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# Working Hours and Competitiveness

May 29<sup>th</sup>, 2018

Julius Jacoby

# Working Time as a Competitive Factor

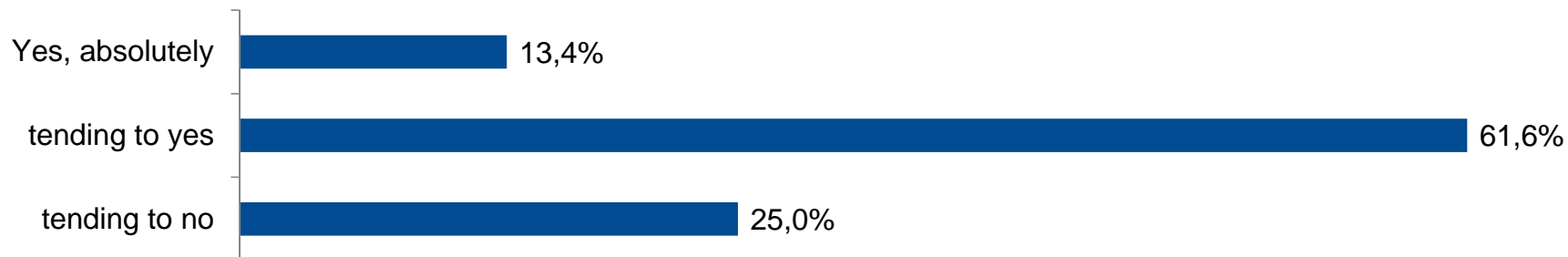
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- The duration of working time and its flexible location are influencing the innovative capabilities and the investment conditions of employers
- Factors defining the operational situation
  - increasing flexibility needs – on the employers and the employees side
  - skills shortage
  - work 4.0
  - international competitiveness
  - constantly increasing unit labour costs
  - volatility of the economic situation

# vbm Employers Survey 2017

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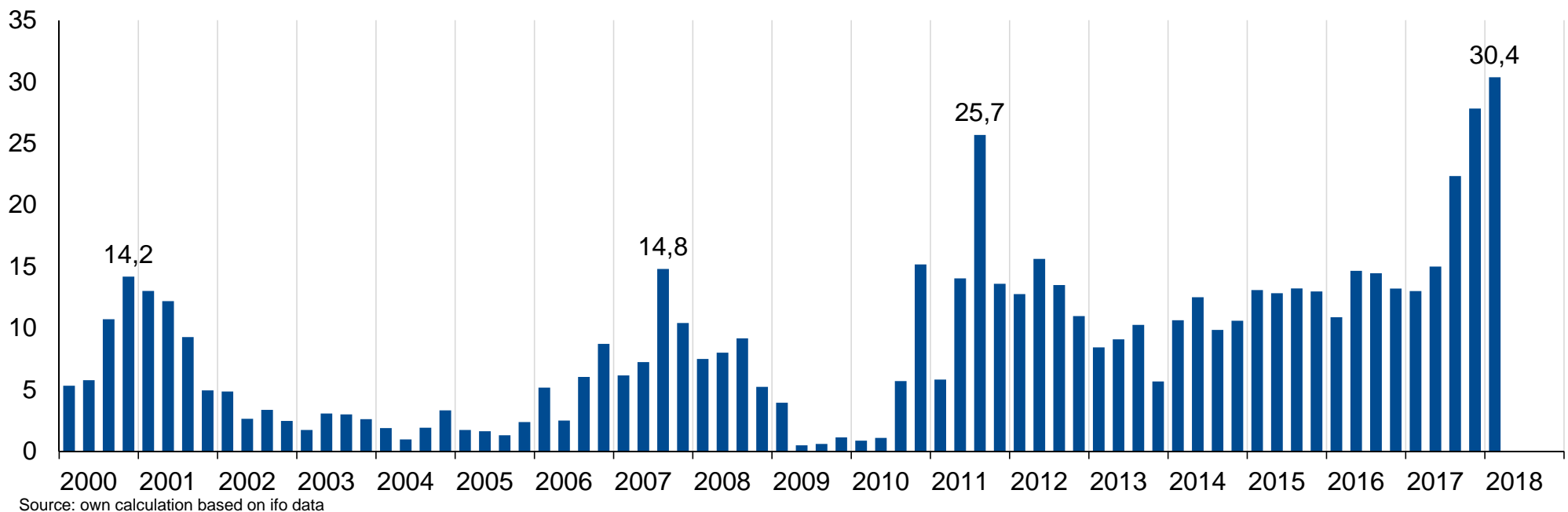
*Are or would requests of your employees concerning individual, varying working hours (f. e. temporary part time work, individually and temporarily increased working hours) be operationally feasible?*



