

CONVENTIONS, DIRECTIVES AND STUDIES

ILO Convention No. 171 - Night Work, 1990

ILO Convention No. 47 - Forty-hour week, 1935

ILO Convention No. 14 - Weekly Rest (Industry), 1921

ILO Convention No. 1 - Hours of Work (Industry), 1919

2017/C 165/01 - Interpretative communication on Directive 2003/88/CE of the European Parliament and Council concerning certain aspects of the organisation of working time.

Directive 2003/88/CE - European Parliament and Council, of 4 November 2003, concerning certain aspects of the organisation of working time.

ILO Study: "Working Time Around the World" - Trends in working hours, laws and policies in a global comparative perspective" - 2009.



TCFL Textiles, Clothing, Footwear and Leather



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The Textiles, Clothing, Leather and Footwear Industries have a strong tradition and history in Europe and continue to play a crucial role in the economic and social system of European Union countries and countries wanting to join the EU. These sectors typically involve intensive work routines and long hours.

In recent decades, because of the implementation of new economic models, labour relations have been worsening and the organisation of work hours in companies has been one of the areas most affected. The last few years has brought considerable changes in technology (ICT equipment), in the markets (globalisation and more intense competition) and at political level affecting the workers. New ways of organising work have emerged, characterised by the increase in the daily and weekly intensity, flexibility and diversity, at the same time that the social dialogue and collective bargaining have suffered the consequences of the economic and financial crisis.

The social dialogue and collective bargaining concerning the regulation and organisation of work hours must be resumed to shorten the hours worked.

According to the ILO, working hours are becoming increasingly diversified, decentralised and individualised. This raises new questions related to social inequalities related to work time, especially regarding gender and conciliating work and family and social life.

The "decent work" concept defined by the International Labour Organisation (ILO) aims to promote equal opportunities for women and men to obtain decent and productive work, in conditions of freedom, equality, security and dignity.

The ILO outlines five interrelated aspects for "decent duration of work" that it urges employers to implement: preserve health and safety; be favourable to the family; promote gender equality; increase productivity; and facilitate the choice and decision of the worker in the organisation of the work.

The protection of the health and safety of the workers by limiting the work hours is enshrined in the ILO Convention no. 1, Work Hours (Industry) of 1919; as well as the protection of the health and safety of the workers through limits on work hours of Convention no. 047 of 1935 on the reduction of the working week to 40 hours, which came into effect on 23 June 1957.

In turn, the Community Charter of Fundamental Social Rights of Workers stipulates the following: "The completion of the internal market must lead to an improvement in the living and working conditions of workers in the European Community. This process must result from an approximation of these conditions while the improvement is being maintained, as regards in particular the duration and organisation of working time and forms of employment (...)"



DIRECTIVE 2003/88/CE OF THE EUROPEAN PARLIAMENT AND COUNCIL of 4 November 2003, on certain aspects of the organization of work time, states that all workers should be entitled to sufficient rest, and all the Member States should take measures needed to ensure compliance with the minimum periods of daily, weekly and annual rest, as well as having breaks and a maximum duration of the working week.

With regard to the pace of the work, **DIRECTIVE 2003/88/CE** states that "Member States shall take the measures necessary to ensure that an employer who intends to organise work according to a certain pattern takes account of the general principle of adapting work to the worker, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate, depending on the type of activity, and of safety and health requirements, especially as regards breaks during working time".

Directive 2003/88/CE of the Council also stipulates in its principles that:

- "The improvement of workers' safety, hygiene and health at work is an objective which should not be subordinated to purely economic considerations."
- "To guarantee the safety and health of the Community workers, they must be granted minimum daily, weekly and annual periods of rest and adequate breaks. It is also necessary in this context to place a maximum limit on weekly working hours."

It has been shown that long working hours on a regular basis have direct negative consequences on productivity, cause increased fatigue and dissatisfaction and reduces motivation in the workplace and consequently leads to higher rates of absenteeism and turnover of the workers.

The Social Dialogue must promote the implementation of the conventions, directives and recommendations of the international and European institutions to regulate work and rest hours and progressively reduce the daily and weekly hours worked. This will minimise work accidents caused by long work hours, minimise the occurrence of occupational diseases, in particular the emergence of psychosocial diseases caused by stress and monotonous and repetitive work (typical of these sectors) and therefore reduce the rates of absenteeism and simultaneously promote productivity.

The social dialogue and bargaining at national, sectoral and company level are crucial to increase the coverage and efficacy of social protection in a sustainable manner, and should keep in step with the needs of the companies and the current climate to ensure dignified working conditions.