

# Flexibility

**The Challenge for the Union**



**Executive Council Statement to the  
2001 Annual Delegate Meeting**

# Flexibility – Always and Everywhere

## Flexibility .... everybody's favourite buzzword

Flexibility has been a Government and employer buzzword for the last 20 years or so and will remain so for the foreseeable future.

Previous Tory Governments, the current Labour Government and legions of employers have joined together to promote flexibility and locate the flexible worker at the centre of labour market and employment practices in the late 20th and now the 21st century.

We're told the flexible workforce is the hallmark of any modern, successful economy. Labour flexibility is at the heart of Government policy and we're told that either deregulation or 'a light touch' on rights at work have delivered us the ideal 21st century workforce.

Workers have correspondingly been called on to be flexible in terms of their working time, their job content, their place of work, their careers and their learning and training needs.

## What does flexibility amount to?

The conventional, full-time permanent job based on a standard, weekday working day is increasingly a thing of the past for millions of workers.

Competitive pressures, technological capacity, labour market deregulation and the structure of the tax and National Insurance systems have all combined to drive the trend towards casualised and flexible employment policies across the UK economy, and especially within the private service sector.

In the name of flexibility, workers are increasingly expected to work at a variety of times, in a variety of ways, to a variety of job descriptions and in a variety of workplaces, including their own homes.

Flexibility at work increasingly takes on a bewildering array of forms characterised by some highly formalised, contractually based arrangements which have proliferated in recent years. They include:

- **Part-time working.** Part-time workers form a huge and growing proportion of the workforce, working to a wide variety of hours, arrangements and shift systems. They include early shift working, late shift working, twilight shift working, weekend working, split shift working and term-time working as well as a changing combination of part-time hours in what used to be considered the standard working day or week.
- **Temporary working.** This is another all embracing category ranging from casual and seasonal work through to longer term and 'job and finish' contracts. Overall, about 7% of the workforce are temporary workers and the vast majority of them are employed on seasonal or other relatively short-term contracts.
- **Agency working.** Agency workers are temporary workers, employed by a commercial agency to perform specified jobs for a third party. They may be used to cover for sickness, maternity leave or holidays among permanent staff, or deployed as additional staff on specific projects or used to cope with sudden increased workloads.
- **Annualised hours working.** Working time is organised on the basis of a number of hours over a year rather than a week. Within the overall total, hours can be combined to lead to variable shift patterns and weekly or seasonal fluctuations in an individual's work hours and patterns.
- **Compressed hours working.** Workers on this basis may compress their standard working week into fewer days, working longer hours per day but only over a 4.5 rather than a 5 day week, or a 9 rather than a 10 day fortnight.

- **Flexitime.** Flexitime schemes allow staff to vary their hours within specified time limits from day to day. A certain number of hours (credit or debit) can be carried forward from one accounting period (usually one month) to the next.
- **Job sharing.** Job sharing is usually a means by which a full-time job can be shared between two people. The hours and duties are shared by mutual agreement, usually with some overlap for de-briefing.
- **Teleworking.** Almost 1 million people now either work from home or have their home rather than their employer's premises as their main base. Although primarily in use in areas such as banking, telecommunications and the civil service, it is a form of working that has already extended into Usdaw sectors such as insurance and is likely to extend to others.

All in all, flexibility can take a variety of changing forms and will continue to do so. Workers increasingly will be expected to display flexibility not only across a working day or a working week but across their working lives, changing direction, jobs and job content many times over their decades in the labour market.

## Who works flexibly?

More and more workers are forming part of the flexible workforce:

- **Over 7 million workers**, 28% of the workforce, are now clarified as flexible workers. That's an increase of over 2 million in 10 years.
- **Women** make up the vast majority of the flexible workforce. In retailing, for example, almost 80% of the flexible workforce are women. One-half of all employed women, but only a quarter of employed men, are in flexible work.
- **Women working part-time** are the cornerstone of the flexible workforce. 40% of women of working age who are not in full-time education are in part-time jobs (compared with only 4 per cent of men).
- **Temporary workers**, on seasonal, casual or fixed term contracts, account for almost 20% of the flexible workforce. Roughly half of the 1.7 million temporary workers are also part-time workers and a third of these are employed in retailing, distribution, hotels and catering.
- There are approximately the same number of men and women employed as temporary workers, but **men in temporary jobs** are much more likely to work full-time hours than **women in temporary jobs**.
- **Students** in full-time education who also take on some form of paid employment nearly always become part of the flexible workforce. The same applies to **people over retirement age** re-entering the labour market.
- Flexible working is the dominant form of working in the **service sector**. In **retailing**, for example, over 1.3 million workers, or 55% of the sector's workforce, are flexible workers.
- The flexible workforce increasingly also contains **full-time workers**. All those who work a non-standard day or week and all those on flexitime, for example, form part of the flexible workforce.