# Production obstacles caused by skills shortage ifo survey



Percentage of establishments with production obstacles caused by skills shortage



# Skills shortage in Bavaria – Metalworking and Electronical Industries



# Working Time Reduction 1984 – Starting Position

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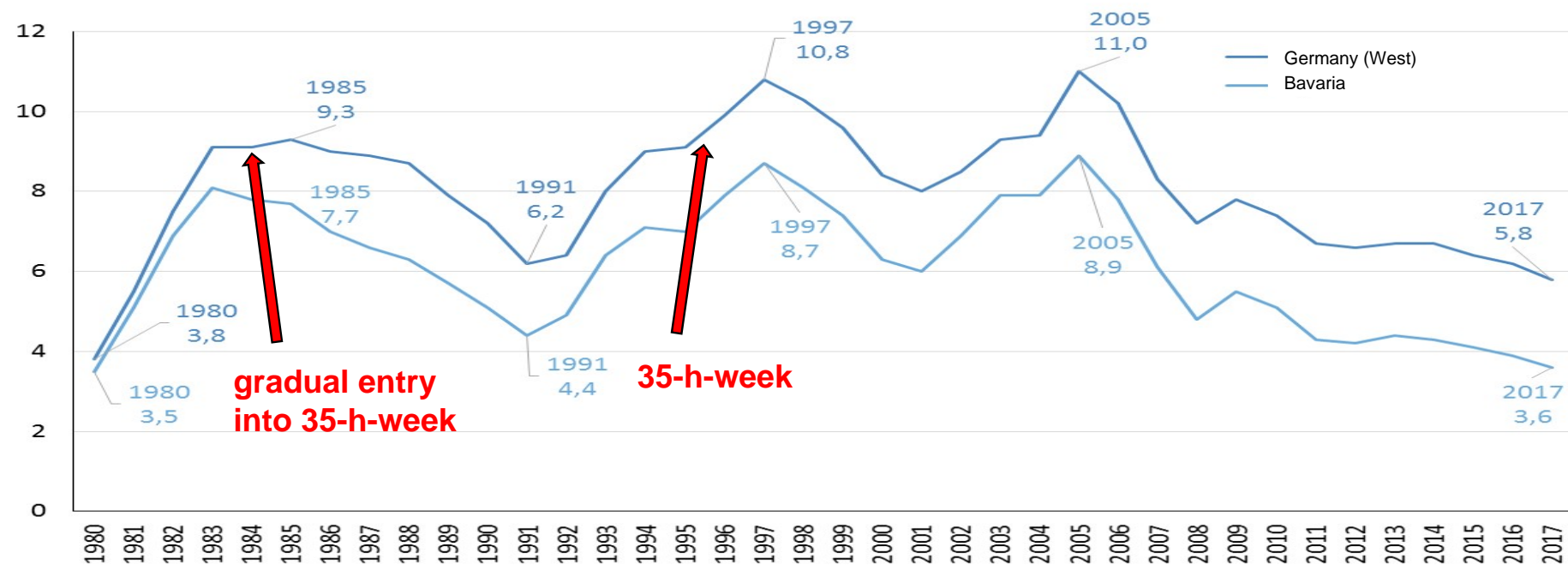
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*„Instead of unemployment for many – working time reduction for all.“*

