and working hours

This section gives an overview of the main characteristics of employment with regard to professional status, economic activity and multiple job holding. It also looks at the main results concerning the length of the working week by professional status. The objective is to stress the main specificities of employment and hours worked in the acceding and candidate countries, to describe the changes to the structure of employment induced by the transition process and to identify possible convergences or divergences between the Foundation survey and the LFS at an early stage.

## Structure of employment in the acceding and candidate countries

Employment structure by professional status and branch of activity are shown in Tables 8 and 9 on page 24 and 25.

Although the target population covered by the Foundation survey and LFS is in principle the same, there may be some difference in the effective population covered by the surveys. The first reason is age, as not all national surveys cover the population aged 15 and over. But few countries are in this situation (Estonia and Hungary), and in any case, we would like to stress that data for average hours reported by Eurostat refer to all persons in employment, and not to persons of working age, so that the age factor can be discounted. More important is the exact coverage of professional status.

Although the target population of the Foundation survey should in principle cover all statuses, e.g. unpaid family workers, question 35a of the Foundation survey does not explicitly mention them. This could impact on some country-level results, for instance, in Romania; indeed, unpaid family workers account for one-fifth of the people in employment there according to 2001 LFS data.

The last remark concerns informal employment, the coverage of which is by definition difficult to evaluate and which has grown rapidly in all transition economies in the first years of the transition, in line with the employment losses in the formal economy. For example, estimates for Poland show that 4.8% of the population aged 15 and over was engaged in the informal economy in 1998. Informal employment may affect the classification of employment by professional status, but is generally considered to be correlated more with multiple job holdings than performed as a primary activity, as this type of work prohibits access to social security coverage and health care insurance (Cazes and Nesperova, 2003).

### Employment structure by professional status

The main result revealed by Table 8 is that except in three countries (Poland, Romania and Lithuania), the proportion of employees in total employment is either similar to or higher than in the EU15. In two countries (Estonia and Slovakia), there is even a clear predominance of this type of labour relationship, a result that is confirmed by the LFS. Lithuania and Poland are characterised by a high proportion of self-employment, and Romania is characterised by a very high proportion of non-wage employment.

Table 8 reveals that for most of the countries, the Foundation survey provides a similar structure of employment by professional status to that of the LFS, with the exceptions of Poland, Romania and Slovenia. In these three countries, but specifically in Romania, this seems to be correlated with the measure of unpaid family workers.

Table 8: *Employment structure by professional status in 2001*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
Total employment	100	100	100	100	100	100	100	100	100	100
Employees	84.8	84.7	93.4	85.4	85.0	79.8	72.0	53.9	91.5	82.9
Self-employed	13.7	14.6	6.6	13.9	10.3	16.8	22.5	25.7	8.4	11.8
– with employees	3.6	4.1	2.3	5.5	4.4	2.5	3.7	1.2	2.7	3.7
– without employees	10.0	10.5	4.4	8.4	5.8	14.3	18.8	24.5	5.7	8.1
Unpaid family workers	1.6	0.7	0.0	0.7	4.7	3.4	5.5	20.4	0.1	5.3

Data refers to usual hours of the second quarter of 2001, except for EU15 (2000).

Sources: Eurostat, national statistical offices.

### Employment structure by sector

Table 9, where no major difference between the Foundation survey and the LFS in the structure of employment by industry is noted, reveals that economic structures diverge quite significantly among the acceding and candidate countries. The share of agriculture is much higher than in the EU15 in Romania, where this sector absorbs 45% of employment, and, to a lesser extent, in Latvia, Lithuania and Poland. In contrast, the Czech Republic, Slovakia and Slovenia are characterised by a significantly higher share of industry than in the EU15, with, for example, a difference of almost ten percentage points in the case of the Czech Republic.

Lastly, a common feature of all acceding and candidate countries is a lower share of services employment than in the EU15. This is particularly marked in the cases of Poland and Romania due to the weight of agriculture, but is much less pronounced, for example, in Estonia and Hungary, where services account for around 58% of employment (compared to 29% in Romania and 65% in the EU15). Such divergences in the employment structure can, of course, have an impact on the working time and working conditions of the acceding and candidate countries. They also reflect the interaction of structural features and fundamental changes induced by the transition process in the acceding and candidate countries.

Table 9: *Average usual hours and employment by branch of activity: total employment*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>Average usual hours</b>										
Agriculture	43.1	42.9	45.5	42.8	43.9	38.3	41.1	38.0	42.5	49.2
Industry	40.8	41.6	40.7	41.0	42.7	40.0	42.5	41.2	42.1	41.3
Services	40.9	42.8	41.2	40.7	44.6	39.3	40.0	42.4	42.2	41.3
<b>Distribution of self-employed by industry, %</b>										
Agriculture	9.7	4.9	6.9	6.1	15.1	17.6	19.2	44.4	6.2	10.0
Industry	32.8	40.5	34.1	34.5	26.3	26.7	30.7	25.8	37.1	38.6
Services	57.5	54.6	58.9	59.4	58.6	55.8	50.1	29.7	56.7	51.4

Data refer to usual hours of the second quarter of 2001.

Sources: *European Foundation for the Improvement of Living and Working Conditions, Eurostat, national statistical offices.*

### Multiple job holding

As shown in Table 10, a relatively high share of workers have more than one job in the acceding and candidate countries (9.7% on average in the 10 acceding and candidate countries, compared with 6% in the EU15 according to the Foundation survey). The proportion of multiple job holders reported by the Foundation survey is, however, much higher than in the LFS for most of the countries, besides Lithuania and Poland. More specifically, in contrast with the LFS, the Foundation survey results suggest that multiple job holding also concerns a high proportion of self-employed. These discrepancies are probably partly explained by the fact that the LFS questionnaires ask generally about the jobs worked in addition to the main job in the reference week, whereas the Foundation survey is more precise, asking for regular, occasional and seasonal multiple job holding. Coverage is therefore more extensive in the Foundation survey than in the LFS. Results of the Foundation survey are confirmed by other sources, which would lead one to consider whether multiple job holding could even be much more widespread.

For example, a specific survey conducted in the Czech Republic reported a share of 28% of multiple job holders in 1998 (Cazes and Nesperova, 2003). For Estonia, Latvia and Lithuania, the Baltic barometer (Antila and Ylöstalo, 2003) reports that in 2002, the proportion of people with secondary jobs was 15%, even in the case of Lithuania, where the Foundation survey reports only 3.6% multiple job holders.

In many acceding and candidate countries, multiple job holding is closely related to agriculture. This is either because there is a high proportion of workers in agriculture having more than one job (as in Romania, for example, where LFS data reveal that 90% of the multiple job holders' main jobs are in agriculture, compared with 45% according to the Foundation survey) or because the second job is mainly performed in agriculture (as, for example, in Bulgaria and Slovenia).

Multiple job holding is also not equally widespread between private and public sectors. The Baltic barometer reports, for example, report a significantly higher proportion of multiple job holding among public sector employees than among private sector employees. The discrepancy is higher in Latvia (19% of public sector employees have multiple jobs compared to 13% of private sector employees) and Lithuania (19% and 13%, respectively), than in Estonia (17% and 14%, respectively).

Table 10: *Multiple job holdings (% of total employment)*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia	EU15
Total employed	6.3	9.1	11.5	5.6	10.7	3.6	11.0	11.7	8.0	7.3	6
Employees	6.6	8.8	11.6	4.7	11.0	4.4	11.1	11.2	7.0	5.5	
Self-employed	4.2	9.0	11.2	8.6	8.6	0.5	10.8	13.7	15.3	8.0	

Source: *European Foundation for the Improvement of Living and Working Conditions.*

### **Socio-economic changes and employment structure**

The present composition of the workforce in the acceding and candidate countries differs in many aspects from the one that prevailed on the eve of the transition process (Cazes and Nesperova, 2003). In almost all acceding and candidate countries, the economic structure at the beginning of the transition process (see Table 11) was characterised by a relatively high share of agriculture (ranging from 9.4% in Slovenia to 29.1% in Romania), a very high share of industry, reflecting the predominance given to the production of machinery and equipment in the former command economies, and a low share of services. The economic structure of the acceding and candidate countries was more or less consistent with their level of economic development, except in the cases of the Baltic states and Poland, where structural factors played an important role in maintaining a high share of agriculture (specialisation in the production of high-quality agricultural products exported to the other parts of the Soviet Union in the Baltic states and the absence of collectivisation of agriculture in Poland).

