



# **INNOVATIVE AND FLEXIBLE APPROACHES TO WORKING TIME**

## **COMPARATIVE REPORT**

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## 1. INTRODUCTION TO THE INNOVAWORKING RESEARCH

### 1.1. The InnovaWorking project: a dual approach to establish innovative proposals on the organisation of working time

The InnovaWorking research focuses on innovative working time experiences taking a dual approach. On the one hand, the research has analysed innovative agreements that provide for shorter working times. It appears that one of the dilemmas related to working time reduction theories is whether or not a reduction in working time implies a reduction in wages. It is clear that there are basically two ways that a reduction in working time can be achieved, according to current legislation. One is achieved in part-time work, and the other in full-time work. In the case of part-time work, the reduction in working time is accompanied by a pay reduction, whereas in the case of reduced full-time work, the pay remains unchanged. In this case, however, the employee works fewer hours due to a legal restriction related to the nature of the activity or due to a work organisation decided by the employer or the employee himself.

On the other hand, the research has focused on more flexible working hours, including hybrid and remote working practices. The extent to which these innovative agreements contribute to a better work-life balance will be a central focus of the research. This may include a wide range of initiatives such as changes to shift work, annual leave and other new approaches to the organisation of working time. It has also studied the response of trade unions and employers to trends towards longer hours and problems created by zero-hour or low-hour contracts.

The research has attempted to investigate and analyse innovative policies on working time arrangements that have been negotiated between trade unions and employers in both the public and private sector. With this premise, the objectives of the project may be summarised in the following research questions:

- 1. What kind of innovative and best short-time work practices/flexible working time arrangements can be observed within European workplaces (specifically, in the six country studies)?*
- 1.2. What kind of hybrid and teleworking practices (combined with flexible working time arrangements) can be observed in the countries under study?*
- 1.3 At which level (company, sector or national) are these agreements negotiated?*
- 2. What are the drivers, barriers, and consequences of the introduction of short-time and flexible working (including telework/remote work) arrangements?*
- 2.1. Under which circumstances do trade unions and employers argue for arrangements that reduce working time?*



- 2.2. *What are the strategies of bargaining partners to negotiate short-time work practices?*
- 2.3. *What is the underlying ideational motivation of social partners to argue for working time reduction?*
- 2.4. *How has ideational motivation changed over time?*
- 2.5. *How does it vary between industrial relations systems?*
- 2.6. *What are the experiences of (organised) employers and employees, both in financial and non-financial terms, regarding short-time and flexible working practices?*
- 2.7. *How does the legal system and institutional setting facilitate or limit the introduction of short-time/flexible work practices?*
- 2.8. *How does the Human Resources/Personnel department cooperate to facilitate working time arrangement or to support reducing time?*
- 2.9. *Is it mandatory to record working time in your country? Does it work?*

In this report it is presented the overall comparative findings of the InnovaWorking project. The report is based on six case studies conducted by highly experienced academics and researchers in the field of industrial relations in these countries, together with additional literature and data sources. In the case in which no references to specific sources appear, the information has been taken from the case studies of the InnovaWorking project. These case studies include:

- Finland: Aino Salmi, Garima Singh, Minna van Gerven (University of Helsinki) and Satu Ojala (Tampere University).
- France and the Netherlands: Nuria Ramos Martín (University of Salamanca).
- Hungary: Sára Hungler (Eötvös Loránd University).
- Ireland: Prof. Dr. Dagmar Schiek, Dr Mary Naughton, Artis Mazeiks (University College Dublin, UCD).
- Spain: Prof. Dr. Francisco Javier Gómez Abelleira, Ana Belén Muñoz Ruiz, Pablo Gimeno Díaz de Atauri, Jesús R. Mercader Uguina, Víctor Maneiro Hervella and Lourdes Sánchez-Galindo Más and (Carlos III University of Madrid).

One relevant goal of the research was to select the cases in an attempt to include a large number of sectors. However, most of the cases affect employees from one company and not all employees of the sector. In this sense, the cases selected for the InnovaWorking project include the following sectors:



*Table 1: Sectors covered by InnovaWorking research*

Whole economy (managers)
C Manufacturing
F Construction
G Wholesale and retail Trade
H Transportation and Storage
I Accommodation and Food Service Activities (en)
K Telecommunication, Computer Programming, Consulting, Computing Infrastructure and other Information Service Activities
L Financial and Insurance Activities
P Public Administration and Defence; Compulsory Social Security
Q Education

## 1.2. Diversity of industrial relations schemes: different levels of state intervention, voluntarism principle and ineffective social dialogue

The European countries under review display an impressive diversity of institutional forms and paths of evolution in industrial relations. The countries involved in this project represent a variety of institutions in the collective bargaining regimes. This is of great relevance since the role of the collective agreement in addressing working time reduction or flexible working time arrangements is a relevant issue in the InnovaWorking research.

We can group together the southern European countries, France and Spain, which are characterised by more state-regulated production and industrial relations regimes. Both countries have high collective bargaining coverage (94% in France, 91.8% in Spain), are dominated by sector-level bargaining and have a relatively higher state role in collective bargaining. Despite some processes of intensification of company-level bargaining or social dialogue at the enterprise level or the growth of formal opportunities to derogate from central regulations, sector bargaining was not displaced. Concerning the state's role in industrial relations, in France and Spain, the state has traditionally played an active role, directly intervening in the legal regulation of collective bargaining. In this sense, in these countries, labour laws play a crucial role in shaping working time flexibility within their respective contexts.



The second group of countries contains Finland and the Netherlands, revealing similar and high percentages of collective bargaining coverage (83.9% in Finland and 89% in the Netherlands). The biggest institutional difference between these countries lies in the fact that the Netherlands has a dual-channel system for worker representation. Although trade union density in Finland has been characterised by very high levels, this data has been declining over recent years in Europe. The declining levels of unionisation in Finland have been associated with the possibility, since the late 1980s, of joining an unemployment fund without joining a trade union. This departs somewhat from the so-called ‘Ghent system’<sup>1</sup>.

The Dutch system represents a model of a coordinated market economy with social partnership in which sector agreements are frequently made binding (by the Ministry) for all companies under their scope in that sector<sup>2</sup>. In Finland, national collective agreements form an essential part of the Finnish industrial relations. Normally applicable collective agreement is binding for those employers who are members of an employer organisation and their employees who work in an area that falls under the collective agreement's scope of application. Generally applicable collective agreements bind all employers operating in the field of the collective agreement in question. This means that employers who are not members of employer organisations are also obligated to follow the collective agreement. Generally applicable collective agreements establish a minimum standard of conditions that all employers must follow, and contracts having inferior conditions are invalid<sup>3</sup>.

In the third group of countries, the difficulties in negotiating innovative working time conditions appear to be more significant. This is the case of Ireland and Hungary. Regarding the low numbers of employees covered by sector bargaining, Ireland and Hungary are the two countries in our projects having low collective bargaining coverage: 43% in Ireland and 20-30% in Hungary.

Ireland presents a liberal market economy and a pluralist and fragmented industrial relations regime<sup>4</sup> with an institutional framework based on voluntarism tempered by corporatist elements. Under voluntarism, collective bargaining depends on the strength of trade unions to convince employers to engage in negotiations. Correspondingly, the Irish Courts have not read freedom of association as guaranteed in the Irish constitution as comprising the right to bargain collectively and engage in industrial action, while also branding regulatory effects of collective agreements as potentially impermissible

<sup>1</sup> SALMI, Aino, KARVINEN, Suvi, VAN GERVEN, Minna, and OJALA, Satu, Finland fiche, InnovaWorking project, 2024.

<sup>2</sup> VAN DER KLUFT, Priscilla and RAMOS MARTÍN, Nuria, Netherlands fiche, InnovaWorking project, 2024.

<sup>3</sup> SALMI, Aino, KARVINEN, Suvi, VAN GERVEN, Minna, and OJALA, Satu, Finland fiche, InnovaWorking project, 2024.