Flexible working in all its wide and changing variety of forms is, therefore, an increasingly significant feature of the UK labour market, the dominant form of working in key Usdaw sectors such as retailing and a determining factor in the working lives of millions of people.

# Section Summary

## Flexibility – Always and Everywhere

- Flexibility – everybody's favourite buzzword.
- What does flexibility amount to?
- Who works flexibly?

# Flexibility – Whose Needs and Whose Interests?

## Who defines flexibility?

It's a powerfully descriptive word. It can mean everything and nothing. What it really means depends on who's defining it.

At its worker-friendly best, flexibility can mean real and valuable opportunities for workers to combine their changing needs and interests as workers, parents, carers, citizens and lifelong learners in a variety of imaginative, secure and rewarding ways.

At its hostile worst, flexibility can mean working when you're told, doing what you're told, for as long as you're told, until you're told you're not wanted.

## Who chooses it?

People turn to flexible working for a changing variety of different reasons:

- Flexible work is genuinely **preferred** by some people. That should be their absolute right and providing flexible work is genuinely chosen, properly protected and fairly rewarded, then it can be an attractive option for people whose personal circumstances enable them to take it up.
- It can also be a **necessity** for many people, mostly women, who have to combine wage earning with other responsibilities at home and in the wider community. When time has to be divided between earning a wage and other responsibilities, then flexible work can be the only option. With the growth in the number of one-parent families, flexible work is increasingly required by men as well as women. There is also a growing number of elderly people in the population and gaps in welfare provision and community facilities mean that people need flexible work to combine wage earning with caring for elderly relatives and dependants.
- Flexible work is sometimes **all that is available**. With the loss of full-time permanent jobs, flexible jobs can be virtually all that are on offer in some communities and local labour markets.

## Who benefits from flexibility?

No-one should ever be driven into flexible work for lack of any decent alternative nor against their own wishes or better judgement. Flexible working should always be a genuine alternative within a range of options, all with decent conditions and fair and equal terms and conditions in every respect.

On this basis, flexibility can and sometimes does work for all concerned.

There are workers and employers, large and small, who work together co-operatively, who genuinely see the value in one another and who accommodate one another's changing needs and interests in a balanced and mutually supportive way. It does happen and people working in real partnership can work flexibly and confidently together.

Yet for decades the reality for flexible workers has often been very different.

Flexible working over the years has often meant no choice, no voice and no prospects for the future:

- Many flexible jobs are frequently concentrated in the lowest grades and attract the lowest rates of pay. They often involve unsocial hours shifts with no premium pay. There is no opportunity to supplement low basic rates because bonus and commission schemes have often not applied to flexible working.

- Flexible workers are often moved around from job to job by employers who demand sudden changes in hours and duties without any consultation, regardless of the views of the people concerned.
- Flexible jobs may involve no serious training and offer very little chance of learning the skills required for higher grades of work or better pay. Flexible workers are often viewed as unskilled, with no status and very little value as members of the workforce. This general lack of concern and investment can mean unhealthy and even dangerous environments with no proper attention to working temperatures, the design of workstations, checkouts, etc.
- Flexible workers may not get rest or refreshment breaks even though they are employed at peak periods and working under real pressure. The resulting stress can mean stress-related illnesses but employers' sick pay schemes still may not cover flexible workers.
- Flexible workers can be pressured by their employers into working on customary and public holidays when most people are off work. Flexible workers are often less well informed about their rights at work than their colleagues and more easily subject to pressure and intimidation.
- Flexible workers with earnings below the Lower Earnings Limit for National Insurance contributions may not be entitled to a State pension and may only recently be covered by the new stakeholder pension regulations. Older flexible workers are less likely to have been covered by a company pension scheme.
- Flexible working often means shift and unsocial hours working with little opportunity to meet colleagues who work at different times or to get involved in trade union activity.
- Flexible working can also have effects on conventional full-time workers. Employers who deliberately structure their workforces to include large numbers of flexible workers can create problems with work organisation and workflow for remaining workers, especially those in supervisory grades. Employers who recruit flexible workers in large numbers often do so, not because of the demands of the work or the needs of workpeople themselves, but because a range of factors, including the tax and National Insurance systems, make it cheaper for employers in terms of their labour costs.
- Flexible workers can have their family and personal commitments ransacked at no notice by demands for extra hours, further duties, changes in workplaces, or all three.