Table 11: *Employment structure in historical perspective*

	1990			2001		
	Agriculture	Industry	Services	Agriculture	Industry	Services
Bulgaria	18.5	44.2	37.3	9.7	32.8	57.5
Czech Republic	12.3	45.5	42.2	4.9	40.5	54.6
Estonia	19.4	37.5	43.1	6.9	34.1	58.9
Hungary	18.2	36.8	45.0	6.1	34.5	59.4
Latvia	17.1	38.4	44.5	15.1	26.3	58.6
Lithuania	18.4	42.6	39.0	17.6	26.7	55.8
Poland	25.2	37	37.8	19.2	30.7	50.1
Romania	29.1	43.5	27.4	44.4	25.8	29.7
Slovakia	13.7	45.5	40.8	6.2	37.1	56.7
Slovenia	9.4	46.6	44.0	10.0	38.6	51.4

Sources: *Eurostat, Cazes and Nesperova (2003). Census data for 1990, LFS for 2001.*

While a decline in the share of industry following the reform process is reported in all countries, the capacity of the different economies to catch up rapidly and to close the gap between the pre-transition level of GDP and its current level has been a determining factor for the changes in the employment structure. Those countries where a decline in the share of industry has been less pronounced (the Czech Republic, Estonia, Hungary, Poland and Slovakia) are typically those that were successful in catching up rapidly. In the less successful countries, the decline in the share of industry has been much more pronounced (such as in Bulgaria and Romania). In Latvia and Lithuania, where economic recovery has been in line with the first group of countries but came following very sharp decreases in GDP in the first years of the transition, the decrease in the share of industry has also been pronounced. In Latvia, Lithuania and Romania, agriculture has played an important role in absorbing a large share of the workers who suffered from the restructuring in industry. Increases in the share of agricultural employment have been particularly sharp in Romania (about 15 percentage points), whereas in Latvia and Lithuania, these developments explain the persistence of a high share of agriculture in the economy. Although belonging to the first group of countries, Poland is characterised by a persisting high share of agriculture, which could be explained by the absence of major agricultural reform in the country. Expansion of the services sector is observed in all countries. This is explained by:

- a higher demand from both consumers and companies inherent in the reforms implemented in these countries;
- the structural changes in agriculture and in industry, which have given incentives to workers to turn to this sector;
- the externalisation of those services which were formerly produced within industry.

Structural changes have been a major determinant for explaining the increase in the share of self-employment observed in some acceding and candidate countries, as for many workers this type of work relationship has been the only alternative for ensuring their subsistence. Initial situations varied greatly, however. A high share of self-employed (about 25%) was, for example, already observed in 1989 in Poland and Romania, mainly due to family farming. Conversely, in Hungary and the Czech Republic, the share of self-employment was much lower in 1989 (1% and 8.5% respectively), and has increased by more than 14 percentage points in the case of Hungary and by around 7 percentage points in the Czech Republic. The concentration of non-agricultural self-employment in labour-intensive activities such as personal and household services, retail trade, hotels and restaurants (which will be examined later) is also related to the reform process, as it reflects both the privatisation of shops, hotels and restaurants and the fairly limited access to finance through the banks. Another factor that has played a role in the development of self-employment is the development of civil contracts. Such contracts, which already existed before the transition period, have been increasingly used as a substitute for regular employment in the acceding and candidate countries since 1989. This allows for an escape from payroll taxes, but gives less social protection than wage employment, as people working under such conditions are considered as self-employed and are not subject to the provisions of the labour codes.

Economic restructuring, the development of the services sector and the development of self-employment have also gone hand in hand with a sharp increase in the number of small companies at the beginning of the transition. Information about the breakdown of employment by enterprise size is difficult to obtain, but combining both the latest data published by Eurostat and the information collected by the Foundation survey (see Table 12), it appears that the proportion of persons employed in micro and small enterprises is higher in all acceding and candidate countries than in the EU. The proportion of persons employed in large enterprises is very small in comparison with the EU (except Hungary, Poland and, to a lesser extent, Slovenia). Moreover, privatisation of employment is now very high in most of the acceding and candidate countries (Table 13, p. 29), with the share of employment in the private sector being above 70% in most of the acceding and candidate countries, with the exception of Slovenia.

Multiple job holding is also related to the specific economic situation of the transition countries in many aspects, as the need for additional income is predominant in the reasons given for finding or having a second job. Moreover, if the share of persons engaged in other jobs has been stable in some countries in recent years (as in Estonia and Latvia) or has decreased (as, for example, in Slovakia), it has increased in other countries, as, for example, in Lithuania, where the proportion of multiple job holders was 8% in 1998, but has increased to 15% in 2002, according to the Baltic barometer.

Table 12: *Employment by enterprise size in 2001*

Country	Micro (1–9)	Small (10–49)	Medium (50–249)	Large (250+)
<b>Bulgaria</b>				
Employees	(34.1)	(29.3)	(17.6)	(6.8)
Total employment	(37.2)	(26.0)	(15.0)	(5.7)
<b>Czech Republic</b>				
Employees	31.2 (27.4)	18.3 (32.6)	(19.2)	(11.3)
Total employment	(30.7)	(29.8)	(16.3)	(9.9)
<b>Estonia</b>				
Employees	21.5 (21.9)	28.6 (32.5)	(24.3)	(9.7)
Total employment	(24.7)	(30.6)	(22.5)	(8.8)
<b>Hungary</b>				
Employees	10.4 (21.9)	21.7 (29.3)	(20.7)	(21.9)
Total employment	(25.7)	(25.8)	(17.4)	(18.2)
<b>Latvia</b>				
Employees	(34.3)	(34.2)	(14.4)	(3.9)
Total employment	(36.8)	(31.0)	(13.0)	(3.3)
<b>Lithuania</b>				
Employees	20.8 (31.3)	(33.9)	25.5 (17.0)	(6.4)
Total employment	(38.3)	(27.4)	(13.9)	(5.2)
<b>Poland</b>				
Employees	(18.0)	(26.5)	(21.9)	(23.6)
Total employment	(29.0)	(20.7)	(15.2)	(16.7)
<b>Romania</b>				
Employees	(39.4)	14.9 (31.4)	20.9 (14.5)	(3.9)
Total employment	(42.1)	(25.8)	(11.5)	(3.1)
<b>Slovakia</b>				
Employees	(27.7)	16.4 (32.5)	21.6 (21.2)	(13.5)
Total employment	(29.5)	(30.4)	(19.4)	(12.0)
<b>Slovenia</b>				
Employees	(25.9)	(25.7)	(25.2)	(19.2)
Total employment	(29.8)	(24.7)	(21.2)	(15.6)
EU15 (employees)	<b>27.7</b>	<b>21.5</b>	<b>16.3</b>	<b>34.5</b>

Note: Numbers in bold are data from 'Eurostat, Statistics in Focus Theme 4' May 2004. Numbers in parenthesis: data from the Foundation survey.

Table 13: *Share of employees working in the private sector in 2001*

Country	% private sector
Bulgaria	80.8
Czech Republic	70
Estonia	71
Hungary	>75
Latvia	>69
Lithuania	–
Poland	72
Romania	75
Slovakia	75
Slovenia	50

Source: *World Bank; euointegration.net for Slovenia.*

## Usual hours worked in the acceding and candidate countries

Table 14 provides an overview of the weekly usual hours worked for all employed people and by professional status in the second quarter of 2001 for each acceding and candidate country and the EU15. A comparison of the results of the LFS and the Foundation survey reveals some striking results.

### Average usual hours of the total workforce

The general picture of longer hours worked in the acceding and candidate countries is confirmed. Employed persons worked on average 40.9 hours in 2001, compared with 37.8 hours in the EU. Hours worked are longer than in the EU in each country, but some disparities emerge. The longest hours are reported for Latvia (42.6), Slovakia (42.2), Slovenia (41.8) and the Czech Republic (41.5). At the opposite extreme, employed persons work on average 38.3 hours in Lithuania, only slightly more than in the EU.

Table 14: *Average usual hours worked by professional status*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia	EU15
<b>LFS</b>											
Total employed	41.1	41.5	40.5	40.9	42.6	38.3	40.9	40.3	42.2	41.8	37.8
Employees	40.6	40.3	40.0	40.5	42.2	38.2	40.1	41.2	41.6	40.5	36.4
Self-employed	44.8	48.8	46.7	44.5	47.0	39.6	–	39.9	48.7	49.6	46.2
– with employees	45.3	53.5	52.0	45.5	–	–	–	47.3	49.8	48.7	49.6
– without employees	44.5	47.6	44.0	43.8	45.1	38.7	44.6	39.4	48.1	50.0	43.9
Unpaid family workers	39.8	41.5	–	40.9	–	35.2	–	36.1	–	44.0	38.2

Data refer to usual hours, second quarter 2001.

Sources: *Eurostat, national statistical offices.*

### Average usual hours by professional status

On average, employees in the 10 acceding and candidate countries work longer hours per week than in the EU (four hours more according to the LFS, and 5.5 hours according to the Foundation survey), for around 42.2 hours compared to 36.7 in the EU. Employees' longest working weeks are observed in Latvia, Romania and Slovakia. In these countries, employees work on average more than 41 hours per week, and even more than 42 hours per week in the case of Latvia. Long working weeks for employees are also reported by the Foundation survey for Latvia, Romania and Slovakia.