<sup>4</sup> TROS, Frank, Comparative report CODEBAR project, 2022.



delegation of legislative powers.<sup>5</sup> Accordingly, collective agreements do not bind the parties of the contract of employment without explicit incorporation in its terms. Yet legislation, last amended in 2015, allows giving legal effects to collective agreements by registering them as Registered Employment Agreements (REAs), which bind workers and employers whose organisations are party to the agreement. Further Sectoral Employment Orders (SEOs) as generally applicable statements of employment conditions may result from a process starting with an application by a representative trade union to the Labour Court and culminating in a ministerial order, which was accepted as constitutionally viable.<sup>6</sup> Also, employers consistently refusing to engage with trade unions can be subjected to an investigation by the Labour Court potentially resulting in a recommendation for dispute resolutions.<sup>7</sup> With a view to increasing collective bargaining, a special working group of the national Labour Employment Economic Forum on the future of collective bargaining was convened, whose recommendations constitute the base of the government's consultation on an action plan to promote collective bargaining.<sup>8</sup>

By contrast, in Hungary, although the formal structures of social dialogue exist and meet the technical requirements of democratic provisions, they are dysfunctional in practice at both national and workplace levels. The main reason is because these institutions are not used to fostering genuine discussion or debate, but rather, they operate in a top-down manner, with the central government taking cues from its strategic partners to shape employment policies. Another major difference between Hungary and Ireland is that the latter possesses no system of works councils based on the law or collective agreements between trade unions and employer confederations<sup>9</sup>.

<sup>5</sup> Irish Supreme Court *McGowan v Labour Court* [2013] IESC 21, [2013] 3 I.R. 718).

<sup>6</sup> Irish Supreme Court *Náisinuta Leictacht v The Labour Court, Minister for Business and Enterprise, and Ireland* [2021] IESC 36.

<sup>7</sup> More detail see SCHIEK, Dagmar; NAUGHTON, Mary and MAIRr, Paul, *Country Fiche Ireland* 2024, pp 6-8.

<sup>8</sup> See <https://enterprise.gov.ie/en/consultations/consultation-on-irelands-action-plan-on-the-promotion-of-collective-bargaining.html> (28 April 2025)

<sup>9</sup> PAOLUCCI, Valentina, ROCHE, William K, and GORMLEY, Tom, *Decentralised Bargaining in Ireland*, CODEBAR project, 2022, p. 15.





Table 2: *Characteristics of collective bargaining regimes in six European countries*

Country	Trade union density	Work Council	Collective bargaining coverage	Dominant bargaining level	Legal working time limit
Spain	16%	Y	91.8%	Sector	40 hours per week
France	9%	Y	94% (98% including public enterprises)	Sector	35 hours per week
the Netherlands	16.3%	Y	80%	Sector	48 hours <sup>10</sup>
Finland	54.7%	N	83.9%	Sector	40 hours per week
Ireland	28%	N	43%	Company	48 hours <sup>11</sup>
Hungary	10%	Y	20-30%	Company	40 hours per week

### 1.3. Is there an emerging debate on the issue of reductions in working time/ flexible working time arrangements?

The research points out that the French case has been a pioneer in the commitment to balancing professional and personal lives, albeit through different mechanisms such as the 35-hour standard working week and the explicit recognition of the right to disconnect. The French experience with the 35-hour working week, implemented through the Aubry

<sup>10</sup> Although most collective agreements negotiate approximately 38-40 hours per week.

<sup>11</sup> In view of the Organisation of Working Time Act 1997, the overall maximum of 48 hours per week is calculated within a 4-month reference period. This means that in individual weeks, the working time may be higher. The Organisation of Working Time Act also implements the exceptions provided for in the EU Working Time Directive (see also Country Fiche Ireland).

laws, introduced significant changes to working time regulations and collective bargaining. This law reaffirmed the 35-hour working week and provided social partners with greater negotiation freedom, including flexibility in calculating working time annually and making separate arrangements for managerial staff. The key elements of the working time reduction included a substantial decrease in legal working hours, increased autonomy for social partners, reduced tax contributions, and enhanced flexibility for the company in arranging working hours.

In 1998, France introduced the 35-hour working week policy (Aubry Laws), in an attempt to lower unemployment and promote a better work-life balance for employees. By reducing the standard working hours from 39 to 35 hours per week, employees had more time for leisure, family, and personal activities, leading to improvement in well-being and quality of life. While its purpose benefits workers, it is essential to note that the impact of the 35-hour working week can vary depending on factors such as industry, company size and regional economic conditions<sup>12</sup>.

The Aubry laws themselves do not contain specific litigation procedures within their articles. They focus mainly on establishing the legal framework for working hours, overtime and related matters. However, litigation procedures related to disputes arising from the application or interpretation of the Aubry laws would typically fall under general labour law and employment law procedures. These procedures may involve mediation, arbitration or adjudication in labour courts. The code establishes procedures for mediating or arbitrating in disputes between employers and employee representatives, including those related to working time.

Spain is following the French example. In 2018, the right to disconnect was regulated in the “Organic Law 3/2018 of 5 December on Personal Data Protection and the Guarantee of Digital Rights”<sup>13</sup>. Currently, the Spanish Government with the support of its major trade unions, has approved a proposal to reduce the maximum working time to 37.5 hours in 2025. The mentioned proposal includes measures to enhance the working time register and the right to disconnect<sup>14</sup>. The proposal has not received support from the business association (CEOE-CEPYME), which has adopted certain measures to halt the proposal. While the Spanish government is promoting a reduction of working time in the Workers’

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<sup>12</sup> ASKENAZY, Philippe, ‘Working time regulation in France from 1996 to 2012 (2013) Cambridge Journal of Economics pages 323-347.

<sup>13</sup> See article 88. The right to disconnect is recognised for all employees, including remote workers. For those employees, article 18 of “Law 10/2021, 9 July, on remote work” regulates a very similar right to disconnect.

<sup>14</sup> The Spanish regulation recognises all employees’ right to disconnect. However, the legal framework does not include a set of administrative penalties if the employer does not comply with this right. In France, a relevant policy to promote conciliation of working and family life is the explicit recognition of the right to disconnect (‘Le Droit a la Deconnexion’). In 2017, France included this right in its Labour Code.



Statute, some small and medium companies have applied it by negotiating with workers' representatives (Software Sol) or unilaterally (Ephimera)<sup>15</sup>.

In certain countries (Finland and the Netherlands) some initiatives have arisen with regard to working time reduction, but they appear to be weaker than those of the Spanish case. Governments from both countries are more favourable to flexible working time arrangements. For instance, in Finland, despite all of the different developments in working life, full-time employment continues to be the standard type of work in Finland, as it was in 2018 (64.9% of employees aged 15–64 worked full-time). Some pilot systems including flexible and shorter working hours have been conducted in Finland, specifically in the 1990s. The issue was raised in 2019 in the Finnish media and beyond, when the previous Prime Minister Sanna Marin suggested the possibility of introducing a 4-day work week (or 6-hour working day). The idea received fierce opposition from the central employers' organisation, the Confederation of Finnish Industries (EK, Elinkeinoelämän keskusliitto), and received intense interest from the Central Organisation of Finnish Trade Unions (SAK)<sup>16</sup>.

The Finish reform approved in 2019 (the new Working Time Act (872/2019)) has focused on flexible working time arrangements that permit a wide range of flexible working time practices to be negotiated in the collective agreements. Some examples are flexible working hours, flexible working time and working time accounts. Although flexible working time practices have long been a new norm, at least in professional and expert work, shorter working hours are not seen as a realistic opportunity in Finland. There was minor resistance from the employer organisations that do not perceive shorter working hours as desirable in a situation in which there is already a shortage of employees. In the larger picture, shorter working hours are considered problematic from the perspective of preserving the Nordic welfare state model<sup>17</sup>.