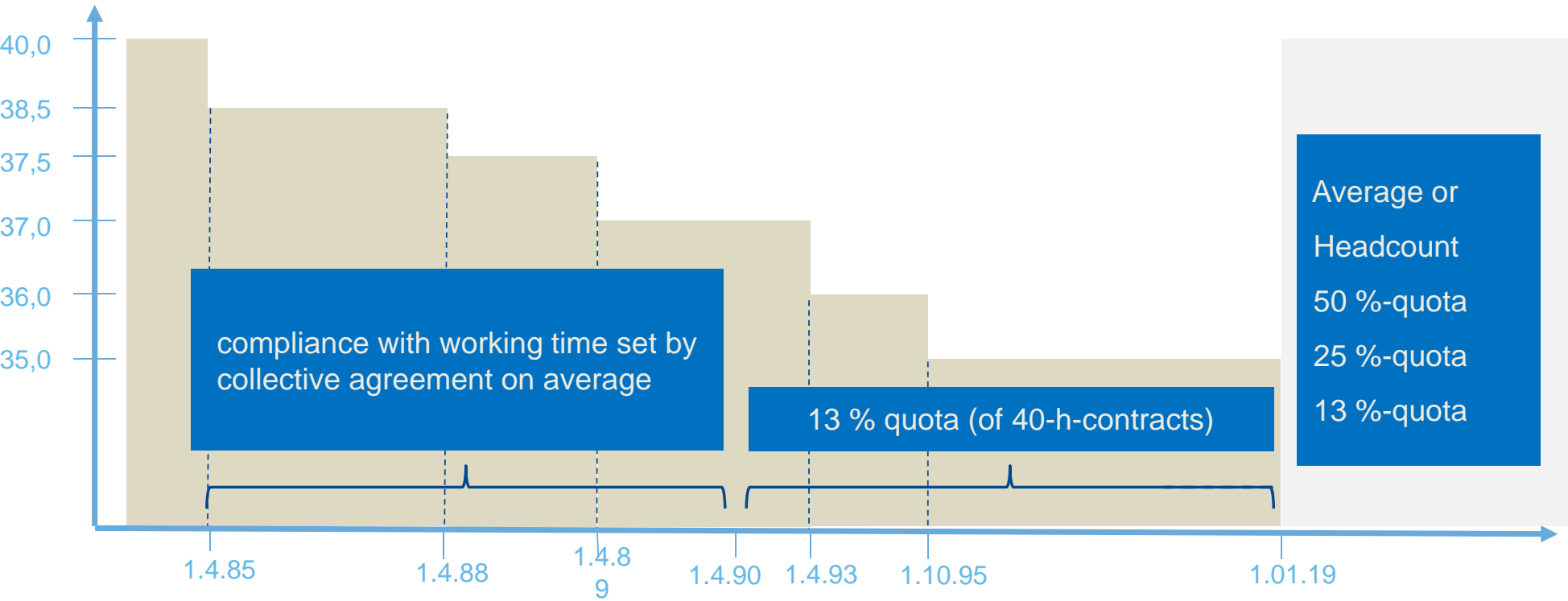
# Unemployment in Germany and Bavaria

percentage of the dependent civilian labour