

**Opinion on the draft for a Council Decision concerning the activities of certain State-trading countries in cargo liner shipping**

**A. LEGAL BASIS FOR THE OPINION**

At its 159th plenary session held on 31 May and 1 June 1978 the Committee, acting on a proposal from the Bureau, decided to deliver an opinion on the abovementioned subject on its own initiative.

**B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE**

The Economic and Social Committee prepared its opinion on the above matter at its 159th plenary session, held in Brussels on 31 May and 1 June 1978.

The full text of the opinion is as follows:

THE ECONOMIC AND SOCIAL COMMITTEE,

Having regard to the draft for a Council Decision concerning the activities of certain State-trading countries in cargo liner shipping of 6 April 1978,

Having regard to Article 75 and Article 84 (2) of the EEC Treaty,

Having regard to its Bureau's decision of 30 May 1978 to deliver an opinion on this draft,

Having regard to Articles 18, 20 (4) and 46 of its Rules of Procedure,

Having regard to its opinions of 22 June and 23 November 1977 on this matter,

Having regard to the oral report made by the rapporteur-general, Mr Hoffmann,

Having regard to the discussions at its 159th plenary session, held on 31 May and 1 June 1978 (meeting of 31 May 1978),

Whereas it is necessary for Member States to take joint action against the growing non-commercially-based competition from certain State-trading countries' liner fleets,

HAS ADOPTED THE FOLLOWING OPINION:

with no votes against and two abstentions:

1. The Economic and Social Committee fully endorses the Commission's proposal.

2. It is gratified to note that the Commission has based itself to a very great extent on the Committee's preliminary work on this subject.

Done at Brussels, 31 May 1978.

*The Chairman*  
*of the Economic and Social Committee*  
Basil de FERRANTI

**Opinion on part-time employment: its effects in the current state of the labour market**

The opinion of the Committee is not based on any text.

**A. LEGAL BASIS FOR THE OPINION**

At its 150th plenary session held on 22 and 23 June 1977 the Committee, acting on a proposal from the Bureau, decided to deliver an opinion on the abovementioned subject on its own initiative.

## B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE

The Economic and Social Committee prepared its opinion on the above matter at its 159th plenary session, held in Brussels on 31 May and 1 June 1978.

The full text of the opinion is as follows:

THE ECONOMIC AND SOCIAL COMMITTEE,

Having regard to Article 20 (4) of its Rules of Procedure,

Having regard to the decision taken at its plenary session on 22 July 1977 on the proposal of the Bureau to give its opinion on part-time employment and its effects in the current state of the labour market,

Having regard to the opinion given by the Section for Social Questions on 13 April 1978,

Having regard to the report presented by the rapporteur, Mr van Rens,

Having regard to the discussion at the Committee's 159th plenary session held on 31 May and 1 June 1978 (meeting of 1 June 1978),

Whereas part-time employment accounts for a nationally varying but fairly large proportion of total employment in the Member States and in some sectors of activity this proportion is increasing;

Whereas part-time workers must in all aspects of their employment have comparable rights and protection to full-time workers;

Whereas part-time employment must be organized in such a way as to meet the desires and needs of particular sections of the population whilst, at the same time, taking into account certain economic and social factors;

Whereas part-time employment may also, coupled with other measures and provided certain steps are taken to prevent it being regarded as marginal and second-rate employment and to avert undesirable consequences on the labour market and in social security schemes, have some impact on the employment situation;

Whereas however, in order to achieve a radical improvement, of the underlying employment situation, various measures need to be taken, the principal ones being to increase the number of jobs and, if sufficient work cannot be provided, to share out the work available between more people; whereas part-time employment does not represent an alternative to taking the abovementioned measures or a substitute for an active employment policy,

HAS ADOPTED THE FOLLOWING OPINION

*nem. con.*, with one abstention:

### 1. Introduction

#### 1.1. *Definition of part-time employment*

1.1.1. The basic criteria of part-time employment which the Committee adopted for its deliberations are as follows:

- the voluntary nature of part-time work, i.e. it must be at the wish of the worker, not imposed as a result of adverse economic circumstances,
- regularity: part-time employment implies working, under a contract for a definite or indefinite period, under normal legal conditions of employment and over a long period, for a smaller number of hours per day, week or month than the norm, as fixed by law or in collective agreements,
- proportionality of pay: part-time work is paid in proportion to the smaller number of hours,
- performed away from home: work performed at home is disregarded.

(This opinion does not take account of the problems of the agricultural self-employed, such as owner-farmers, which call for specific investigation. Their situation is affected by the particular structural, social and regional conditions. This does not mean that the agricultural self-employed are not affected by this opinion. They, too, ought to be eligible to benefit from the improvements which would be made to the situation of part-time workers.)