# 3

## Working time arrangements

### Working time arrangements of the self-employed

In this section, we analyse the results concerning the working time and working conditions of the self-employed in more detail, with the objectives of providing some explanations of the striking results obtained by the Foundation survey and highlighting the main aspects of the working conditions of these workers in the acceding and candidate countries.

Table 15 shows the distribution of the self-employed and their average usual hours worked by industry. It reveals clearly different patterns of self-employment in the acceding and candidate countries, as suggested in the first part of this report. A significant share of the self-employed work in agriculture in Lithuania, Poland and Romania, which reflects the importance of agriculture in these countries. This result holds for both the Foundation survey and the LFS.

In a second group of countries (Bulgaria, the Czech Republic, Estonia, Hungary and Slovakia), there is a clear predominance of services jobs, accounting for more than half of self-employed jobs. Lastly, Slovenia is characterised by a more equal distribution of self-employment by industry.

In those countries where services jobs are predominant, a closer examination of the breakdown given by the LFS reveals a clear predominance of retail, non-market services and, to a lesser extent, real estate, business services, transportation and construction. In Hungary, for example, retail and non-market services absorb more than 46% of the self-employed. Lastly, the Czech Republic, Slovakia and Slovenia are characterised by a high share of self-employed working in industry (for example, 37.5% in Slovakia).

Table 15: *Self-employed: average usual hours and distribution by industry*

Sources: Eurostat, national statistical offices.

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>Average usual hours</b>										
Agriculture	44.8	53.2	49.1	45.7	48.1	38.7	44.2	38.9	49.8	55.8
Industry	42.8	49.8		44.7	50.8		49.8	47.2	48.5	48.0
Services	45.3	49.9	47.0	44.2	45.5	40.9	46.6	44.8	48.7	45.7
<b>Distribution of self-employed by industry, %</b>										
Agriculture	35.8	5.5	28.9	16.7	44.4	65.1	57.8	85.3	5.1	34.6
Industry	12.8	34.0	18.4	25.1	17.2	4.8	11.4	4.2	37.5	24.3
Services	51.3	60.4	52.6	58.2	38.4	30.1	30.8	10.5	57.4	41.1

According to LFS data, in the four countries where agriculture absorbs a significant proportion of the self-employed, a high proportion of self-employed working part time is reported. The share is very high in Romania (33% of the self-employed work part time), but also in Latvia (21%) and, to a lesser extent, Lithuania (12.7%) and Poland (10.8%). This has an impact on the measure of working hours.



Table 16: Occurrence of asocial hours for the self-employed (% of total self-employed)

%	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>LFS</b>										
Night work				13.5		4.8	21.3		8.5	20.4
Saturday work		78.1		60.2		65.6	89.3	75.6		
Sunday work				63.4		75.2	61.9		35.6	53.7
<b>Foundation survey</b>										
Night work	49.1	31.2	33.4	18.5	20.6	20.2	16.2	15.6	16.1	30.1
Evening work	62.2	64.8	82.5	51.1	67.3	76.2	69.3	66.0	50.0	60.1
Saturday work	71.7	77.5	83.3	64.0	83.2	95.4	91.4	91.6	32.3	85.6
Sunday work	50.7	49.0	68.7	42.9	61.0	80.2	62.0	44.0	32.3	44.6

Data refer to usual hours, second quarter of 2001.

Sources: *European Foundation for the Improvement of Living and Working Conditions, Eurostat, national statistical offices.*

Tables 16 to 19 reveal interesting results on the working time organisation of the self-employed in the acceding and candidate countries as regards asocial hours and their correlation with multiple job holding.

Table 16 shows that the occurrence of Sunday work, Saturday work and evening work is high for the self-employed in the acceding and candidate countries. On average, 37% of all workers work on Sundays in the acceding and candidate countries. For the self-employed, and with the exception of Slovakia, where it is particularly low, the proportion of self-employed working on Sundays ranges from 42.9% in Hungary to 80.2% in Poland. Occurrence of Saturday work is also more frequent for the self-employed than for employees: the maximum occurrence of Saturday work for employees is 60.4% (Latvia), whereas (again, with the exception of Slovakia) it ranges from 64% (Hungary) to 95.4% (Lithuania) for the self-employed. The same holds true, but to a lesser extent, for evening work: the maximum occurrence of evening work for employees is observed in Estonia (51.4%), whereas it ranges from 50% (Slovakia) to 76.2% (Lithuania) for the self-employed.

In cross-country comparison, occurrence of Saturday work is particularly high in Lithuania (95.4%), Poland, Romania and, to a lesser extent, Estonia and Latvia (83.3%). It is lowest in Hungary (64%) and Slovakia (34%). The same ranking is observed for Sunday work, except for Romania, where the occurrence of Sunday work is quite low (44%). Estonia and Lithuania are also characterised by a high frequency of evening and night work among the self-employed, and Slovakia by a relatively low occurrence of evening and night work.

Crossing the occurrence of asocial hours with the breakdown by industry only partly explains these country patterns (see Table 17). For example, Sunday work is concentrated in agriculture in Poland, but a very high proportion of the self-employed working in the services sectors also work on Saturdays in Poland and Romania, and the occurrence of asocial hours is high in all industries in Estonia and Lithuania.

Conversely, correlation with multiple job holding is more pronounced, at least for Sunday work (see Tables 18 and 19) – in almost all countries, the self-employed who have more than one job are more likely to work on Sunday. The difference amounts to, for example, 56.4 percentage points in Hungary, and is 10 percentage points in many countries. Saturday work is also more widespread among multiple job holders, but to a much lesser extent than Sunday work.

In conclusion, it appears that in order to understand working hours of the self-employed, a good knowledge and understanding of the various national contexts is necessary. Agriculture has clearly played the role of a ‘buffer’ in Romania by absorbing, as self-employed workers, the redundancies made during the restructuring process. One-third of self-employed agricultural workers in Romania work part time, mostly on Saturdays. In Lithuania and Poland, self-

employment is typical in agriculture, but to a much lesser extent than in Romania. Moreover, more work is performed on a full-time basis than in Romania.

However, in countries having a higher proportion of self-employed in services (notably the Czech Republic, Hungary and Slovakia), these workers are concentrated in low-productivity jobs, mainly sales, construction and transportation. They work very long hours (49.9 hours per week in the Czech Republic) and rarely work part time.

Table 17: *Occurrence of asocial hours for the self-employed by industry*

(% of total self-employed)	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>Night work</b>										
Agriculture	55.9	30.1	30.8	25.8	24.0	21.8	16.0	5.9	17.1	54.2
Industry	54.9	38.3	28.3	3.2	10.1	0.0	6.0	25.4	14.3	28.2
Services	44.6	28.3	37.6	23.7	23.0	21.6	21.0	40.3	16.9	25.9
<b>Evening work</b>										
Agriculture	84.9	76.3	84.0	50.1	62.2	86.3	80.2	66.1	81.4	82.5
Industry	39.0	67.3	95.1	52.4	87.0	52.7	57.3	45.8	51.8	62.9
Services	58.6	62.4	76.3	50.7	62.1	48.3	57.0	73.6	47.0	54.9
<b>Saturday work</b>										
Agriculture	85.5	100.0	91.3	76.3	93.9	100.0	97.8	93.1	81.4	100.0
Industry	68.5	85.4	86.4	53.9	81.9	81.8	71.1	72.4	29.9	93.0
Services	66.6	71.6	77.2	66.2	79.2	83.5	90.1	94.5	30.2	78.2
<b>Sunday work</b>										
Agriculture	60.7	83.0	91.3	73.9	69.2	86.4	81.7	36.7	81.4	89.3
Industry	41.5	52.6	44.8	28.1	49.6	48.9	27.5	24.7	29.9	31.5
Services	48.9	43.7	66.5	44.7	61.5	69.5	45.1	73.0	30.2	42.2

Source: *European Foundation for the Improvement of Living and Working Conditions*.

Table 18: *Occurrence of Sunday work and multiple job holding*

% of the group concerned	Total employed		Employees		Self-employed	
	Only one job	Multiple job holders	Only one job	Multiple job holders	Only one job	Multiple job holders
Bulgaria	34.8	42.6	31.7	39.8	50.2	63.5
Czech Republic	31.9	43.2	28.9	39.7	47.9	63.2
Estonia	45.2	52.7	43.1	50.4	67.0	77.9
Hungary	28.0	44.6	25.8	29.4	38.5	94.9
Latvia	45.1	54.0	42.9	48.8	57.5	92.5
Lithuania	41.9	46.2	32.3	44.6	80.7	100.0
Poland	37.0	44.8	24.7	33.8	61.0	68.1
Romania	38.1	36.8	36.5	33.5	42.5	47.2
Slovakia	33.5	36.2	33.5	35.1	30.9	39.9
Slovenia	24.7	33.5	21.9	33.7	44.7	43.5

Source: *Foundation survey*.