In a country such as the Netherlands, where part-time jobs predominate, it appears that relevant steps have not been taken to address working time reduction. In January 2021, several members of the Parliament introduced a legal proposal 'Working where you want' ('Werken waar je wilt'), in an attempt to provide employees with more freedom in organizing the balance between working in the workplace and working from home. The proposal also attempted to enable employees to request adjustments regarding the workplace, working hours or employment duration. This legal proposal was not adopted

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<sup>15</sup> GÓMEZ ABELLEIRA, Francisco Javier, GIMENO DÍAZ DE ATAURI, Pablo and MUÑOZ RUIZ, Ana Belén, Case study in Spain, InnovaWorking project, 2024.

<sup>16</sup> SALMI, Aino, KARVINEN, Suvi, VAN GERVEN, Minna, and OJALA, Satu, Finland fiche, InnovaWorking project, 2024.

<sup>17</sup> SALMI, Aino, KARVINEN, Suvi, VAN GERVEN, Minna, and OJALA, Satu, Finland fiche, InnovaWorking project, 2024.



by the Dutch Parliament despite the fact that it included several innovative approaches to working time<sup>18</sup>.

There is also an absence of a regulation on the right to disconnect. However, in several collective agreements, provisions on the right to disconnect have been negotiated, but in practice, compliance with the same is unclear. Some collective agreements have mentioned that the ‘right to disconnect’ enables employees to enjoy their free time without work interruptions. However, in practice, this is not often applied due to the employees’ lack of awareness. Employers are required to comply, and scheduling often reflects this compliance due to clear guidelines. Many employees, however, are unaware that receiving a text from their employer (outside of normal working hours) may be considered working time, and they are unaware that workers are not obliged to respond when sent outside of their regular schedule<sup>19</sup>.

In the research, some countries were found in which the discussion on working time reduction is practically non-existent. That is the case of Hungary, where the direction taken has been to enhance the flexibility for companies exploring new atypical forms of employment. Despite legislative efforts to promote atypical work arrangements, their adoption has remained limited.

In summary, while many atypical forms of employment have gained international relevance over the past decades, Hungary has also taken steps to incorporate such models into its legal system. The 2012 Labour Code introduced several flexible employment forms into national legislation, creating the legal conditions for their application—even though their practical uptake remains limited. The new Labour Code of 2012 clarifies and simplifies the previous concepts and introduces new atypical forms of employment, such as on-call work, job-sharing<sup>20</sup> or multi-employer work. As a major structural change in

<sup>18</sup> ‘Werken Waar Je Wilt: Debat Samengevat’ (Eerste Kamer der Staten-Generaal, 12 September 2023) <[https://www.eerstekamer.nl/nieuws/20230912/werken\\_waar\\_je\\_wilt\\_debat#p3](https://www.eerstekamer.nl/nieuws/20230912/werken_waar_je_wilt_debat#p3)> accessed 13 May 2024. Similar proposals have been made in the past but were withdrawn before enactment. In February 2009, GroenLinks introduced a proposal for a legal right to remote work, which was met with opposition, especially from employers’ organisation VNO-NCW, leading to the withdrawal of the proposal.<sup>[17]</sup> In 2010, GroenLinks, in collaboration with CDA, made a new proposal to incorporate the right to remote work as part of the Wet Flexibel Werken. This proposal aimed to grant employees the right to adapt their workplace unless significant business or service interests of the employer were at stake. See: Van Gent I, ‘GroenLinks Maakt Initiatiefwet Recht Op Thuiswerk’ (GroenLinks, 13 February 2009) <<https://groenlinks.nl/nieuws/groenlinks-maakt-initiatiefwet-recht-op-thuiswerk>> accessed 31 May 2024 and Kamerstukken II, 2010-2011, 32889, nr. 2.

<sup>19</sup> VAN DER KLUFT, Priscilla and RAMOS MARTÍN, Nuria, Netherlands fiche, InnovaWorking project, 2024.

<sup>20</sup> As part of the legal development process, the legal concept of job sharing, a specific type of part-time work was introduced into the current Labour Code in 2012. According to the relevant legislation, the employer and two or more employees may agree in the employment contract to share the duties of a job. In the event of the incapacity of one employee (e.g., illness, ordinary leave, childbirth and childcare, etc.), the other employee(s) who entered into the contract are obliged to fulfil the obligations arising from the employment relationship. The rules on working time apply mutatis mutandis to the organisation of working

the Labour Code, certain atypical forms of employment are brought together in a separate chapter.

For Ireland, the COVID 19 pandemic has induced a series of recommendation and non-binding codes of conducts on remote and flexible working, but no legislative change (yet), beyond obligations to receive applications for flexible and remote work by parents and disabled persons.

## 2. LEGAL FRAMEWORK AND COLLECTIVE AGREEMENTS ON FLEXIBLE WORKING TIME ARRANGEMENTS

The regulatory framework in force in the EU (mainly Directive 2003/88) and in the various countries that make up the EU seeks to strike a balance between the protection of the weaker party in the employment relationship and the needs of companies for organisational flexibility aimed at competitiveness and efficiency. To this end, the main feature of this regulatory framework is the establishment of maximum working hours and mandatory minimum rest periods.

However, the maximum working time is established in a time module or reference period of sufficient length to meet the needs of organisational flexibility. In Directive 2003/88, this reference period is 4 months. Thus, from the regulation contained in the Directive, it follows that the limitation of working hours is set at 48 hours for each 7-day period, in a reference period of up to 4 months. It is important to note that for the purpose of calculating the 48 hours, both ordinary and extraordinary hours are included. The extension of the reference period permits companies to allocate work to busy periods and less work to off-peak times.

In some national systems, these parameters may vary in a more protective sense for the worker. In Finland, for example, the legal working week is 40 hours while the daily working day is 8 hours, allowing the aggregation of several weeks in an annual period or, in some sectors, bi-weekly or tri-weekly. In Spain, for example, the work limit for each 7-day period is established at 40 hours, although the reference period can be much longer, up to one year. In addition, the possibility of performing up to 80 additional hours of work in the period of one year is contemplated. These additional hours are considered overtime. Obviously, such a broad reference period offers a higher degree of flexibility to companies, enabling additional working hours during certain periods of the year,

time, i.e., employees agree amongst themselves who will work when. In principle, the parties can also agree on fixed working hours or consecutive working hours. The Labour Code leaves the division of work to the parties but stipulates that if one worker is prevented from working, the other worker who has entered into the contract must carry out the task. The rules on informal working time apply to the organisation of working time, and employees are paid the same - although the law permits a different agreement. The employment contract should not specify the basic wage to be paid to each worker, but the basic wage to which all workers in the employment relationship are collectively entitled, HUNGLER, Sára, Case study in Hungary, InnovaWorking project, 2024.



provided that they are compensated with periods of less productive intensity at other times of the year.

As mentioned above, the general principles underlying these regulations are worker protection and the establishment of a reasonable level of business flexibility. Based on these premises, the social partners at the different levels of negotiation, or the companies unilaterally, or the individual agreements between the company and the worker, may establish an infinite number of variations.

It should also be noted that these variations may be motivated by business interests (e.g., adapting work to fluctuations in demand) or workers' interests (e.g., reconciling work and family life). In this regard, in the Irish case, legislation implementing Directive 2019/1158, while not creating employers' obligations to fully paid parental leave, the law set a floor from which to negotiate. It also created – without EU obligation - a general right to request remote or hybrid work for workers who have completed six months of continuous employment (Work Life Balance and Miscellaneous Provisions Act 2023). It is also important to bear in mind that broad areas exist in which the interest is joint, and it is here where the most sustainable formulas balancing labour welfare and productivity bear fruit.

The most obvious or basic of the variations in working time is the reduction in working hours. As we have seen, as opposed to the limit of 48 hours of work per week, national legislation can establish a lower maximum (for example, 40 hours per week plus 80 hours of overtime during the year, whereby, if prorated over the weeks of the year, the overtime would not reach 2 hours per week). A similar reduction can be achieved by means of a collective bargaining agreement. In Spain, for example, the national collective bargaining agreement for the chemical industry establishes a maximum annual working day of 1752 effective working hours in 2024 and 2025 and 1744 effective working hours as of 1 January 2026. These workdays translate into average working weeks of slightly over 38 hours in 2024 and 2025, and 38 hours in 2026.