force; annual average



Source: BA

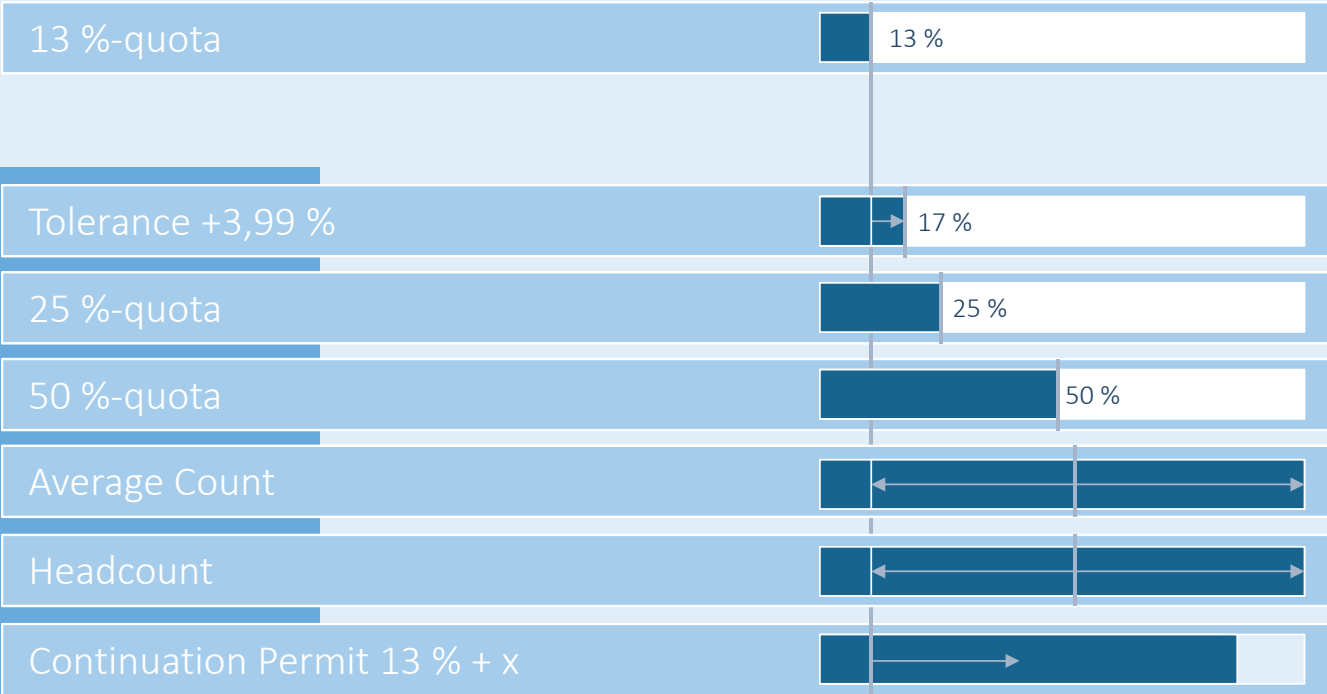
# Development of 40-h-quota





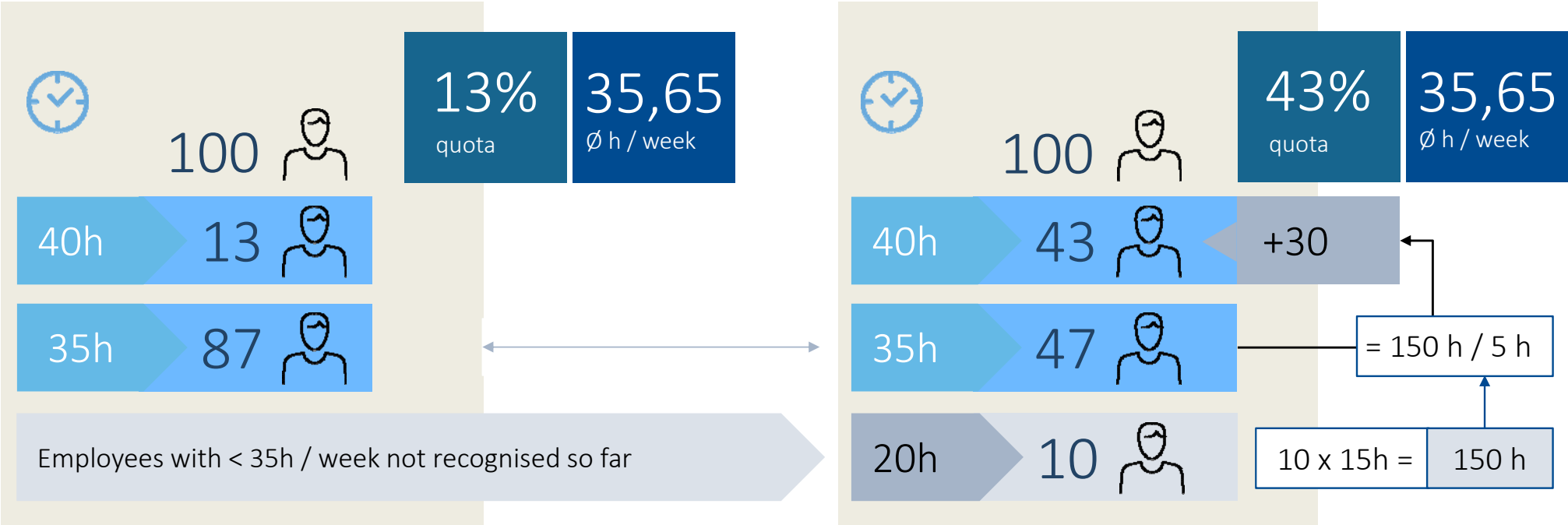