Table 19: Occurrence of Saturday work and multiple job holding

% of the group concerned	Total employment		Employees		Self-employed	
	Only one job	Multiple job holders	Only one job	Multiple job holders	Only one job	Multiple job holders
Bulgaria	50.0	68.7	45.8	68.4	71.6	77.5
Czech Republic	50.3	58.1	45.5	53.6	77.2	78.3
Estonia	57.2	54.9	54.7	51.1	81.3	100.0
Hungary	47.9	52.0	45.4	38.4	60.8	100.0
Latvia	63.3	65.5	60.1	61.7	82.1	92.5
Lithuania	60.7	72.8	51.8	72.1	95.4	100.0
Poland	68.6	76.4	57.6	66.5	90.7	97.7
Romania	67.3	69.7	61.3	64.2	91.8	88.9
Slovakia	33.5	36.2	33.5	35.1	30.9	39.9
Slovenia	55.8	58.4	52.9	54.5	86.3	77.0

Source: *Foundation survey*.

## Working time arrangements of employees

### Length of the working week

Table 20, which shows the average usual working time of all employees by type of contract (full time or part time) reveals two main results. First, when compared with the EU, the long working hours of employees result from the combination of a much lower proportion of employees working part time and longer working weeks of both full-time and part-time employees.

When the comparison is restricted to full-time employees, the consequence of the low incidence of part-time work is that differences in the working weeks in the acceding and candidate countries and in the EU are much lower than for all employees: according to the LFS, full-time employees worked on average 1.9 hours more than in the EU (39.5 hours in 2001), whereas the difference is four hours for all employees.

Table 20: Employees, incidence of part-time work

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia	EU15
% working part time	2.4	5.1	7.1	3.2	6.5	7.5	7.3	1.2	2.5	4.4	
<b>Average usual hours</b>											
All employees	40.6	40.3	40.0	40.5	42.2	38.2	40.1	41.2	41.6	40.5	
Part time	21.4	24.2	21.0	24.2	23.2	20.5	23.5	27.4	24.3	18.5	19.7
Full time	40.8	41.1	41.0	40.9	43.7	39.4	41.5	41.6	41.9	41.5	39.5

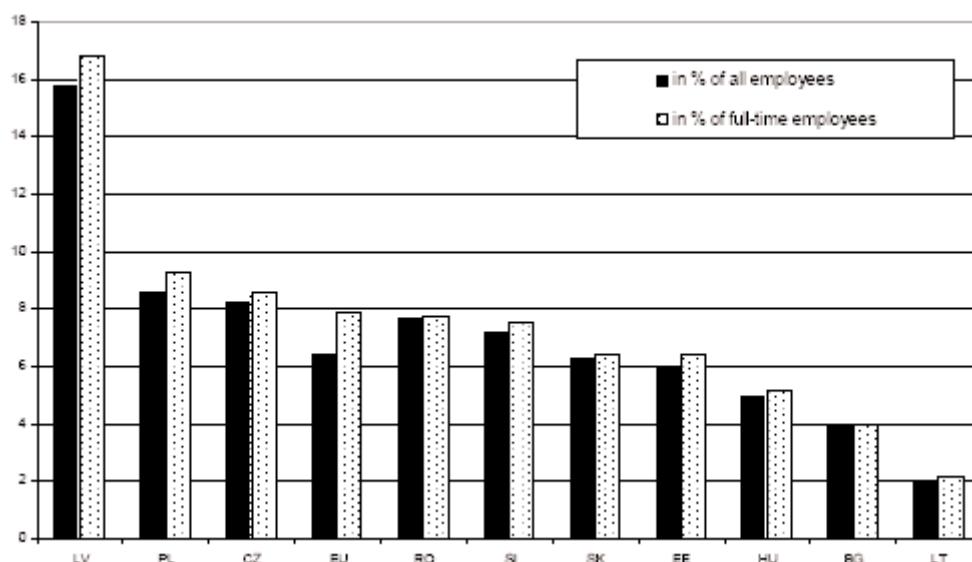
Data refer to usual hours, second quarter of 2001.

Sources: *Eurostat, national statistical offices*.

Second, there is much less heterogeneity among full-time employees in the acceding and candidate countries than among all other categories of workers. This is specifically the case when looking at LFS data, according to which (with the exception of Latvia, where full-time employees work very long hours, and Lithuania, where the opposite is observed) full-time employees work on average either about 41 hours per week (Bulgaria, the Czech Republic, Estonia and Hungary) or about 41.5 hours per week (Poland, Romania, Slovakia and Slovenia).

The proportion of employees working very long hours is highest in Latvia, with almost 17% of full-time employees working on average more than 48 hours. This is only 4% fewer than in the UK, the EU country where the proportion of very long hours worked is the highest. It is also above the EU average in Poland and the Czech Republic, with 9.3% and 8.6%, respectively, compared with 7.9% on average in the EU.

Figure 1: Long working hours (share of full-time employees usually working more than 48 hours a week) in 2002



A breakdown by industry for all employees is shown in Table 21 (p.35); this provides two main results. First, it shows that the distribution of employees across major groups of industry is more homogenous across countries than for the total workforce. The share of employees working in services is 57% on average in the acceding and candidate countries, according to the LFS, and lower than 50% only in Romania. This reflects the high proportion of self-employment in agriculture in those countries where this sector still plays an important role.

The share of services is far below the level of the EU, where 76% of employees work in services; a much higher proportion of employees therefore work in industry in the acceding and candidate countries (39.5% on average, compared with only 22% in the EU). Available datasets provide divergent results for Romania. This may be explained by misperception by some agricultural self-employed interviewees of their professional status.

Second, the low variation of the length of the working week among countries also prevails among major groups of industry in some countries. This is the case in the Czech Republic, Lithuania, Slovakia and Slovenia. A second group of countries (Bulgaria, Estonia and Hungary) is characterised by longer hours in agriculture than in other industries. Lastly, in Latvia and Romania, the longest hours are worked in services.

On a more detailed level, LFS data reveal some substantial disparities, notably due to differences in the hours worked in private services and public administration. For example, very long hours are reported in Latvia in wholesale and retail trade (49 hours on average). Meanwhile, very low hours are worked in education in Poland (31.5 hours), Lithuania (33.4 hours) and, to a lesser extent, Estonia (37.2) and Romania (38.3 hours).

Dispersion within services is less pronounced in the Czech Republic, Hungary, Slovakia and Slovenia, due to longer hours in public administration (40.8 hours in Slovakia and 40.4 hours in Slovenia).

Table 21: *Employees - average usual hours and distribution by industry*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>Average usual hours</b>										
Agriculture	42.0	40.8	42.8	41.3	43.3	39.6	42.2	41.9	42.0	40.6
Industry	40.8	40.4	40.6	40.8	42.2	39.8	41.8	41.1	41.6	40.8
Services	40.4	40.8	40.6	40.3	44.6	39.2	39.0	42.2	41.6	40.8
<b>Employment %</b>										
Agriculture	4.53	4.69	4.50	4.18	6.75	4.47	2.00	4.53	6.36	1.20
Industry	36.59	41.76	35.46	36.16	28.83	32.30	38.83	45.79	37.09	42.93
Services	58.88	53.55	60.04	59.66	64.42	63.23	59.17	49.67	56.54	55.87

Data refer to usual hours, second quarter of 2001.

Sources: *Eurostat, national statistical offices.*

Table 22 gives the breakdown of hours worked by employees by occupation, as collected by the Foundation survey. It confirms the information collected by the LFS. Relatively low hours are reported for high-skilled non-manual employees in Bulgaria, Lithuania, Poland and Romania, probably due to the low average hours worked in education in some of these countries. Conversely, the lowest hours are worked by unskilled manual employees in Estonia, Hungary, Slovakia and especially in Slovenia (36.5 hours for unskilled manual workers, compared with 40.5 hours for all employees, according to the Foundation survey).

Taking into account firm size and the distinction between private and public sectors has proved to be a relevant factor in explaining some aspects of working time patterns in the acceding and candidate countries. As mentioned above, the proportion of persons employed in micro and small enterprises is on average higher in the acceding and candidate countries than in the EU.

In five countries (Bulgaria, Hungary, Poland, Romania and Slovenia), micro enterprises are also those where the longest hours were reported by employees (Table 23, p.36). For example, taking the same breakdown by size as in the EU for Romania would lead to a reduction of the average hours worked in this country by more than two hours. Substantial differences between the average hours worked are reported in the Baltic states. In Estonia, the average length of the working week for those working in the public sector was 38.5 hours in 2002, and 40.7 hours in the private sector. Polarisation of working time between sectors is even more marked in Latvia and Lithuania. In Latvia, the average working time in the public sector is 41.8 hours for men and 39.8 hours for women, but 47.8 hours for men and 44.9 hours for women in the private sector. In Lithuania, the average working week is 40.8 hours for men in the public sector but 45.4 hours in the private sector, the difference thus being 4.6 hours. This discrepancy between the public and private sector is explained in the Baltic states by a much higher proportion of employees declaring overtime work in the private sector than in the public sector (Antila and Ylöstalo, 2003). Meanwhile, Poland, for example, is characterised by a much lower difference according to national sources. However, this difference is not representative of the differences between public and private enterprises, as public administrations are also taken into account.