Many companies are willing to compromise on the number of working hours in exchange for flexibility in the work organisation. Over the last few decades, working time flexibility has been at the top of employers' demands at the bargaining tables. The national collective bargaining agreement for the chemical industry in Spain provides an example of this trade-off: the reduction in working hours is combined with a system of flexibility in the distribution of working hours throughout the year. Obviously, respecting the minimum daily, weekly and annual breaks is imperative in any irregular working time distribution formula.

In addition to the mere reduction of working hours, another important variation is the establishment of 4-day work weeks. This formula is also possible under the current regulatory framework and can be produced in two ways: with a significant reduction in the total working day or without such a reduction.

In the latter case, an average working week of 40 hours results in a distribution of 10 hours of work per day (4 days). This number of hours is usually considered excessive. In Spain, for example, the daily work limit is 9 hours, although by collective bargaining





agreement or collective agreement between the company and the legal representatives of the workers, it is possible to agree on a daily working day exceeding 9 hours. This means of adopting the 4-day work week is not the most common, given the high number of daily hours resulting. For this reason, the 4-day week is usually accompanied by a reduction in the weekly working hours: for example, to 36 or even 32 hours. Thus, the average workday would include approximately 8 or 9 working hours, which is a much more acceptable figure than the 10 hours resulting from the alternative formula. In many cases, companies are willing to accept these reductions in working hours without any detriment to pay in exchange for productivity gains. These increases can result from improved work well-being, reduced fatigue and a sense, on the part of the employee, of participating in a work environment that considers their needs and aspirations. To some extent, a 4-day work week often times functions as an indirect formula for remuneration or compensation. In fact, it may be a hook to attract and retain talent. This is why these formulas tend to appear in intellectual and creative activities, much more so than in other activities where productivity is practically equivalent to working hours (e.g., security or office cleaning activities). This correlates with the fact that the largest reductions in collective bargaining hours occur in industrial sectors and in specialized, high-end services, and less so in commerce and the hotel and catering/restaurant sectors.

The desirability of a 4-day working week being accompanied by a substantial reduction in working hours may be dictated by the national regulatory framework itself. In the case of Hungary, for example, rest period regulations pose potential obstacles to redistributing workdays into a 4-day working week. In the case of Spain, as we have seen, the general rule is that the workday should not exceed 9 hours. In addition, considerations of safety (avoidance of accidents), labour welfare and, ultimately, productivity may make it unadvisable to accumulate working hours in a few days, unless accompanied by an effective reduction in the average number of hours worked per week.

The 4-day work week and the agreed reduction of working hours in the average week can be considered a win-win formula for both companies and workers. As shown by the case of the company Ephimera (Spain), a reduction to 32 hours of work distributed over 4 days a week has not led to a decrease in productivity. It has allowed for the maintenance of salaries and has positively affected labour welfare, workers' perception of the company, and the company's ability to attract and retain the human capital needed to be competitive in sectors such as cultural creation, advertising, etc.



#### Box 1. The Finland case

These reductions are often deemed infeasible in sectors such as health and social care, low-wage service industries, and the restaurant and service sector. The nature of these industries, which rely heavily on hands-on, customer-facing roles and consistent service delivery, makes shorter working hours challenging to implement without jeopardizing operational efficiency or service quality (Hlsøe and Larsen, 2021). For example, in the restaurant sector, fluctuating customer demand necessitates adaptable staffing models that are incompatible with substantial reductions in working time. Similarly, in health care, staff shortages further complicate the feasibility of reducing hours. Productivity concerns also play a significant role, since these sectors operate with tight margins and high demand.

However, there is no one-size-fits-all approach. The best way to implement these formulas is through collective bargaining, not by law. The case of Finland, for example, highlights the difficulties faced by some sectors with very narrow margins in coping with a reduction in working hours without wages being affected.

There are several motivations for proposing schemes based on 4-day work weeks, with a reduction in weekly hours. For example, in the Netherlands, a proposal of this type is based on gender equality reasons. Specifically, the proposal of the Christian National Trade Union Federation (CNV) has this rationale.

#### Box 2. Case study. The Netherlands. Proposal by CNV

The main driver behind the proposal is that the current norm for full-time work leads to gender inequality. Twenty-eight (28) women take on additional caregiving responsibilities, limiting their availability for full-time jobs. In contrast, men typically have more time for full-time work. By reducing the standard working week, both men and women can share caregiving duties more equitably, promoting a more balanced division of labour.

As with advances in digitisation and robotisation, more work activities become based on cognitive, intellectual, creative and social requirements rather than mere physical effort or the fulfilment of simple routines, companies seem to choose to give less weight to the number of hours employees spend on work activity and focus more on what they ultimately produce. This leads to placing less importance on the number of hours worked.

In terms of the distribution of these hours, companies may also be more willing to give workers greater autonomy in the management of their hours. In this way, neither compliance with a strict timetable nor presence in a specific place is so important. This leads to an expansion of work formulas in which space and time are flexible. Logically, there may still be requirements to be present (but now more punctual or specific ones, for reasons that tend to be important and must be understood by the employee) and requirements to be available or active during certain time slots or on certain days and





hours (for example, because joint meetings are to be held, a topic to be discussed, or customer needs to be attended to).

These developments, which can generally be considered positive or beneficial for employees, have raised new challenges, mainly two. The first is the differentiation between what is (and is not) work time. When work becomes more cognitively and socially intensive and less of a face-to-face or mere consumption of hours in a given place, the boundary between what is work and what is not work may be blurred. The new jobs on digital platforms, the requirements of availability or being able to be contacted during certain time slots, on-call time and other formulas frequently used in practice pose problems of demarcation, which have been addressed by the CJEU from a binary perspective: time is either work time or rest time, with no intermediate categories existing.

The second is digital disconnection. The problem arises precisely because of this blurring of the boundaries between work and rest. Theoretically, an individual is unavailable for work during his/her rest time. But in practice, this is difficult to ensure, since the formulas for organizing and distributing work time are based on flexibility, autonomy and non-presence and when the technical means that are currently available permit an almost permanent connection between company and employees (chats, emails, smartphones, etc.). Digital fatigue resulting from the continuous use of email or connections to company devices during different times of the week, over long periods of time, is a widespread problem. Some laws have attempted to limit this fatigue (France, Spain, etc.).

#### Box 3. The French case study.

The laws in France acknowledge the right to disconnect due to growing concerns in the workplace regarding addicted behaviours regarding work. Studies show that many employees feel pressured to be constantly available. The recognition of the right to disconnect has been included in interprofessional agreements and has, in part, been acknowledged by the courts. In addition, various initiatives have been undertaken by companies and organisations to address this issue. However, reports and studies have highlighted the need for a legal framework to establish and protect the worker's right to disconnect, especially in the context of digital transformation in the workplace.

### 3. INNOVATIVE CASES ON FLEXIBLE WORKING TIME ARRANGEMENTS

#### 3.1. Types of flexible working time arrangements

What is the meaning of flexible working time arrangements? The term flexible working time arrangements (FWAs) tends to be used to encompass a wide variety of activities, including, for example, practices such as remote working (from home, other company premises, etc.), reduced hours, different hours (either agreed, non-standard hours or discretion over working hours on a day-by-day basis) and compressed working time, where employees work their contractual hours over a fewer number of days than normal



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(e.g., a 9-day fortnight). Several other terms have also been used to describe these different working patterns. Some authors, for instance, use the term ‘alternative work arrangements’ to describe working patterns that offer temporal or spatial flexibility, including full-time hours worked at times that suit the individual, compressed work weeks and part-time and seasonal work. A different approach describes similar work patterns as ‘alternative work schedules’, and the phrase ‘distributed work arrangements’ has been used to describe working in alternative locations”<sup>21</sup>.