1.1.2. Although part-time employment is defined as the voluntary decision of the worker, there are cases in which the economic and social circumstances of the country or a given area and, in particular, the current level of unemployment, may in fact limit workers' choice and leave them no alternative to part-time work.

1.1.3. Finally, part-time work should be differentiated from other forms of non-full-time employment like temporary employment, seasonal employment, casual employment, underemployment and short-time working.

### 1.2. *Aspects of part-time work in the current state of the labour market*

1.2.1. Although the absence of a precise definition of part-time work makes interpretation of statistics very difficult, it is generally agreed that, in most industrialized countries, part-time employment is on the increase and that women predominate among the people engaged in such work.

It is also likely, however, that given a general reduction in working hours and provision of more public services, increasing in particular women's availability for work, part-time employment will emerge somewhat from the special status it has today.

1.2.2. There are 9.2 million people in part-time employment in the Community, 8 million of them women. This is 9.4% of all persons working – 1.9% of the men and 23.6% of the women. Part-time employment is thus an established fact and must be regarded as a regular element of the labour market in the Community. In addition to the people already working part-time there are also many people currently trying to find part-time jobs but unable to do so. Though the extent of the practice may vary from country to country (everywhere, however, the trend is upwards), and the reasons for and the effects of the phenomenon may differ, part-time employment clearly meets a demand and fulfils certain functions in the economic and social fabric of the Community.

1.2.3. During the spread of part-time employment in recent years, the rate of which has varied from country to country, its function and its place on the labour market have also evolved, partly owing to the changes that have occurred in the Community's economic and social situation since 1974. New factors we now have to bear in mind are the changed jobless/vacancies ratio and the bigger range of people potentially interested in part-time work.

### 1.3. *Reasons for part-time employment*

1.3.1. The reasons for working part-time are many and various and assume differing importance depending on such factors as the prevailing economic and employment situation, the worker's family circumstances, and the arrangements and conditions applying to this type of work. The reasons also vary depending on whether the point of comparison is unemployment or a full-time job.

## 2. *General comments*

2.1. Part-time employment has many aspects and is highly controversial. Assessment of its effects on the

present employment situation is a difficult matter. A detailed analysis of employment and the job markets is essential for making a precise assessment of the effects of part-time employment. The following factors need to be taken into account in making such an analysis:

- with the situation in different countries and industries varying as they do, the Community labour market is not in fact one homogeneous market, but a set of more or less separate submarkets all with their particular characteristics and showing their own special trends. In spite of the general shortage of jobs, there is in some areas, industries and occupations, an unsatisfied demand for labour,
- part-time employment assumes different degrees of importance in different Member States,
- the current employment situation cannot be entirely divorced from the features of the recent past and the economic and social outlook,
- the motives and effects of part-time employment depend on many factors which in their various permutations, can lead to a very wide variety of situations. These factors include:
  - the general economic and employment situations and their short- and long-term prospects,
  - the individual situation of the full and part-time worker,
  - social security and tax provisions,
  - whether the vantage point from which one is comparing part-time work is full-time work or unemployment,
  - attitudes towards the place of part-time employment in the labour market (a necessary evil or a valid alternative),
- the range of people potentially interested in or obliged to resort to part-time work is very wide. It covers not only women with family responsibilities, although these form the majority, but also other groups such as students, the elderly, the disabled and handicapped and people on the fringe of the labour market.

2.2. The discussion in the Committee showed that our thinking about part-time employment is still evolving and that much further study needs to be done.

2.3. The scope for extending part-time employment in the coming years is likely to be limited, for the following reasons:

- few full-timers will opt to go over to part-time work because of the drop in earnings and other disadvantages this entails,

- there is unlikely to be a sharp increase in the number of part-time jobs offered in the short term because of the changes in organization, etc., required. This will mean that workers seeking a part-time job will be unable to find one or will take a full-time situation instead if one is available,
- part-time jobs in the more highly-skilled occupations are relatively scarce, though the situation varies from Member State to Member State,
- because part-time jobs tend to be of the less skilled kind, hourly rates of pay for part-time work are often low. When workers with a certain amount of training choose to work part-time, their wages are thus less than might otherwise be expected,
- part-time workers are still often insufficiently protected at the social, legal (both under legislation and in contractual relationships) and practical levels. This adversely affects their pay and may give unfair cost advantages to their employers. It also reduces the attraction of part-time work,
- many part-time workers are in a weak position because their personal circumstances make it impossible for them to consider working full-time. Some of these would be able to work full-time if measures were taken catering for their special circumstances, such as changes in the working hours of full-time jobs and in school hours, work organization changes, provision of more child-minding facilities, etc.

2.4. These factors show that the situation is not very favourable to the expansion of part-time employment. The position of part-timers on the labour market is still too weak. This position needs to be improved if further part-time jobs are to be provided.

2.5. The size of the part-time labour force in the Community (roughly 10% of the total) makes it essential that the improvement of their position be effected quickly.