Over the years, therefore, many flexible workers have done their jobs in the knowledge that they are vulnerable to sudden hours changes, pay packet variations, duties and job content changes and the permanent threat of upheaval around their personal and family commitments.

It is the knowledge that these things not only could happen but so often did happen that has made flexible working so often so unstable, unrewarding and demanding for so many thousands of flexible workers.

## Section Summary

### Flexibility – Whose Needs and Whose Interests?

- Who defines flexibility?
- Who chooses it?
- Who benefits from flexibility?

# Flexibility – Our Aims and Values

## Always a positive view in principle

Because of our history and our roots in retailing and the private service sector, the union has always taken a particular view around flexible working in principle.

Reflecting the views, interests and experiences of our members, we have always believed that flexible working can be a valuable and attractive option for working people according to their own genuine and changing needs over time.

As long as job packages are freely chosen and only varied by mutual consent, as long as terms and conditions of employment are fair and equal in every respect and as long as a range and variety of working time arrangements are available to working people as their own needs change, then we have always believed that flexible work can be as valid, as valuable and as rewarding a form of paid work as any other.

## Our aims and agenda around flexible working

Our principled views around flexible work have always been firm and clear.

Our members' experience, however, has often been at odds with all our aspirations and all our principled views on the potential which flexible working could offer to our people.

It's meant, however, that we've developed an increasingly detailed understanding of the experiences, needs and interests of flexible workers and an increasingly well-founded set of principled objectives around flexible work:

- **Full protection and rights at work** with flexible and full-time workers equally covered. We exposed previous governments' attacks on working people and their attempts to dismantle legislation which protected rights at work. We worked hard to ensure that the Labour Government would create a legal framework which supported stable, secure employment of all kinds.
- **Decent working conditions and career prospects.** We've always believed that flexible workers should not be excluded from training provision and that they should have real promotion prospects. We needed to ensure that flexible workers had full access to sick pay and pension schemes, maternity leave, unsocial hours payments and bank holiday arrangements.
- **Fair pay and a living wage.** We wanted to ensure that bonus and commission schemes and other payment systems were extended to flexible workers to make sure they benefited fully.

## A programme of action

Underpinned by those fundamental aims, we have always worked hard to bridge the gap between our aspirations in principle and our experience on the ground.

In our **industrial** work:

- We've actively recruited thousands of flexible workers every year and tried wherever possible to support and resource them as shop stewards and lay representatives.
- We've designed and resourced our structures, through our women's committees for example, specifically to address issues of particular concern to flexible workers.

- And we've developed our bargaining, policy and campaigning work to address the experience of flexible workers and to ensure that issues around low pay, rights at work and family-friendly working arrangements, for example, were given high priority by employers and Government alike.

In our **political** work:

For the best part of 20 years we campaigned and lobbied hard to oppose the actions of four Tory Governments, all dedicated to demolishing rights at work and exposing vulnerable workers, often in flexible work, to abuse and exploitation.

- At the same time we worked hard with the Labour Party over many years in opposition to develop its minimum standards and fairness at work programme.
- With a Labour Government at last in place we've also worked hard to install its fairness at work programme for real, promoting its achievements and feeding back in partnership the effects of its policies in practice on the ground.

Out of our industrial experience and through our achievements to date in partnership with the Labour Party we have now begun to make a real impact on flexible working practices. For many years thousands of workers, especially those without trade union protection, suffered the worst excesses and abuses of employer-driven flexibility.

We're now, however, beginning to see some real movement towards worker-centred flexibility. It's been a long time coming and there's a great deal further to go, but we can lay real claim to some real progress.

## Section Summary

### Flexibility – Our Aims and Values

- Always a positive view in principle.
- Our aims and agenda around flexible working.
- A programme of action.



# Flexibility – Working With Employers

## A frontline Usdaw issue

Flexible workers form the backbone of some of the largest, most profitable companies in the UK economy.

Our members in flexible work have contributed massively to the profitability and the success of some of the biggest employers in the UK labour market.