Table 22: *Employees: average usual hours and distribution by occupation*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
<b>Average usual hours</b>										
High-skilled non-manual	39.0	40.5	40.2	40.0	40.5	38.1	38.0	37.8	41.6	39.3
Low- and medium-skilled non-manual	45.4	40.8	43.1	42.4	47.0	45.8	42.5	48.3	42.0	40.2
Skilled manual	44.2	43.2	43.5	43.5	45.8	42.7	43.1	46.6	43.6	40.5
Unskilled manual	40.6	39.6	38.9	39.2	41.0	39.0	38.0	48.4	40.0	36.5
<b>Employment %</b>										
High-skilled non-manual	31.0	28.5	36.3	32.2	34.4	32.4	32.9	32.6	32.9	41.5
Low- and medium-skilled non-manual	21.0	31.6	16.5	23.4	19.8	21.1	22.7	22.4	20.8	20.8
Skilled manual	36.2	28.3	35.2	35.1	30.6	32.2	35.1	38.4	35.3	26.6
Unskilled manual	11.7	11.6	12.0	9.4	15.2	14.4	9.3	6.6	11.1	11.2

Source: *Foundation survey.*

*High-skilled non-manual: ISCO 1-3; low- and medium-skilled non-manual: ISCO 4-5; skilled manual: ISCO 6-8; unskilled manual: ISCO 9.*

Table 23: *Employees, average hours by firm size*

	Micro (1–9)	Small (10–49)	Medium (50–249)	Large (250+)
Bulgaria	44.2	41.3	42.0	41.1
Czech Republic	41.3	41.3	40.5	41.8
Estonia	40.8	41.5	42.7	42.5
Hungary	43.3	41.8	39.2	42.5
Latvia	43.8	43.7	43.2	44.3
Lithuania	42.0	40.9	40.8	43.2
Poland	43.1	39.4	40.1	42.2
Romania	45.3	44.3	42.5	37.4
Slovakia	42.0	42.5	42.3	42.7
Slovenia	40.5	39.1	39.2	39.3

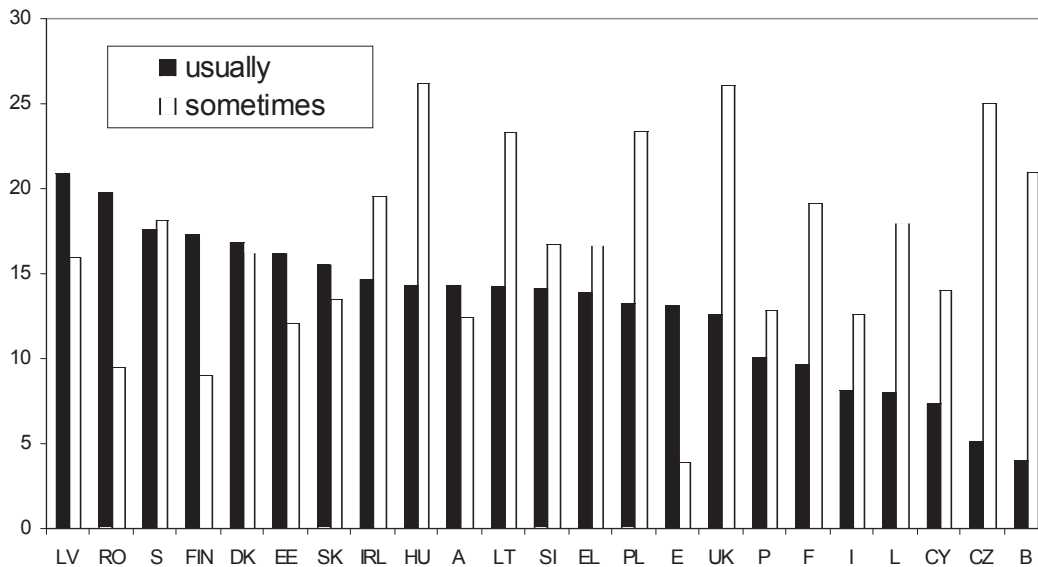
Source: *Foundation survey.*

## Organisation of working time

Figure 2 and Table 24 provide some information on the organisation of working time, especially on the occurrence of asocial hours (night, evening, Saturday and Sunday work). Results from the Foundation survey showing a high frequency of night work and Sunday work in the acceding and candidate countries are confirmed by other sources. The incidence of night work (Table 24, p. 38) is much less pronounced for employees than for the self-employed and in many countries is the same as the average for the EU (31% of night work for all workers), a result which is confirmed by LFS data.

According to the Eurostat ad hoc LFS module of 2001, acceding and candidate countries are characterised by a higher incidence of occasional Sunday work than in the EU. The Czech Republic, Hungary, Lithuania and Poland, for example, would belong to the European countries having the highest proportions of occasional work.

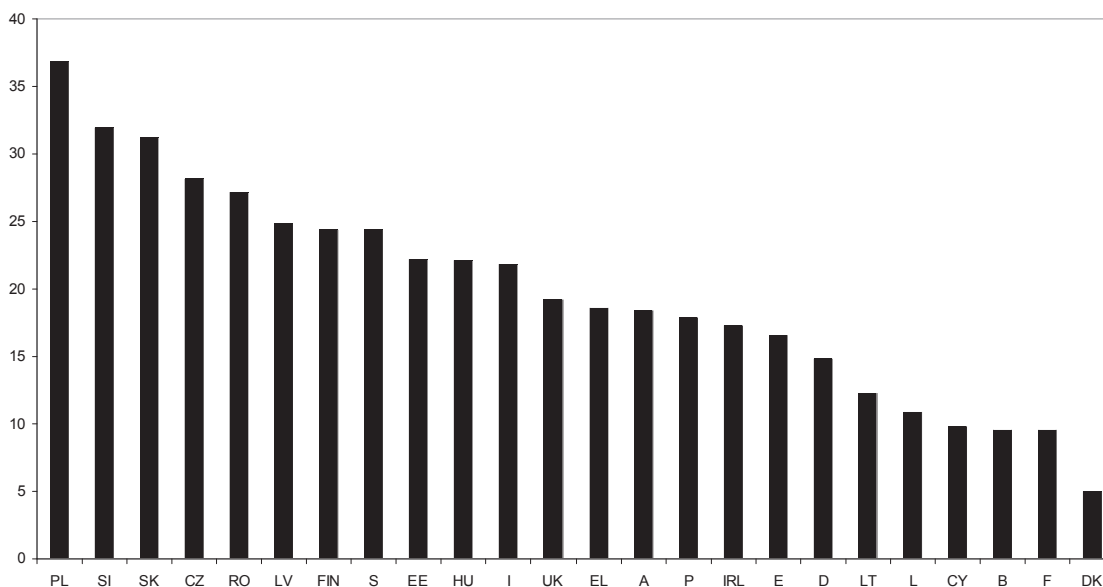
Figure 2: Incidence of work on Sundays, 2001 (in % of all employees)



Source: Eurostat LFS ad hoc module 2001.

The incidence of shift work is high on average in the acceding and candidate countries, especially in Bulgaria, the Czech Republic, Poland and Slovenia, according to the Foundation survey. This is confirmed by the Eurostat ad hoc LFS module of 2001, and can be partly explained by a higher share of industry in the acceding and candidate countries, although catering and transportation are also sectors with high proportions of shift work in the acceding and candidate countries. The proportion of shift work is very high in Poland according to the LFS (36.8% – higher than in the EU15). Forms of shift work have always been present in the Polish labour code, being most popular in the production of textiles, meat and furniture, as well as in hotels and restaurants (59% of employees according to the Foundation Survey).

Figure 3: Incidence of shift work, 2002 (in % of all employees)



Source: Eurostat LFS ad hoc module 2001.