# New Flexibility

Status Quo



# Example: Average Count

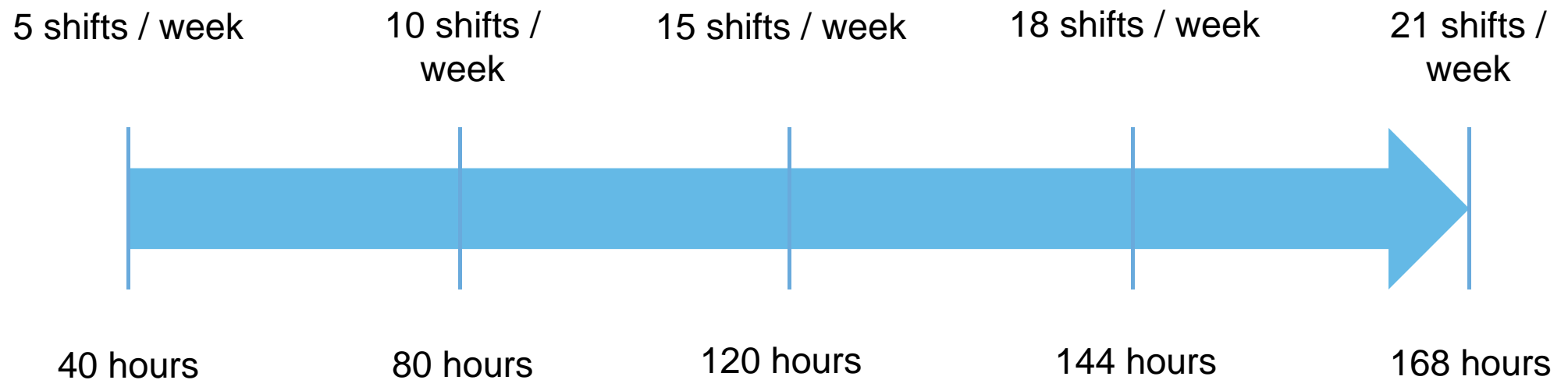