2.6. With the improvement of the legal position – by legislation or collective bargaining – and of the attractiveness of part-time work, there could be an increase in the demand for part-time employment and it would be necessary to cater for this by creating more part-time jobs.

2.7. In many firms the desire of particular sections of the workforce to work part-time is insufficiently appreciated and in some industries there is also a certain amount of reluctance to organize such work. Part-time work has only caught on in situations where it offered significant cost and organizational advantages.

2.8. A large-scale expansion of part-time employment would raise organizational problems which would have to be overcome.

### 3. Conclusions

In view of the diversity we have noted in the situations in the different Member States, it is difficult to draw conclusions which are always valid for the Community labour market as a whole.

3.1. The Committee considers that a policy of encouraging part-time employment must not be seen as a substitute for a policy of expanding employment. Its primary function is to fulfil a demand for part-time employment. As such it may serve to supplement the general employment policy.

3.2. Although increasing part-time employment is a possible means of spreading the supply of employment among more people, i.e. work-sharing, it is only one of the possible means of doing so. Furthermore, any such increase must not be made at the expense of full-time jobs. Work-sharing is, itself, only one element of employment policy.

3.3. Quite apart from any possibilities there may be in that direction, more scope for part-time work may satisfy a demand from workers whose individual circumstances make a part-time job more convenient, and it may also facilitate a redistribution of roles between marriage partners whereby both work part-time and share the housework and looking after the family.

3.4. An expansion of part-time employment in the present state of the labour market would probably only have beneficial effects under the following conditions:

3.4.1. It must be the free choice of the workers concerned and must be practised under circumstances which make it lead to an improvement of their living and working conditions. It must also provide for the special needs and desires of particular social groups. This also applies to the self-employed, such as farmers, who do not come within the scope of the present opinion.

3.4.2. Introduction of part-time work may increase a business's overheads and its unit labour costs because of the existence of a minimum rate of employer's social security contributions, the social and welfare obligations the business has, the ways in which its tax liability is assessed, and the fact that part-time employees involve the same administrative costs as full-time workers. Steps must be taken to ensure that this does not place an excessively

high financial burden on industry or the community at large. Nor must part-time work create a marginal underprivileged class of worker with substandard conditions of employment.

An expansion of part-time employment opportunities must lead to an increase in the total amount of employment available in terms of man-hours.

Finally, with the economic situation as it is, it must be made absolutely sure that part-time job creation does not detract from full-time job creation.

3.4.3. Part-time work must not be diverted from its proper purposes and must not be a disruptive element on the labour market (moonlighting) or lead to a breakdown of the social security system.

3.4.4. Encouragement of part-time employment must not be isolated from the measures to bring about a radical improvement of the unemployment situation and must not hold up the adoption and implementation of such measures.

3.5. Part-time work has become a permanent and substantial part of the employment scene. Therefore, the people working in this capacity, for whatever reasons, must no longer be an underprivileged class forced to put up with substandard conditions of employment. This means that part-timers must be treated equally and in principle have proportionately the same rights as full-time workers in regard to such things as social security, working conditions, recruitment pay, holidays, etc.

3.6. Part-time work must be treated as an established practice and the principle of the protection of such workers accepted. It should also be noted that some aspects of the problems surrounding part-time employment have a permanent character and owe at least as much to social as to employment factors.

3.7. Finally, as regards the official status of part-time workers and their participation in the life of the business enterprise, reference should be made to the discussion going on in the International Labour Organization about the possible introduction of an ILO instrument setting out international guidelines for facilitating such employment to meet the desires of workers and of certain groups while making better use of labour resources and ensuring equitable conditions of employment for part-time workers.

According to the ILO Secretariat, such an instrument would, in the first place, comprise a brief definition of part-time work, stressing its regular and voluntary nature and its shorter duration by comparison with normal or statutory working hours, and excluding all secondary jobs carried on by workers having a full or part-time job.

The actual clauses of the instrument would provide for:

- equal treatment for part-time workers with regard to conditions of remuneration and proportional rights in regard to the remuneration itself, weekly days off and annual holidays,
- full protection as regards safety and health at the work place and access to the enterprise's social services,
- no discrimination against part-time workers in the allotment of posts and training and promotion opportunities,
- measures to admit part-time workers to social security schemes,
- safeguards giving job security, with particular reference to protection against unfair dismissal and priority redundancy in the event of lay-offs of staff,
- trade union freedom and participation in the advantages of collective agreements and in the arrangements for employee representation and consultation in the enterprise with the right to assert demands in the same way as full-time workers.