Table 24: *Employees, occurrence of asocial hours (nights, evenings, Saturdays and Sundays)*

%	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
Night work	21.5	20.6	26.4	18.2	27.9	20.5	20.6	25.5	23.7	17.7
Evening work	37.1	38.8	51.4	30.5	51.3	42.2	37.5	43.2	40.4	39.1
Saturday work	47.3	46.0	54.1	44.9	60.4	52.4	58.6	61.7	33.9	52.8
Sunday work	32.5	29.6	43.7	25.9	43.5	32.7	25.8	36.7	33.9	22.6

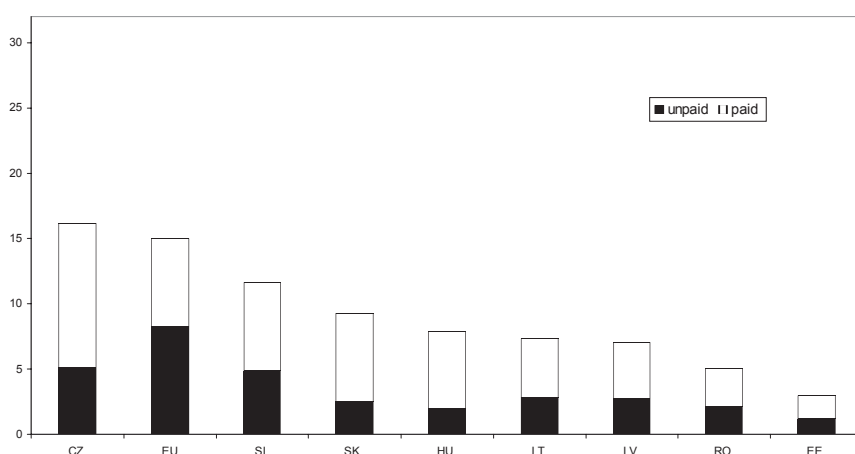
Source: *Foundation survey.*

One of the most interesting results on asocial hours concerns overtime hours, which the Foundation survey questionnaire does not directly ask about. According to the Eurostat ad hoc LFS module of 2001, the percentage of persons working overtime hours is on average relatively low in the acceding and candidate countries in comparison with the EU, except in the Czech Republic and, to a lesser extent, Slovakia and Slovenia. Moreover, the Eurostat ad hoc LFS module of 2001 reports a greater proportion of paid overtime hours in the acceding and candidate countries than in the EU15.

In Latvia, only 7.1% of persons work overtime, according to the Eurostat ad hoc LFS module of 2001. Considering the very long working week in Latvia, this result is striking. It is, however, contradicted by the Baltic barometer, according to which a high proportion of employees declared working overtime in the Baltic countries in 2002 (39% in Latvia and Lithuania and 28% in Estonia), a majority of whom were unpaid (at least in Latvia and Lithuania). This shows that employees do not consider the large number of hours they work as being normal, which has three implications.

1. It confirms the idea that the working week is very long in Latvia.
2. As the high incidence of overtime is also correlated in these countries with a high proportion of unpaid overtime, it may indicate that employment contracts are not always well adhered to.
3. Third, it raises the question of the accuracy of hours reported by the LFS. One of the main results concerning the acceding and candidate countries is indeed a high prevalence of the 40-hour norm in many countries. While it is impossible to draw a clear conclusion, the possibility that respondents are less likely to give normative answers in surveys focusing on working conditions than in a LFS cannot be excluded. But the opposite may also be true.

Figure 4: *Incidence of overtime work (in % of the employees), 2001*



Source: *Eurostat LFS ad hoc module 2001.*



# Part-time work

# 4

This section examines one of the main features of working time patterns in the acceding and candidate countries: there is a small proportion of part-time workers, and a relatively long working week of part-time workers, in comparison with the EU. Table 25 provides the distribution of part-time work by professional status and the average hours of part-time workers.

According to LFS data, the part-time ratio for all workers is 9.7%, compared with 18% in the EU. A low incidence of part-time work is observed in most countries, except in Romania (16.8%) and, to a lesser extent, Poland (10.2%) and Latvia (10%). A breakdown by professional status shows large differences among countries.

A higher part-time ratio for the self-employed than for employees is found in Bulgaria, Latvia, Lithuania, Slovenia and above all, Romania. A very high proportion of part-time workers work in agriculture in Romania. The Czech Republic, Estonia and Slovakia are characterised by a higher part-time ratio among employees than the self-employed. In these countries, and also in Hungary, the proportion of part-time workers employed in services is almost as high as in the EU (at least 75%).

The proportion of women working part time is on average lower in the acceding and candidate countries than in the EU, but the share is closer to EU levels in those countries having a high proportion of part-time workers working in services. Interpretation of the relatively long working weeks of part-time workers is more difficult, due to a lack of data. For the three countries where the breakdown by industry is considered to be reliable (the Czech Republic, Hungary and Poland), long working weeks of part-time employees are reported in manufacturing (the Czech Republic and Hungary) and real estate (Poland) (European Commission, 2003).

Table 25: *Part-time work by professional status*

%	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia	EU15
<b>Total employed</b>											
Part-time ratio	3.5	4.8	7.5	3.5	10.0	8.8	10.2	16.8	2.4	6.1	18.0
% women in part time	53.9	75.2	67.4	69.2	60.4	57.9	55.9	53.7	72.5	55.4	80.0
<b>Employees</b>											
Part-time ratio	2.4	5.1	7.1	3.2	6.5	7.5	7.3	1.2	2.5	4.4	15.0
% women in part time	59.3	76.5	71.1	72.0	67.9	65.9	56.4	48.6	75.0	57.6	–
<b>Self-employed</b>											
Part-time ratio	9.5	3.8	–	5.0	21.2	12.7	10.8	33.0	–	6.4	–
% women in part time	44.0	61.5	–	55.6	52.4	37.9	54.3	38.0	–	28.6	–

Data refer to usual hours, second quarter of 2001.

Sources: *Eurostat, national statistical offices.*

Table 26: *Part time work: average hours by professional status*

%	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia	EU15
Part time for total employed	21.7	24.6	22.3	24.0	23.0	22.7	22.8	27.4	24.3	19.8	–
Part-time employees	21.4	24.2	21.0	24.2	23.2	20.5	23.5	27.4	24.3	18.5	19.7
Part-time self-employed	–	21.1	–	23.2	–	25.4	22.3	26.8	–	20.6	–

Data refer to usual hours, second quarter of 2001.

Sources: *European Foundation for the Improvement of Living and Working Conditions, Eurostat, national statistical offices.*

Foundation survey data suggest that part-time workers are on average less satisfied with their working hours in the acceding and candidate countries than in the EU (65% of part-time workers are satisfied with their working time in the EU). In the acceding and candidate countries, the degree of satisfaction is on average much lower (46%). But the overall picture hides cross-country disparities, as part-time workers are generally satisfied with their working hours in Estonia, Hungary, Poland and Slovenia, whereas very low satisfaction is observed in Latvia and Lithuania.

This result is more or less confirmed by the LFS (see Figure 5): involuntary part-time work is high in Latvia and Lithuania, and a relatively high proportion of persons undertake voluntary part-time work in Estonia, Hungary and Poland. Part-time workers report other reasons for working part time in the Czech Republic, Hungary, Slovakia and Slovenia.

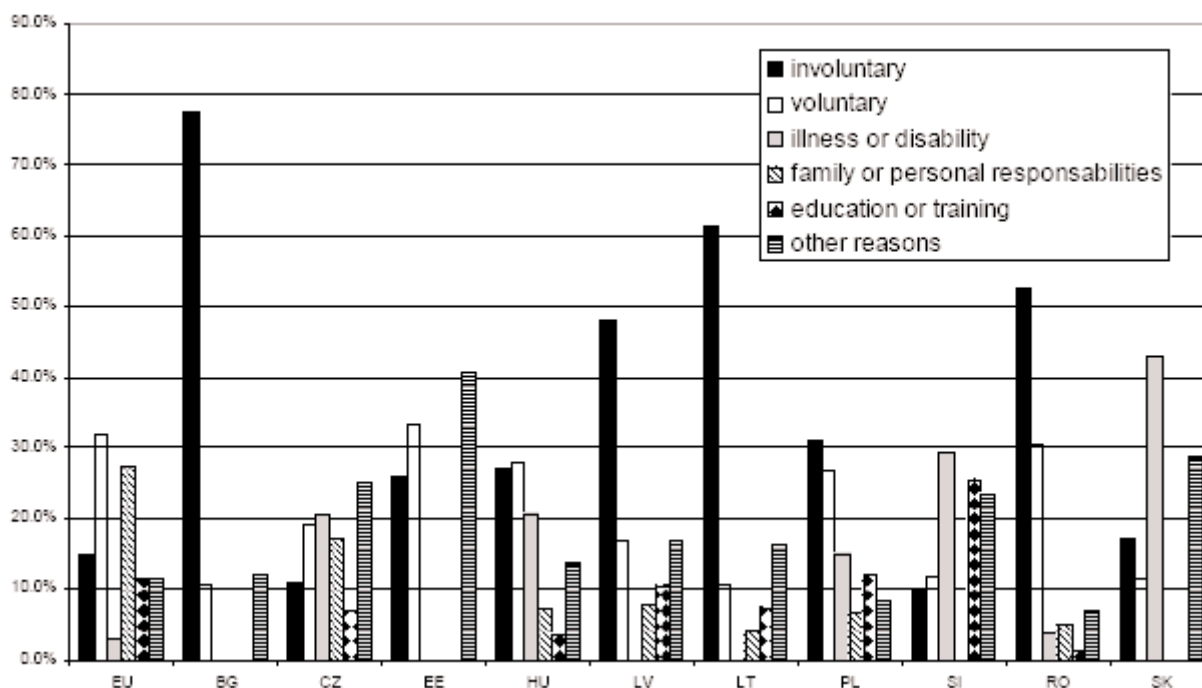
The Eurostat ad hoc LFS module of 2001 also reveals that illness or disability is a much more prevalent reason for working part time in many acceding and candidate countries than in the EU. This is the case in the Czech Republic, Hungary, Slovakia and above all in Slovakia, where over 40% of persons working part time do so for reasons of illness or disability. Personal reasons, meanwhile, are much less prevalent in the acceding and candidate countries than in the EU, in particular in Romania, where only 5% of people work part time for personal reasons, compared with 27% in the EU.