As the literature review suggests, flexitime and flexplace may be included within the category of FWAs. Furthermore, it may be considered to highlight distinct levels of flexibility. Some authors define workplace flexibility as “the ability of workers to make choices influencing when, and for how long they engage in work-related tasks”. Flexplace, referring to work location flexibility, can be distinguished from flexitime, since it refers to work scheduling flexibility. In the current research, we focus on flexitime, which implies employees’ autonomous handling of start, end, and break times according to their needs. The concept of flexitime can refer to any working time arrangement deviating from a traditional nine-to-five, 5-day-a-week office-only schedule. In its most restricted form, flexitime is characterised by a present time range defining when employees may arrive in the morning (e.g., from 7 a.m. to 9 a.m.) and leave in the evening (e.g., from 3 p.m. to 6 p.m.). Employees are still required to clock in and out, work approximately the same number of hours every day, and take breaks at clearly defined times. In its extreme form, flexitime is characterised by the absence of managerial control over working hours, sometimes even of contractually fixed working hours or vacation days. This type of flexibility (referred to as trust-based working times arrangement) usually implies high spatial flexibility (e.g., employees work, partly, from home) and a shift toward pure results orientation. Results-based orientation means that the outcomes of an individual’s work are evaluated, regardless of the time spent at work (i.e., face-time). We conceptualise flexitime availability as employees’ control over working times, that is, the possibility to deviate from a default nine-to-five, 5 day-a-week Schedule”<sup>22</sup>. While these practices represent different ways of working, here, the essential common theme is the choice offered to employees regarding how they work.

Although the term flexible working time arrangements includes not only remote work, but also other benefits related to the working time, remote work continues to be the most well-known category.

What type of remote work schemes are observed in the InnovaWorking project? Hybrid remote work appears to be the most widely extended type of flexible working time

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<sup>21</sup> KELLIHER, Clare, and ANDERSON Deirdre, For better or for worse? An analysis of how flexible working practices influence employees’ perceptions of job quality. *The International Journal of Human Resource Management*, 19 (3), 2008, p. 420-421.

<sup>22</sup> SPIELER, Ines., SCHEIBE, Susanne., STAMOV-ROßNAGEL, Christian and KAPPAS, Arvid, “Help or hindrance? Day-level relationships between flexitime use, work–nonwork boundaries, and affective well-being”. *Journal of Applied Psychology*. 102(1), 2017, p. 67–87.



arrangement. Our research shows that it may work using the criteria based on units of days or half-days. As a general rule, remote work is organised in any of the following alternative options: 1) Full days: between 1 up to 3 days per week. 2) Half-days: up to 4 mornings or 4 afternoons. Nevertheless, some groups of employees are not offered the possibility of remote work. This consists mainly of those whose work cannot be performed remotely, mainly blue-collar workers. Furthermore, remote work suggests a major change in organisational issues since usually, it involves the delegation of human resources management in every area or department involved. In some cases, the new management department for remote work is called a *tribe*.

Although the most extended practice is hybrid remote work, some 100% remote work types have been identified within the framework of the InnovaWorking project. This may suggest a high level of flexibility for both parties of the employment contract: employer and employees. In the research, it appears that at least two trends exist. On the one hand, the first trend is to offer this type of flexible working time arrangement to select groups of employees. In a progressive move to support employee well-being, the company allows certain groups to apply for 100% remote work based on personal circumstances such as long commutes, childcare or eldercare responsibilities. This policy ensures that employees faced with significant personal burdens can remain engaged and productive without being tied to the office. Employees can apply for this scheme if they can demonstrate that being physically present in the office would impose a disproportionate burden on their personal lives<sup>23</sup>.

#### Box 4. DHL case study (Hungary).

Its activity includes a range of shared services such as logistics, accounting, global trade compliance and global business services. It has positioned itself as a leader in Hungary by pioneering remote work initiatives tailored to modern employment needs. While such hybrid work models are more common across Europe, DHL stands out as one of the first in Hungary to implement flexible, scalable work arrangements for its entire white-collar workforce.

During the Covid-19 pandemic, the company implemented a hybrid work structure that allowed employees to work remotely for three days a week, with two days reserved for office presence. Employees have the freedom to choose one of their office days according to their preferences, with the other day is determined by the employer. Furthermore, employees are offered the option of 100% remote work if they provide evidence of family responsibilities that result in major difficulties in going to the office.

<sup>23</sup> HUNGLER, Sára, Case study in Hungary, InnovaWorking project, 2024.



On the other hand, some companies offer the flexible work organisation, which means that most employees may carry out remote work at almost 100%.

Telework schemes may include a subcategory called Workation. The term “Workation” combines the words Work and Vacation. It refers to a teleworking scheme that allows employees to temporarily work from a different country. The application for the scheme is initiated by employees, and it enables them to spend more time in a selected destination country. The concept of "workation," a blend of work and vacation, presents a promising solution to the retention challenge. While at first glance the idea of working while on holiday may appear counterintuitive, allowing employees to work from desirable locations—such as picturesque mountains or serene beaches—can offer several benefits. Studies have shown that this approach may enhance motivation, boost job satisfaction, and improve overall productivity. For IT professionals and those in creative fields, the opportunity to work in inspiring environments can be especially appealing and it may foster both innovation and engagement<sup>24</sup>.

The initiative assumes that during workation, employees work for the same quality and duration as if they were teleworking at home or working in the office. However, at the end of their working hours, they have more opportunities to take advantage of the leisure activities offered by their destination, spend more time with their family or simply relax and unwind in a different setting. The total stay abroad is approximately one month or less over a calendar year. In its pilot year, the company usually allows a maximum of four workation requests per employee over a single year. As for duties and work arrangements, working hours, benefits, number of holidays, responsibilities and expectations towards the employee are unchanged during workation<sup>25</sup>.

<sup>24</sup> HUNGLER, Sára, Case study in Hungary, InnovaWorking project, 2024.

<sup>25</sup> HUNGLER, Sára, Case study in Hungary, InnovaWorking project, 2024.



**Box 5. Deutsche Telekom IT Solutions case study (Hungary)**

This is a subsidiary of the Germany-based global telecommunications giant Deutsche Telekom (DTAG). It has solidified its position as one of the leading IT employers in the country. Its workforce is approximately 5,000 employees. The company plays a pivotal role in Hungary's IT and telecommunications sectors, providing crucial support services across a range of operations, including software development, IT infrastructure management and system integration.

Workation is offered by this company. The total stay abroad is a maximum of 20 working days (= 28 calendar days) over one calendar year. In its pilot year, the company allows a maximum of four workation requests per employee per year. Workation is allowed in the EU and the US.

All internal employees are eligible, regardless of their nationality, including leased employees and third country nationals (however, in the case of the latter, they must have their own insurance (since the European Health Insurance Card (EHIC) is not available in their case).

One requirement is to have an employment contract with at least six months as of the start date of the workation. Concerning employees with fixed-term contract, the return date is at least one month prior to the planned expiry date of the current employment contract. All related costs and organisational tasks are assumed by the employee.

Remote work may focus on the main tasks of employees that can be carried out remotely. In some cases, remote work may be used for new supplementary tasks. For instance, remote consultation in elderly care. Therefore, remote work in this sector, predominantly addresses operational efficiencies. The real test of social sustainability of such approaches may lie in scaling and integrating them into broader health care strategies, while recognizing that they serve supplementary roles rather than replacing direct, on-site care delivery.

In the research, it is essential to point out that remote work schemes are based on their practicality. This means that remote work is considered a right to attend to employee needs.

It is important to mention that remote work does not imply the disappearance of offices, which is referred to as a flex office. Employees have the freedom to choose to work at home or in the office. However, the flex office usually means that there are no special spaces reserved for employees.

Employers covered by the InnovaWorking project offer remote work for employees with high, medium and low-skill jobs. However, remote work is more common in high and medium-skill jobs. The Covid-19 pandemic prompted the consideration of the scope of



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remote work. In short, some companies have explored the possibility of extending remote work to new groups of employees both in the private and public sector.

#### Box 6. Case study of the higher education sector (Ireland)

In the higher education sector, academic staff have traditionally benefited from hybrid working arrangements, since they are generally free to perform their duties wherever they choose, with the exception of teaching and other in-person engagements. After the Covid-19 pandemic, strong demand by non-academic employees (professional staff) to maintain the flexibility of working remotely for part of the week was the basis on which an extension of this flexibility could be achieved at individual employer level.