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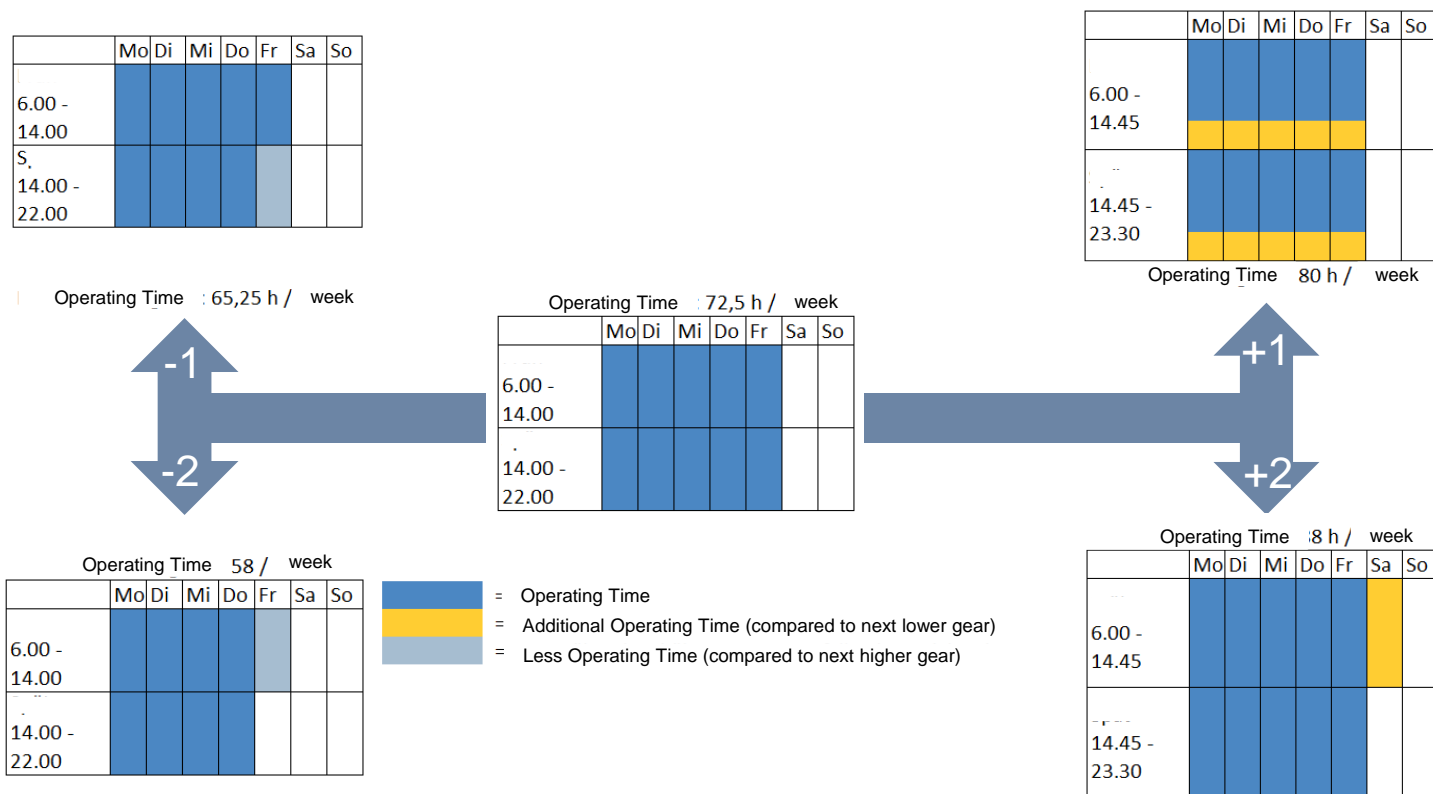
works council can object if Ø > 35,85 h / week