Table 27: Satisfaction with hours worked by part-time workers

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
More hours	24.8	29.3	18.9	22.2	42.0	50.4	22.1	29.0	32.9	8.9
Less hours	13.9	8.2	9.2	11.9	11.6	6.1	5.5	15.1	7.0	26.3
Same	40.7	43.8	67.1	62.4	37.5	31.1	61.5	44.1	40.4	61.1

Source: Foundation survey.

Figure 5: Reasons for working part-time (in % of the employees working part-time)



Source: Eurostat

In conclusion, data suggest that some of the cross-country structural specificities of part-time work can be explained by socio-economic factors. The predominance of part-time employment in services and a high proportion of women in part-time employment are characteristic of some successful 'catching up' countries (notably the Czech Republic, Estonia, Hungary and Slovakia).

A predominance of part-time employment in agriculture, an absence of satisfaction with working hours and a lower proportion of women working part time is typical of the countries that have been less successful or whose economies were severely affected at the beginning of the transition (Bulgaria, Latvia, Lithuania and Romania). Poland emerges as a mixed country, where the proportion of part-time workers in agriculture is high, but where the proportion of involuntary part-time work is much lower than in the preceding group of countries.

Economic factors may also influence the overall low level of part-time work in the acceding and candidate countries. Except for Slovenia, a common feature of part-time workers is that very few workers are interested in shortening their work duration, and in most countries a low level of wages is considered as a reason for working longer hours.

The main findings of the research into working time in the former acceding and candidate countries are as follows.

- On average, employees undertake four to five more hours' work per week in the acceding and candidate countries than in the EU. A vast majority of employees in the acceding and candidate countries work 40 hours, but the occurrence of long working weeks is also high.
- Comparing across the acceding and candidate countries, several dimensions of working time can be explained by economic and structural factors, such as multiple job holding, the low occurrence of part-time work, the satisfaction of part-time workers with their working hours, the high incidence of shift work and the working time of the self-employed.
- The working time regulatory framework, which has undergone many changes since the beginning of the transition in the acceding and candidate countries, is characterised by the prevalence of the 40-hour working norm and flexible working time provisions, but, until very recently, by limited regulation of part-time work.
- Several factors suggest that the socio-economic context prevailing in the acceding and candidate countries, including in particular a low coverage of collective agreements, may play an important role in explaining key differences with respect to the EU in the area of working time.
- Cultural factors are a determining factor for explaining the low incidence of certain regulatory provisions in some countries.

Examination of the regulatory framework, and above all of the conditions of its enforcement, allows us to clarify several of the Foundation survey findings. First, it reveals that until very recently, part-time contracts covered quite different situations of work in the acceding and candidate countries. Moreover, the regulation of part-time work was limited. Along with the socio-economic factors described in Chapter 1 of the report, this could have contributed to explaining the difference in working time patterns of part-time workers in the acceding and candidate countries compared to those of the EU.

In many countries, until recently part-time work was considered simply as a contract with reduced hours, allowing the employer to react to a decline in business activity or regulating marginal or very flexible forms of work. Few countries guaranteed the right to work part time to specific categories of employees, and social benefits were not always the same as for full-time workers for the most flexible types of part-time contracts, as, for example, in Slovakia. Some provisions could also have encouraged employers to declare false part-time workers, specifying shorter hours than those actually worked. These elements could contribute to explaining the still relatively high proportion of men working part time in the acceding and candidate countries.

Second, regulations concerning full-time employment may contribute to explaining some aspects of the working time patterns of the acceding and candidate countries. Until very recently, several areas of the regulatory frameworks for full-time employees were in a transitional phase. This was the case for:

- reductions in the number of working days and shortening of the working week at the beginning of the 1990s in Romania, Slovakia, the Czech Republic and Poland: the five-day, 40-hour working week was established between 1996 and 2003 in Poland, in 2001 in the Czech Republic and in 2002 in Slovakia;
- permitting more flexible working schemes;
- introducing weekly and daily ceilings for hours worked;
- new provisions for night work and specific categories of workers.

These changes, combined with significant socio-economic transformation, are certainly a major determinant for understanding the working time patterns of the acceding and candidate countries.

In 2001, standard legal working time was above 40 hours in three countries: the Czech Republic (42.5 hours), Slovakia (42.5 hours) and Poland (42 hours), although in the Czech Republic, for workers covered by collective agreements, working time was lower (39.6 hours). These provisions may contribute to explaining the relatively longer working week of full-time employees observed for Poland and Slovakia in the LFS in 2001 in comparison to the other acceding and candidate countries. They may also shed light on the relatively shorter working week for the Czech Republic in comparison to Poland and Slovakia, observed not only on average, but for most branches of activity in LFS data.

There also appears to be some coherence between the information collected on the regulations relative to overtime work and the incidence of overtime, as measured by the Eurostat ad hoc LFS module of 2001. A relatively high incidence of overtime work is declared by employees in the Czech Republic, Hungary and Slovakia in comparison to other acceding and candidate countries. These countries are also characterised by a high upper limit of overtime hours, and, in the case of the two former countries, few compensation provisions and considerable discretion with regard to the conditions for using overtime. The strictest regulations, meanwhile, are observed in Lithuania and Romania, which belong to a group of countries in which the incidence of overtime work is low relative to other acceding and candidate countries. In all those countries having recently experienced a decrease in the working week, it may be expected that overtime would be undertaken during the transition to the lower standard working time.

Many factors could contribute to explaining the high proportion of employees working very long weeks. In some countries, the 48-hour ceiling prevailing in the new labour codes is lower than the usual amount worked in certain jobs. This is the case for Hungary, but could also be true elsewhere. Due to the low coverage of collective agreements, especially in the private sector and small enterprises, employees in the acceding and candidate countries have in many cases little opportunity to bargain over overtime hours, and violations of the overtime ceilings have been reported (for example, in Hungary and Poland). These factors could contribute to explaining the very long working hours in Latvia, where there is a very low coverage of collective agreements and a very high proportion (70%) of employees working in micro and small enterprises.

Third, part of the divergence among countries may be explained by different attitudes towards overtime work among countries. In Romania, for example, the mentality of employees who started their careers in government, or government-owned, institutions is that the regular working time is eight hours a day. Overtime is not considered acceptable and quite frequently people would either refuse to work overtime or be surprised if they are required to. But an increasing number of younger workers who started their careers in the private sector find that the standard working day is 10 to 12 hours long, and that working weekends is common.

A similar attitude towards work may perhaps contribute to explaining why working weeks of young employees are also the highest of all age groups in Bulgaria, Latvia, Lithuania and Poland. However, the case of Hungary is very different: longer overtime hours were already allowed in the last decade of socialism, and were considered by workers to be an important way of raising wage levels.

Cultural differences may also explain the relatively low incidence of flexible working schemes in the acceding and candidate countries. In Poland, a survey conducted by the Institute of Labour and Social Affairs in 1999 revealed that almost half of managers admitted that they were unaware of the flexible forms of work popular in Western economies. A lack of managerial sophistication could be another obstacle to promoting flexibility.

In Slovakia, 33% of collective agreements contain provisions about flexible working time. But a survey by the Research Institute for Labour in 152 companies shows that companies identify many barriers to the introduction of flexible working schemes. Structural reasons are also shown to be of significance by the finding, in the same survey, that 61% of respondents declared that operating conditions represented an impediment to introducing flexible working patterns.

Nevertheless, the structural changes seem to have induced some changes in the perception of overtime hours in some countries. In Hungary, a recent survey revealed that some employees do not work overtime voluntarily. However, not working overtime may be a disadvantage when it comes to promotion and salary rises. In the Czech Republic, overtime remains an important part of monthly income in some professions, and is well accepted as a result. But there are a number of jobs where employers expect employees to work overtime without any compensation, and this expectation is usually a precondition for the job, so that the employee has very little room for complaint.