The research shows that remote work does not only focus on IT companies. Some traditional sectors as the metal industry have also implemented it, considering that innovation is possible in the area of working time<sup>26</sup>.

The research reflects a trend appearing in most of the analysed countries in which flexitime and flexplace are used jointly. As the study notes, flexitime and flexplace are sometimes carried out jointly or combined into a single policy. For example, telework policies that permit employees to work at an alternative location on non-traditional days/times extend over both temporal and physical work boundaries. The organisations that tend to offer flexplace policies (i.e., telework) also tend to offer flexitime policies<sup>27</sup>.

<sup>26</sup> GÓMEZ ABELLEIRA, Francisco Javier, GIMENO DÍAZ DE ATAURI, Pablo and MUÑOZ RUIZ, Ana Belén, Case study in Spain, InnovaWorking project, 2024.

<sup>27</sup> THOMPSON, Rebecca, PAYNE, Estephanie C., and TAYLOR, Aaron, Applicant attraction to flexible work arrangements: Separating the influence of flexitime and flexplace. *Journal of Occupational and Organizational Psychology*. Vol. 88, no. 4, 2015, p. 726-749.



### Box 7 Case study Schneider Electric (Spain)

That is a French company that operates in the metal sector. The company is located in different provinces in Spain and has a workforce of approximately 6000 employees. From a gender perspective, almost two-thirds of the workforce is made up of men, although Schneider Electric shows an evident initiative to achieve equal representation of both genders in all job positions.

At a national level, the IV State collective agreement for the metal industry, new technologies and services sector is applicable. It provides a brief regulation on remote work and the right to disconnect. Furthermore, Schneider Electric and trade unions have negotiated an agreement on remote work in light of the Covid-19 pandemic, and the issuing of a law on this matter in Spain. For its part, Schneider Electric has approved a policy on flex working (called Flex@Work) and a policy on Global Family Leave.

Remote work is organised in some of the following alternative options: 1) Full days: between 1 and 3 days per week. 2) Half-days: up to 4 mornings or 4 afternoons. It is applicable to white-collar employees. The majority of the workforce at Schneider Electric is white-collar. This contrasts with the majority of the sector, which consists of blue-collar workers.

In this sense, a group of flexible measures may be applied to all employees. Specifically:

- 1) Floating days: possibility of working on holidays and changing the day off to another date decided by the employee.
- 2) Possibility to buy extra holidays. Each employee is entitled to having up to five extra days for holidays. This may lead to reductions in wage.
- 3) "Step Up" has long been recognised for its innovative internal bonus system. It is a colleague recognition program that allows employees to reward one another for exceptional performance through the assignment of bonus points. These points can then be redeemed for various work-related benefits, adding an element of empowerment and positive reinforcement to the company's internal culture. In some cases, the "Step Up" program has been expanded to offer even greater flexibility and benefits for employees. One of the most popular additions is the employees' option to exchange their accumulated bonus points for extra paid vacation days. This new feature not only boosts morale but also gives employees more control over their time off, further enhancing their work-life balance.





4) Non-paid leave. Employees can request non-paid leave extending from fifteen days to two months. The company pays for the social security contribution for the mentioned leave.

In flexible working time arrangements, an implicit agreement is signed, based on the trust between the parties. According to this model, working time is not the main unit to assess the job. Task objectives are also main units.

The research points out different innovation models ranging from only remote work to more advanced models based on remote work combined with working time reduction or remote work as a whole type of organisational form. Models that appear to be more advanced usually began with the experience of remote work.

### 3.2. Drivers and barriers for the emergence of those initiatives

Consensus exists in the case studies with respect to the factors that have contributed to promoting flexible working time arrangements. Research reveals that exogenous and structural factors have served as drivers to address it. On the one hand, a relevant external factor was the Covid-19 pandemic, which has accelerated the acceptance of home offices, with many professionals enjoying the resulting flexibility and improved work-life balance. Prior to the Covid-19 pandemic, there were some related initiatives, but they did not cover certain employee categories (for instance, professional and administrative staff). The Covid-19 pandemic was of key importance for exploring remote work for the first time. In some countries the growth of remote workers was an incentive to approve a new regulation on this issue.

On the other hand, some structural factors have offered flexible working time arrangements. In the Irish example, two higher education institutions, though reluctant to engage in collective bargaining on remote and flexible working, practically agreed to implement flexible and remote working based on trade unions arguments relying on government recommendations as well as pressures resulting from a tight labour market.

From the employee point of view, the main drivers for the introduction of short-time and flexible working (including telework/remote work arrangements) are the promotion of work and family life conciliation.

Although most case studies can be called ‘best cases’, they also provide information on the barriers and limitations of flexible working time arrangements. One of the most serious barriers relates to the risks associated with telework in terms of costs, control of safety and health requirements when working remotely, the risks of isolation and decreased creativity of the work-team. The findings of the Hungarian case are illuminating for the InnovaWorking research: “Concerning the home office project at DHL, the biggest challenge was to ensure a healthy and safe working environment. We started exploring the occupational health and safety measures during COVID-19, and the most ensuring is that we ask employees to take pictures of the workstations. However,





this also means that the remote work option is only available from the employees' homes."

Furthermore, the InnovaWorking research reveals some obstacles for managerial posts. One sample of the obstacle is described in the French case: "According to the findings of the 'SUPERManagement' project, some issues exist with teleworking for managers and adaptation to teams. While over half of the respondents of the conducted survey (53%) indicate that they telework an average of 2 days per week, the survey results highlight that managers have more difficulty than their employees in using their telework days. They also tend to adapt to the telework days of their teams and spend more time in the office to see all the team members, who are not all performing work on-site on the same days".

Since the most acute period of the Covid-19 pandemic ended and workers in various sectors have resumed working on-site, there has been a push from employers to reduce access to remote work. This was also visible in the workplaces under study. In this sense, where the power of trade unions is greater, pilot initiatives on flexible working time arrangements have continued to function well.

### 3.3. The role of social actors

Although different levels of involvement are observed in the research, the role of social actors is underscored in the case studies. Examples of three levels of participation (information sharing, consultation and negotiation) are found, as well as a combination of two or three of them.

Some cases reveal the collaboration between collective agreements (at sectoral and provincial levels) and company policies. It appears relevant that the sectoral (national) level establishes some general rules on this issue to promote flexible working time arrangements that may be completed at provincial or company levels.

A relevant issue is the role of trade unions to monitor the quality and transparency of the flexible working time arrangements. Here, the Spanish case describes the participation of trade unions as crucial for addressing how flexible working time arrangements may be very effective. First, they can reject pilot projects on a compressed work week when this may lead to worse working conditions for employees. Second, they can negotiate the agreement on remote work with the company.

Sectoral collective agreements may inspire the development of decentralised agreements on flexible working time arrangements. In France, explicit managerial clauses are included in national interprofessional agreements. These clauses, which address managerial relations in the framework of telework, appear more explicitly in recent national interprofessional agreements. As such, they can inspire more decentralised agreements. In this sense, the Finish case points to a definitive statement: "Both sectors underscore the importance of collective agreements in ensuring that flexibility does not



become a substitute for worker exploitation”. And when no agreement is reached, at least, certain means of defending employee interests shall be implemented. For instance, in the Irish case, the following is explained: “Where an employee requests blended working and their request is rejected, there is a grievance procedure, in which the employee in question can be represented by their union”.

Transparency of the process appears to be a key factor to generate trust between employees to request those types of arrangements. In countries where trade union power is limited, the works council was informed and consulted. This indicates that, at least to some extent, employees were involved in the decision-making process. Although it helps initiate the process, the lack of negotiation appears to be a problem that addresses personal employee needs or concerns. Regarding this, the Hungarian case is very clear: “One notable aspect of the implementation of flexible work schemes at both DHL and Schneider Electric in Hungary is the limited involvement of trade unions and works councils. Unlike in other European countries, where industrial relations are robust and trade unions have a strong presence in negotiating work arrangements, Hungary's industrial relations landscape is relatively weak. Hungarian trade unions have historically struggled with low membership, limited bargaining power and minimal influence over decision-making processes at the corporate level. Consequently, the introduction of flexible work schemes at DHL and Schneider Electric was largely driven by corporate strategies rather than collective bargaining or worker representation”.