# Flexible Shift Work and usual operating times

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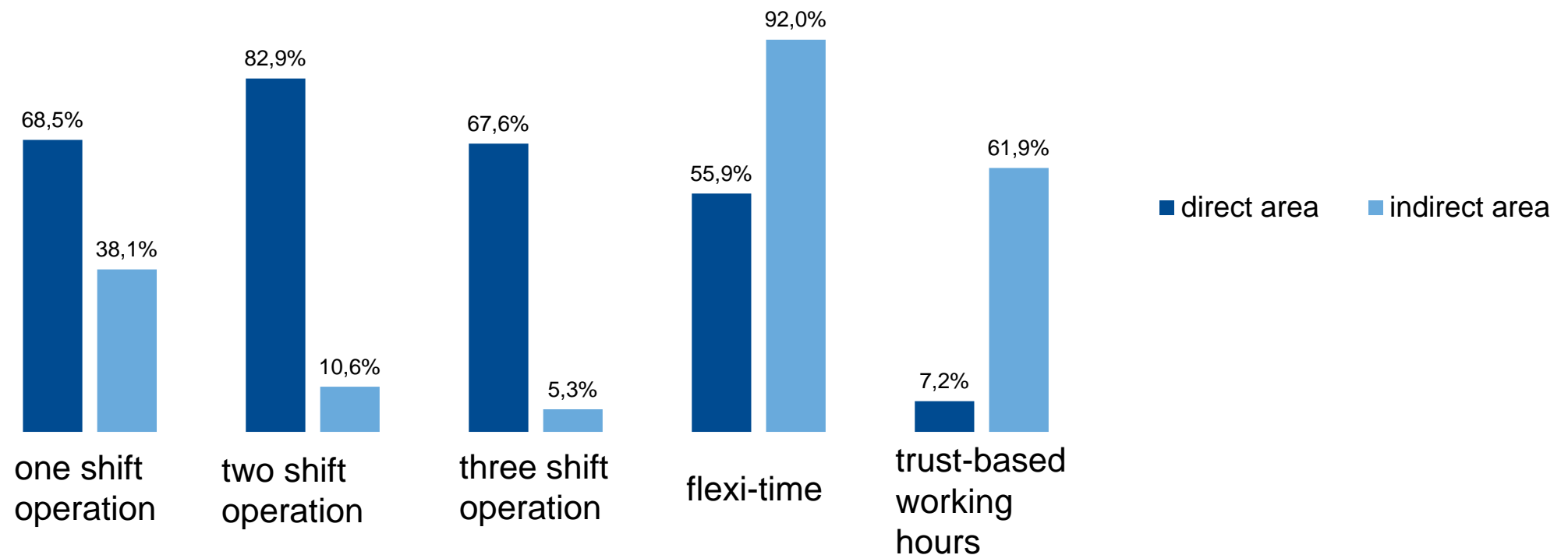


# Gear Shift Model (Example)



# Working Time Models – vbm Employers Survey 2017

Which working time models are you using at your establishment?



# Time Accounts

Recording and formal entering of worked hours for compensation of operational production and work cycles.

In case of flexi-time accounts often combined with *traffic light-system*:

## Account balance

+ 400	<div></div>	Supervisor / HR department responsible for account management
+ 50	<div></div>	Supervisor and employee manage account jointly
0	<div></div>	Employee manages account on his own
- 20	<div></div>	Supervisor and employee manage account jointly
- 80	<div></div>	Manager / HR department responsible for account management

## Working Hours

# Legal Framework (Working Hours Act / ArbZG)

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**Basic Rule: §§ 3,5 Working Hours Act**

### Work Week

(Montag – Samstag)

144 Hours

Legal Maximum  
60 Hours

Ø 48 Hours  
(in 6 months or 24 weeks)

### Work Day

24 Hours

Legal Maximum  
10 Hours

Ø 8 Hours  
(in 6 months or 24 weeks)

Daily Rest Period  
11 Hours

# Working Hours – Political Positions of the vbw

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- complete withdrawal of the daily maximum limit in the Working Hours Act
- mere opening clauses for social partners would not be sufficient
- after the withdrawal made to measure solutions by social partner agreements at collective and establishment level and individual agreements are possible, according to the individual needs of sector and company
- opening clauses for additional flexibility through social partner agreements at collective and establishment level and individual agreements, f. e. concerning the daily rest period
- reduction of record keeping obligations
- granting of exemptions with practical orientation

All these claims are completely consistent with the European Working Time Directive!





# Vielen Dank für Ihre Aufmerksamkeit

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