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# Appendix

Table A: *Main characteristics of the LFS in the acceding and candidate countries*

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
First year	1993	1992	1995	1992	1995	1994	1992	1994	1993	1993
Title of the survey	LFS	LFS	Estonian LFS	LFS	LFS	LFS	Polish LFS	LFS (AMIGO)	LFS	LFS
Organisation	National Statistical Institute of the Republic of Bulgaria (NSI)	Czech Statistical Office (CSU)	Estonia Statistics Bureau (RBSCE)	Hungarian Central Statistical Office (HSCO)	Central Statistical Office (CSB)	Statistical Office Lithuania	Central Statistical Office		Statistical Office of the Slovak Republic	Statistical Office of the Republic of Slovenia
Frequency	Three times a year since 1995	Quarterly, continuous survey since 1998 (seasonal quarters before 1998)	Quarterly, continuous since 1997 (annual before 1997, first quarter)	Monthly (quarterly for the results). Ref. week: contains the 12 <sup>th</sup> day of the month.	Biannual	Biannual (May and September)	Quarterly 1992–1999 (middle month of the quarter), continuous since the fourth quarter of 1999.	Quarterly since 1996, continuous. Annual before 1996 (March)	Quarterly, continuous, seasonal quarters	Annual 1993–1996, quarterly and continuous since April 1997
Population	15+ excluding collective households	15+	15–74 (15–69 before 1997)	15–74, excluding collective households	15+ excluding collective households and conscripts	14+ (14–74 before 1997)	15+, excluding collective households	15+, excluding institutions	15+, excluding collective households, and conscripts before 1997	All persons living in private households, collective households excluded
Available years for the analysis	-	1993–2002	1997–2002	1992–2001 for most of the data	2001 and 2002 for most of the data	-	1996–2002 for most of the data	1996–2002	1994–2002	-
Size of the sample in 2000 (number of households)	24,000	26,000	2,000	37,000	8,000	3,000	24,000	18,000	10,000	7,000

Table B: *Professional status and hours worked collected by the national LFS (main job). Definition and correspondence with the EU LFS variables*

Country	Professional status according to the national survey	Correspondence with the EU LFS
Czech Republic	1998 B208: (1) Employee or person working for salary or other kind of remuneration (2) Member of production cooperative (3) Entrepreneur without employees (4) Entrepreneur with employees (5) Family worker	B208 (1) and (2): employee B208 (3): self-employed without employees B208 (4): self-employed with employees B208 (5): family worker
Estonia	1998 C12: (1) Employee (2) Employer (3) Farmer with paid employees (4) Sole proprietor (5) Farmer with no paid employees (6) Freelancer (7) Unpaid family worker (8) Other	C12 (1): employee C12 (4), (5) and (6): self-employed without employees C12 (2) and (3): self-employed with employees C12 (7): family worker.
Hungary	1997–1998 Q31 i (1) Employee in an enterprise (2) Employee in a cooperative (3) Employee working for self-employed (4) Casual worker (5) Member of a cooperative (6) Member of LTD (7) Member of limited partnership or other similar venture (8) Self-employed without employee (9) Self-employed with one to 10 employees (10) Self-employed with more than 10 employees (11) Unpaid family member	Q31 (1), (2), (3) and (4): employee Q31 (5), (6), (7) and (8): self-employed without employees Q31 (9) and (10): self-employed with employees Q31 (11): family worker



Table B: *Professional status and hours worked collected by the national LFS (main job). Definition and correspondence with the EU LFS variables (cont.)*

Country	Professional status according to the national survey	Correspondence with the EU LFS
Lithuania	2002 Q17 During the reference week were you: (1) Employee, working by written agreement (2) Employee, working by verbal agreement (3) Farmer without employees (4) Small farmer (5) Holding a patent (6) Other person working as self-employed without employees (7) Family worker (8) Farmer with employees.	?
Poland	1998 Q17 (1) Self-employed (2) Full-time employee (3) Part-time employee (4) Unpaid family worker  Q19: Did you employ contract workers during the reference week. (1) yes (2) no.	Q17 (2) and (3): employee Q17 (1) and Q19 (2): self-employed without employees Q17 (1) and Q19 (1): self-employed with employees Q17 (4): family worker
Romania	1998 Q3 (1) Employee (2) Employer (3) Own-account worker (4) Unpaid family worker (5) Member of an agricultural enterprise (6) Member of a non-agricultural enterprise	Q3 (1): employee Q3 (3), (5) and (6): self-employed without employees Q3 (2): self-employed with employees Q3 (4): family worker
Slovakia	1998 B13 (1) Employee for wage, salary or other kind of remuneration in public sector, private enterprise, cooperative farm or other cooperative organisation, in other type of organisation (2) Member of production cooperative (3) Entrepreneur without employees (4) Entrepreneur with employees (5) Contributing (unpaid) household member in family enterprise (6) Worker not classifiable	B13 (1) and (2) employee B13 (3) self-employed without employees B13 (4) self-employed with employees B13 (5) family worker
Slovenia	1997–1998 Q23 (1) Employee in an enterprise, organisation (2) Employee as an artisan (3) Employee as a freelancer (4) Employee as a farmer (5) Works in own enterprise (6) Artisan (7) Farmer (8) Freelance (9) Unpaid family worker (10) Contract work type (1) (11) Contract work type (2) (12) Cash in hand work  Q24 Do you have employees? (1) yes (2) no	Q23 (1) to (4) and (10), (11), (12) employee Q23 (5), (6) (7) (8) and Q24 (2) self-employed without employees Q23 (5), (6), (7), (8) and Q24 (1) self-employed with employees Q23 (9) family worker

Source: Eurostat: *LFS in Central and East European countries, Methods and Definitions, 2000 Edition*.

Table C: Time use surveys in the acceding and candidate countries

	Year	Inclusion in the HETUS
Bulgaria	1996, 2001–2002	Yes
Czech Republic	1990	No
Estonia	1999–2000	Yes
Hungary	1986–1987, 1992, 1993, 1996, 1999–2000	Yes, from 1996 on
Latvia	1996	Yes
Lithuania	1997	Yes
Poland	1996, 2001	Yes
Romania	1996, 2001	Yes
Slovakia	1996	Yes
Slovenia	1996, 2000–2001	Yes

Source: MTUS, Institute for Social and Economic Research (ISER), Essex.

Table D: Main characteristics of the establishment surveys in the acceding and candidate countries

	Poland (1)	Poland (2)	Estonia	Lithuania	Hungary	Czech Republic	Slovakia	Romania	Slovenia
Source for this table	ILO	National.	ILO	ILO	ILO	ILO	ILO	ILO	ILO
First year	1997 (merging of two previous surveys (started in 1955–1956))		1995	1991	1976	1948 (1992 for the data published by ILO)	1994	1993	1962
Title	Report on employment, earnings and hours of work		Survey of wages and salaries	Monthly earnings survey	Employment and earnings survey	Report on employment and wages	Structure of wages of employees in the Slovak Republic	Distribution of employees by wage groups and salaries by occupation	Monthly reporting on earnings and persons in paid employment in enterprises, companies and organisations
Organisation	Central Statistical Office	Central Statistical Office	Statistical Office of Estonia	Statistics Lithuania	Hungarian Central Statistical Office (HSCO)	Czech Statistical Office (CSU)	Statistical Office of the Slovak Republic	National Commission for Statistics	Statistical Office of the Republic of Slovenia
Frequency	Annual, for hours of work	Annual	Quarterly	Monthly	Monthly and annual	Quarterly and annual	Annual	Annual, October	Monthly
Reference period	The whole year (for hours)	The whole year	Each month of each quarter	Full month	Full month or full year	Full quarter or full year	Calendar year	Month of October	The whole month
Coverage industry	All economic activities, except private farms and public administrations (?)		All economic activities except domestic services (A–O) and armed forces	All economic activities except domestic services since 1994; public sector only until December 1993	All economic activities since 1997; all enterprises of the socialised sector before 1992		All economic activities except P and Q	All non agricultural industries, state and semi-public sector	All economic activities; socialised sector up to 1992
Size	All sizes for hours	Over nine employees and some smaller establishments	All sizes	All sizes	5/10/20 or more employees (depending on the years available)	Dependent on economic activity	All sizes since 1997	All sizes	All sizes in the public sector, 3+ in the private sector
Workers	All persons employed; employees separate	All, part time converted into full-time equivalent	All employees (full, part time)	Full-time employees	All employees since 1998, full-time manual workers prior to 1998	Wage earners (manual/ production workers)	Employees (separately collected for full/part-time workers)	Full time employees (for hours)	Employees
Definition of working time	Hours paid, normal hours, hours actually worked	Hours paid, normal hours, hours actually worked, overtime hours	Hours actually worked	Hours paid	Hours actually worked	Hours actually worked (normal hours plus overtime)	Hours actually worked, normal hours	Normal hours, paid hours	Hours paid

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