### 3.4. Impact

From the company perspective, the main obstacle to open the door to flexible working time arrangements is how those innovative changes may affect productivity. Evidence indicates that productivity has been maintained or even increased. The InnovaWorking research does not reveal a decrease in productivity. In this sense, the Spanish case points out the following: “In Schneider Electric, the assessment of the measures is very positive according to the survey and the interview with the trade unions (CCOO and UGT). Remote work does not imply a risk for the quality of the productive process. The productive process is remotely controlled. In addition, according to the union representative from CCOO, remote work has led to a major reduction of costs for the company, while constituting a relevant incentive for the employees”.

Although the employees have revealed that they can rapidly adapt to this model, according to the French and Irish cases, there are greater difficulties for those who are used to a command-and-control model. It appears that they may be having difficulty in adapting to managing a remote workforce. In fact, a major cultural change needs to be undertaken by companies if the objective of having more remote employees is established. Companies need to facilitate self-management by employees of their work and autonomous task performance, in order for them to successfully carry out their duties.

Furthermore, an unexpected impact on companies has been found. First, these types of flexible arrangements may be positive for recruitment and retention issues. In this sense,



interviews carried out during the research reveal that the ability to work remotely is an increasingly important factor for job applicants. Second, employee satisfaction surveys show that staff is highly satisfied with this option, which provides significantly greater employee flexibility. In some cases, this has contributed to significantly reducing the number of employees relying on sick leave.

Interestingly, in countries where there is no statutory framework guaranteeing trade unions negotiation rights in the workplace, increased recognition of the opportunities offered by blended and remote working resulted in increasing opportunities to assert negotiation coverage. This is illustrated by the Irish case study: “In University A, SIPTU, which is the only union recognised by the university for consultation purposes, were presented with a blended working pilot document drafted by the HR department. As noted above, the pilot specified the allowance for remote working to apply across the university-one day per week. This fell far short of the mandate of a 50/50 split between on campus and remote working that SIPTU had received from their members through polling. Union representatives were also aware that University A’s pilot was the most prescriptive offering in the sector. The union pursued the 50/50 mandate with the employer and University A offered to allow employees two days of remote working for 21 weeks of the year. Seeking to improve on this offering, SIPTU brought a case to the WRC. As a result of negotiations under the auspices of this body, University A agreed to grant two days per week remote work for those who want to avail of it, a compromise acceptable to both sides.”

The issue of health and safety of employees appears to be ambivalent. Cases have shown that flexible working time arrangements improve employee mental health. One of the reasons is that employees are able to respond to personnel issues. Remote work may also help reduce exposure to a hostile environment (interpersonal conflicts at work, bullying, etc.)<sup>28</sup>. At the same time, the perception of employees regarding those arrangements as something valuable may have a negative impact on their own health. Employees may voluntarily work more than the maximum working time and suffer psychological risk if they do not respect the minimum statutory resting periods. The experience of trade unions shows that when there is a flexible policy of working time it is necessary to enhance employee health and safety. The Spanish case describes this situation very well: “In short, these two relevant flex working measures implemented in the company, which are remote work and flexible schedules, imply both benefits and inconveniences: they contribute to the employees’ well-being, operating as an important incentive for them without hindering work performance; but, since the Company’s culture is focused on the autonomous working of the employees and the self-assumption of responsibility of their own duties, these measures may to end up leading to excessive working hours, which is self-inflicted by the employees themselves”.

<sup>28</sup> With potential positive impacts not only for these individuals’ mental health but also for the employer in terms of retention and reductions in absenteeism.

Another beneficial factor focuses on the gender gap and the well-known difficulties to take on the management positions in the case of women. Certain case studies such as the Irish one have provided information on how the flexibility of those arrangements have led to part-time female employees requesting to be full-time employees. The benefits of remote working are reduced commuting time and increased compatibility with family arrangements. That innovative process plays an important role in the empowerment process of women. Those findings are explained in the Irish case: “Both male and female workers have indicated to their unions their preference for remote work because it suits their family arrangements. Parents have split the days that they are working remotely so that they can share responsibility for transporting children to and from school. Although remote work does not facilitate child care (...) having a presence at home can mean that workers no longer need to take a day off when their children are off school (...) To some extent, the move to remote work has ameliorated issues that SIPTU had previously sought to address by campaigning for a 4-day week. While a 4-day week remains a goal of the union and the wider labour movement, especially for those who cannot work remotely, for those that can access it, remote work provides some of the work-life balance benefits sought associated with reduced working hours.

#### 4. INNOVATIVE CASES ON WORKING TIME REDUCTION

The InnovaWorking project analyses national and business realities of different types. In general, four main groups of measures are identified, appearing either independently or combined across the countries analysed.

First, various cases of working time reduction have been examined using different strategies. Alongside the pioneering Aubry Laws, which reduced the total weekly working time from 40 to 35 hours in France, some cases have introduced 4-day working weeks through collective bargaining. In the Netherlands for example, a mechanism has been established that does not impose but rather, enables a reduction for workers over the age of 55, upon request and adaptation to the company's production pace. In other cases, at the company level, this reduction has been adopted on a generalised basis, with both sustainable (Ephimera and Software ElSol in Spain) and unsuccessful or reversed results (Deutsche Telekom in Hungary).

##### Box 8. Case Study of the Construction & Infrastructure Collective Labour Agreement in the Netherlands

In the Dutch construction sector, the reduction of the working week for workers aged 55 and over was agreed upon in the Collective Agreement for Construction and Infrastructure, negotiated between the FNV trade union and employer associations from the sector. This agreement, in force from 1 January to 31 December 2024, grants these workers the right to reduce their working week to four days without affecting their pension entitlements or other employment rights. The measure aims to adapt working conditions to the realities of a physically demanding profession with an ageing workforce, since many of the workers enter the sector at an early age and face



increasing difficulties in maintaining their workload until the statutory retirement age of 67 years.

The right to a reduced working week is not applied automatically but requires the worker to submit a request to their employer. Once the request has been made, the employer cannot refuse the reduction. They can negotiate the specific terms of its implementation, specifically the scheduling of workdays to minimise operational disruptions. The financial impact of the reduced working week on workers is mitigated through the use of accrued leave days, sectoral funds, and other compensatory mechanisms provided for in the collective agreement, ensuring that the reduction does not lead to a significant loss of income. The main challenge identified in implementing this measure has been the reorganisation of work schedules in a sector that relies greatly on teamwork and coordinated travel to construction sites. This has required operational adjustments. However, the agreement has been positively received, as it allows older workers to continue working under more sustainable conditions, reducing the risk of injuries and physical strain without compromising their financial stability.

Furthermore, various cases have been analysed in which, without modifying the total working hours, or in addition to their reduction, different forms of flexibility have been introduced. Alongside experiences with remote work and hybrid models, Finland stands out for its multi-tiered regulatory framework, where the general annual maximum working time scheme allows sectoral collective bargaining to establish tools that balance business production needs and worker rest periods, through mechanisms such as time banking. Furthermore, collective agreements include safeguards to limit the impact of zero-hour contracts, ensuring a minimum number of paid hours.

It should be highlighted that the impact of working time flexibility varies significantly depending on who has the power to modify the standard work regime. In cases where flexibility is used to adapt working hours to fluctuating market demand, such as in commerce and hospitality in Finland, it results in uncertainty for workers. This affects both personal and financial stability, making it difficult to anticipate how many hours will be worked and when. In addition, the necessity of ensuring economic sustainability may lead to multiple job situations, undermining the perception of flexibility as an advantage.