As over 80% of all flexible workers in retailing are women, those same women have invariably combined paid work and commercial productivity with unpaid work and a whole raft of caring and community responsibilities at the same time.

Our members in flexible work – overwhelmingly women – know very well that flexible workers work differently but just as hard and effectively as anyone else.

Their contribution and presence, alongside that of hundreds of thousands more flexible workers not yet in membership, means that:

- The union's **recruitment** activity has always encompassed and actively reached out to flexible workers.
- Our day to day **representation** work often focuses on the particular experiences and difficulties of flexible workers.
- Our **bargaining** agenda often extends to substantive issues of direct concern to people, often women, in flexible work.

Flexible working isn't just increasing generally, it's also the dominant form of working in key Usdaw spheres of influence like retailing.

More than that, all the independent observers and labour market analysts make clear not only that flexible work is increasingly prevalent in the UK but it is also confidently expected to be the majority experience in large parts of the UK economy as a whole as we head further into the 21st century.

## The core bargaining agenda .... worker-centred flexibility

For many years the Union has worked with members and their employers to design flexible working practices which benefit both parties. We've done so quite properly in defence of our members' interests as we were duty bound to do.

A flowchart on our basic approach is included in Appendix 1.

We always worked from first principles and with our members' core needs and interests right up front:

- **Ensuring that working times and availability for work were clearly agreed.** No-one should be pressurised to work outside agreed limits and when other commitments outside work might be compromised.
- **Making sure jobs and job content are agreed.** Specific job titles, skills and training needs together with clear grading and pay implications should be available to everyone.
- **Stabilising working patterns.** People should be able to rely on and plan for the hours and days of the week they are asked to work. Specifying days and at least bands of hours help to plan and combine work and other commitments more easily.

- **Making earnings levels clear and reliable.** Workers may be required and be prepared to be flexible, but they also need to rely on a regular and stable income to budget for their own and their family's commitments. Making contractual hours bands as narrow as possible helps to predict likely fluctuations in pay.
- **Making sure changes to hours and duties are jointly agreed and properly arranged.** Workers may welcome a choice and variety in their work and working time. They should have every right to propose, as well as consider them if management propose a change. Whoever proposes it, any change should be agreed and properly timed to allow the change and its implications to be accommodated by all concerned.
- **Resolving differences constructively.** Agreement may sometimes be hard to reach and change does not always suit everyone. Clear procedures are vital to resolving these difficulties and no-one should be coerced into change.

Working from these basic principles we've made progress over the years as our record shows:

- At **Littlewoods home shopping sites, part-time** and **shift working** patterns can be **adjusted** to suit members' changing needs and **shift swaps** between members are available.
- At **Kellogg's, Tesco distribution** and many more locations, **annualised hours** schemes are in place, negotiated and agreed by the union.
- At **Rowallan Creamery**, the union has reached a **compressed hours working** agreement.

There are many other kinds of agreements around flexible working practices which have benefited both our members and their employers over the years.

## A new work/life balance ... family-friendly flexibility

For nearly 20 years we struggled with a hostile climate and damaging culture at work which was deliberately fostered by previous governments.

The 'work when you're wanted or don't work at all' culture bred the worst kind of flexible working practices and millions of working people, largely without trade union support, suffered badly.

That kind of employment practice was unsustainable wholesale under any kind of decent government in any kind of decent society.

And so it proved to be.

We now have a Labour Government wholly committed to a different set of values and policies to any of its Tory predecessors.

## The business case

It's a Government not only committed to justice and fairness in the workplace, but to promoting the business case for worker-centred policies and practices too.

The business case is not new to us. It's familiar territory. Our negotiators and activists have applied it by training and by instinct wherever they could.

It turns on the belief and the fact that working people are living, breathing human beings with lives, interests and commitments outside work as well as inside it. Like everyone else and unlike machines, our members work to live, they don't live to work.

As long as workers' genuine needs and interests are heard, respected and, as far as possible, accommodated within any business, then those workers will respond constructively, productively and efficiently to the agreed demands of their work and the changing needs of the business.

It's hardly rocket science and it's actually a core trade union value and belief. Promoting the business case in practice comes naturally to us, so it's hardly surprising that we're so familiar and comfortable with it.

But it's a perspective which used to run wholly against the grain for previous governments and many, often hard pressed and desperate employers.

This Government's quite proper attachment to it, therefore, has helped strengthen our arm as negotiators and powerfully underpinned our arguments.