3.8. Inasmuch as part-time employment satisfies a demand on the part of certain sections of the population, certain support measures need to be taken to strengthen the position of part-time workers, in particular:

- close study of experiments in providing more part-time employment in private industry and the civil service;
- special consideration of necessary changes in taxation and social security schemes,
- extension to part-time workers of proportional rights under collective agreements, and if necessary introduction of special measures catering for the particular situation of part-time workers,
- use of the public employment services both central and regional to improve the transparency of the part-time job market and pinpoint any organizational difficulties,

- vesting of effective powers of control of part-time employment in the public employment services,
- back-up measures in the field of community services (day nurseries, retraining centres, etc.) are desirable.

3.9. With regard to part-time employment social security provision, the Committee asks the Commission to make a detailed study of the relationship between benefits and contributions under social security schemes and of the setting of a minimum number of working hours below which no benefits or contributions are payable. At

all events, the Committee considers that there should be no anomalies in the position of part-time workers in this respect.

3.10. In those Member States which have statutory or contractual minimum wages systems, part-time work should also be guaranteed minimum wage equivalents, taking into account the lesser number of hours.

3.11. Part-time workers should be covered by a collective agreement, which should, as stated above, include provisions on part-time employment.

Done at Brussels, 1 June 1978.

*The Chairman*  
*of the Economic and Social Committee*  
Basil de FERRANTI

#### ANNEX

#### to the opinion of the Economic and Social Committee

The following passages of the Section for Social Questions' opinions were amended or deleted as a result of amendments which were carried by the meeting:

##### Page 1 – first 'whereas' clause

'Whereas part-time employment accounts for a nationally varying but fairly large proportion of total employment in the Member States and this proportion is increasing;'

##### *Voting*

Unanimous in favour of amendment.

##### Page 1, fourth 'whereas' clause

'Whereas part-time employment may also, coupled with other measures and provided certain steps are taken to prevent it being regarded as marginal and second-rate employment and to avert undesirable consequences on the labour market and in social security schemes, have a positive impact on the employment situation;'

##### *Voting*

Unanimous in favour of amendment.

##### Page 4 – heading of Section 1.3. and text of paragraph 1.3.1.

'1.3. Reasons and motives for part-time employment

1.3.1. The reasons and motives for working part-time are many and various and assume differing importance depending on such factors as the prevailing economic and employment situation, the worker's family circumstances, and the arrangements and conditions applying to this type of work. The reasons also vary depending on whether the point of comparison is unemployment or a full-time job.'

*Voting*

Unanimous in favour of amendment

**Pages 4 – 5, paragraph 1.3.2.**

‘1.3.2. The main reasons and motives include:

- a shortage of full-time vacancies,
- family circumstances,
- a personal choice because of a wish to devote more time to activities outside the place of work,
- a wish to supplement the family income or redistribute the roles in the home,
- men and women’s search for emancipation,
- the improvement of working conditions for particular groups of workers (the handicapped and disabled, the elderly, etc.),
- the intrinsic features of particular jobs or industries (agriculture, public sector, services),
- greater flexibility in work organization,
- in some cases, the need for a preparatory period leading to full-time work.’

*Voting*

27 to 20 in favour of deletion, with four abstentions.

**Page 7 – first indent, first sentence**

‘— the range of people potentially interested in part-time work is very wide.’

*Voting*

32 to 4 in favour of amendment, with 15 abstentions.

**Page 9 – paragraph 2.6.**

‘2.6. With the improvement of the legal position – by legislation or collective bargaining – and of the attractiveness of part-time work, there will probably be an increase in the demand for part-time work, both from full-timers and non-employed persons. To satisfy this increased demand, a corresponding expansion of the number of part-time jobs will be necessary.’

*Voting*

Amended *nem. con.*, with four abstentions.

**Page 9 – paragraph 2.7., first sentence**

‘2.7. Part-time employment needs to be given more publicity since in many firms the desire of particular sections of the work-force to work part-time is insufficiently appreciated and in some industries there is also a certain amount of reluctance to organize such work. Part-time work has only caught on in situations where it offered significant cost and organizational advantages.’

*Voting*

Amended *nem. con.*, with five abstentions.

**Page 9 – paragraph 2.8.**

'2.8. Amendment of form of verbs from future to conditional (already the case in the English version).'

*Voting*

Unanimous in favour of amendment.

**Page 13, Section 3.8.**

'3.8. Inasmuch as part-time employment is a positive development on the labour market, and as such something which deserves to be encouraged, incentives and support measures on behalf of both employers and workers need to be introduced on a temporary or permanent basis through legislation or collective bargaining, to strengthen the position of part-time workers and prevent an excessive rise in costs which would give rise to problems.'

*Voting*

Unanimous in favour of amendment.

**Page 14, first and second indents**

- introduction of experiments in providing more part-time employment in private industry and the civil service, with, if necessary, help with the financing of any extra costs involved,
- changes in the tax and social security systems to encourage part-time employment from the points of view of both employees and employers.'

*Voting*

Unanimous in favour of amendment.

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