Although this does not strictly fall under part-time work or a formal reduction in total working time, it is essential to consider the generous transposition of the Work-Life Balance Directive. Paid parental leave, carer's leave, and similar measures allow workers to adjust their working time to family needs without financial loss. In Ireland, such measures have been negotiated and expanded through trade union action in key sectors such as banking and higher education. In the banking sector, the Financial Services Union (FSU) successfully negotiated an agreement with financial institutions to grant seven weeks of fully paid parental leave, significantly exceeding the minimum required by the directive. Similarly, regarding carer's leave, in certain sectors such as banking, unions have successfully negotiated up to ten days of fully paid leave, doubling the legal standard.



These instruments have proven highly effective in facilitating the work-life balance without negatively affecting workers' financial security, since they provide flexible options for adapting working hours to family needs without requiring a formal reduction in working time. Furthermore, they have helped reduce the stress associated with the dual burden of professional and domestic responsibilities, contributing to talent retention in highly skilled sectors such as education and banking.

From the perspective of shared responsibility, a broader analysis of the cases studied suggests that more general measures tend to be more effective. While generous leave entitlements for work-life balance are understandably valued by those with dependants or plans to have children in the near future, their impact on businesses must be assessed with caution. Managing absences may be especially challenging for small businesses, and their capacity to attract talent beyond those who immediately require such provisions remains limited. In contrast, sustained reductions in working time without a negative impact on wages are perceived as a more suitable incentive for workers of both sexes to devote more time to family life.

Special attention should be paid to the importance of effective working time management on workers' mental health. Excessive workloads, whether due to long hours or high intensity, may negatively impact stress and anxiety levels among staff, while increasing workplace accidents due to fatigue.

Therefore, it is important to note that working time reduction or flexibility measures can sometimes be counterproductive. If time banking or similar mechanisms allow workers to manage their own time, the desire to accumulate hours for future rest periods may lead to excessively long working periods. To avoid this, these mechanisms should be implemented in a structured manner, helping to reduce stress levels. The logic behind the ergonomic approach to working time adopted in the case of the public health and social services sectors (see Box 9) is especially noteworthy.

#### Box 9. Ergonomic Work Schedule Management in Finland

In Finland's public health and social services sector, high workforce demand and staff shortages have driven the implementation of ergonomic shift planning and time banking systems to optimise work organisation and reduce the impact on employees' health. These measures have been developed through collective agreements and local arrangements, backed by studies from the Finnish Institute of Occupational Health.

Ergonomic shift planning ensures that employees have adequate rest periods between shifts and prevents consecutive shifts that increase fatigue risk. In cities where this scheduling method has been prioritised, a 20% reduction in workplace accidents has been recorded, as compared to regions with less regulated shift monitoring.

Time banking, regulated by collective agreements, allows workers to accumulate extra hours and convert them into rest days, adjusting their schedules to personal needs without compromising service coverage. These systems have proven especially useful in hospitals and long-term care facilities, where staff turnover is high.





The implementation of these measures has introduced the "Working Time Traffic Light Model", which categorises shifts based on their impact on workers' health:

- Green: Optimal shifts with sufficient recovery time.
- Yellow: Acceptable shifts with a moderate fatigue risk.
- Red: High workload shifts with insufficient recovery, associated with higher incidences of illness and workplace accidents.

Collective bargaining has played a crucial role in implementing these mechanisms, ensuring that the rules governing hour accumulation and rest periods align with sectoral needs without overburdening employees. However, if time banking is not properly managed, there is a risk of excessive hour accumulation, which can lead to stress, absenteeism and decreased motivation.

The Finnish case illustrates how adapting working hours through ergonomic planning and regulated flexibility can reduce workplace accidents and improve worker well-being in sectors with high workloads.

In the case of Finland, the measurable impact was especially significant, with a 20% reduction in workplace accidents. Similarly, in physically demanding sectors, targeting measures at workforce groups that are at greater risk has revealed promising results. In the Dutch construction sector, for example, allowing workers over the age of 55 to reduce their working week to four days without loss of pension rights has proven effective. Even with a cost-sharing arrangement between employers and employees under the 80-90-100 scheme, this measure has contributed to reducing absenteeism by alleviating physical and mental strain on workers.

It is also worth highlighting the importance, as demonstrated by some of the cases analysed, of clearly defining working time and rest periods. Properly structuring the right to disconnect protects mental health. It was in response to this precise issue that France introduced specific regulations on the matter. In this regard, it is important to clarify the scope and content of such measures to ensure their effectiveness.

Finally, it should be noted that the implementation methods used for these measures have varied, and there is no clear correlation between the degree of negotiation and their level of success. The Spanish experiences of weekly working time reductions, mainly driven by business initiatives but later incorporated into collective bargaining, have been successful. This success is largely attributable to the fact that these companies already prioritised time management as a tool for attracting and retaining talent within their human resources policies. In contrast, in Hungary, the unilateral approach of Deutsche Telekom failed to produce the expected results, since the planning did not align well with production needs. In other cases, negotiated initiatives have produced mixed results.

Rather than the distinction between negotiated and unilateral measures, the most relevant aspect is that working time reductions do not lead to an increase in overall workload or longer daily shifts, while also taking into account the diversity of roles and business units within a company. More hesitant approaches, such as the Lyon public sector working



time reduction project, which was at least partially offset by a loss of rest days and extended working hours, also appear to have resulted in lower levels of participation. Only 300 employees opted in, well below the initial expectations.

## 5. CONCLUSIONS AND THE FUTURE OF THE WORK

In the last period, the discussion has been focused more on working time reduction than flexible working time arrangements. However, the InnovaWorking research suggests that a link exists between both of them. The innovative process of working time in the companies is often started with flexible working time arrangements. Pilot programs on working time reduction may be explored if the experience of flexible working time arrangements is functioning properly.

Flexible working time arrangements is a broad category that includes several possibilities for negotiators and companies. Some of these arrangements may be combined to increase the scope of employees covered. In this sense, it is recommended that the issue be addressed by legislators or considered in collective agreements, not only identifying flexible working time arrangements with remote work.

Types and patterns of innovation in working time in the six countries are influenced by collective bargaining structures. Strong collective bargaining schemes may increase the possibility of innovating working time arrangements. In countries having weak collective bargaining structures, increased difficulties are found with respect to introducing changes to flexible working time arrangements in the sector or in companies. It is important to emphasise that the selected cases on working time reduction are located in countries where the right to negotiate collective agreements is recognised or protected by the law. In the other countries, the analysis has focused on remote work.

The case studies analysed reveal that the implementation of the 4-day working week relies on different approaches depending on the sector, worker profile and funding model. While in some contexts it has been used as a tool to attract and retain talent, in others it has been aimed at reducing work-related fatigue and extending professional longevity for certain groups. The presence of mechanisms for partial salary compensation or the reorganisation of working time are key factors in its acceptance and effectiveness. However, experience also shows that when working time reductions are accompanied by a redistribution of workloads without a real decrease in job demands, worker participation tends to be low, and counterproductive effects may result, increasing pressure on employees.

These findings offer some key conclusions with respect to conditions that favour the feasibility and sustainability of working time reductions. Evidence suggests that their positive impact depends on ensuring that they do not lead to work intensification, that they are adapted to sector-specific needs, and that their implementation is equitable across the company or professional group. The existence of well-designed regulatory frameworks or collective agreements facilitates the integration of such measures without creating inequalities or adverse effects on productivity or work organisation. Worker acceptance is also influenced by the maintenance of salary and social entitlements, as well





as the recognition of the benefits associated with improved work-life balance and occupational health.

The right to disconnect takes on relevance when addressing flexible working time arrangements. Although some countries (France and Spain) have introduced legal developments, the right to disconnect is not yet a labour right protected at a European level. Furthermore, in some countries, such as the Netherlands, collective agreements are attempting to cover the legal void, by including provisions on the right to disconnect. However, in practice, compliance with the same varies between companies and there appears to be a lack of awareness of this area. Some southern European countries may serve as examples to contribute to the drafting of a right to disconnect within the framework of the European Union.