It's done so, not only most obviously through various new statutes and regulations (for example on dependant's leave or around the Parental Leave and Part-Time Worker Regulations) but also more widely through the policies and programmes which Government researches and supports.

In Spring 2000 for example, the Government launched its Work/Life Balance Campaign.

Research accompanying the campaign has already shown that worker-centred flexibility and family-friendly working practices clearly help to:

- Reduce sickness absence.
- Improve retention of staff.
- Improve productivity.
- Improve ability to attract recruits.
- Improve morale and commitment.

Even more encouragingly, the Government's research amongst thousands of employers revealed:

- Over 90% agreed people work best when they can strike a balance between work and the rest of their lives.
- Nearly two-thirds accepted that they have a responsibility in helping their employees balance work and other aspects of their lives.
- Nearly two-thirds also believed that everyone, including their employees, should be able to balance work and home in the way they want.

Conversely, around one-quarter of employers believed it was no business of theirs to be helping employees strike a better work/life balance.

In all this and as ever, the better employers will be up to speed and are likely to have seen the light already. Just as predictably, the worst will inevitably drag their feet and continue to treat flexible workers unfairly. There will be others who are simply not clear about what to do for the best.

We will continue to press the business case and the interests of our members at every opportunity. Successful employers will need to treat flexible workers in ways which respect their work/life balance choices and the union will be using its best efforts to assist them to do so.

So while the climate and the conditions for us are more favourable than they have been for a generation, we still have our work cut out to bargain for worker-centred flexibility in an increasingly competitive cut-throat economy.

## Making headway

Against that testing background, the union, our negotiators, activists and members have made some real progress:

- **Maternity schemes** better than the statutory provision at L'Oreal, Kays, Gusco, Scotbeef, Wortley Hall Conference Centre and the Littlewoods Partnership.
- **Paternity leave** of 10 days at the Littlewoods Partnership, 7 days at Smith and Nephew, Parcelnet, Redcats UK and Grattans and 5 days in over 20 other agreements.
- **Adoption leave** agreements with a number of companies including Tesco, Makro, AAH Pharmaceuticals, Keele Motorway Services, Grattans, Scotbeef, Lever Brothers and among the Retail Co-op Societies.
- An **on-site childminding** service which the company subsidises at Elida Fabergé.
- **Parental leave** agreements better than the statutory scheme at the Littlewoods Partnership, UniChem and CIS Catering.
- **Time off for family illness** at Woolworths, C Albany (Distribution) and at the Littlewoods Partnership.

- **Pre-retirement schemes** giving either a reduced working week or extra holiday entitlement in an employee's final year in operation at Gusco, Kays, Grattans, Redcats UK, UniChem, Tesco, McVities, Hollands Pies and in the Biscuit JIC.
- **Bereavement leave** of up to 5 days for immediate family members in over 20 Usdaw agreements including AAH Pharmaceuticals, Booker Cash and Carry, Makro, Somerfield and Weetabix.

These are not just paper agreements. They deliver real, practical benefits to our members. They're a tribute to our negotiators, to our activists and to their employers.

We've made even further headway and a number of companies have already committed themselves to extending or introducing family-friendly policies in 2001:

- At the Littlewoods Partnership, a working party will be discussing the whole issue of **family-friendly policies** over the coming year and developing further proposals.
- At the Co-op, a series of discussions are to be held with a view to developing agreed policies in respect of **paternity leave, childcare and care of dependants**.
- At Vernon's Pools, the company will be meeting with the union throughout the year to reach an agreement covering **family-friendly policies** including improved **maternity pay and parental leave provisions**.

The union will continue to press the case for family-friendly and work-centred flexibility. There's no doubt the climate for us has been changed radically for the better in recent years under a Labour Government. We will, of course, be working hand in hand with the next Labour Government to build on these solid foundations.

## Section Summary

### Flexibility – Working with Employers

- A frontline Usdaw issue.
- The core bargaining agenda .... worker-centred flexibility.
- A new work/life balance .... family-friendly flexibility.
- The business case.
- Making headway.

# Flexibility – Working With Government

## Knowing what we're talking about

For the last 20 years we've campaigned and lobbied on rights at work. We've done all that out of the real experiences of our members and people like them, knowing the pressures and the damage which have been inflicted on them throughout the 1980s and most of the 1990s:

- the widespread incidence of low pay;
- the growth of casualised, insecure part-time working;
- the introduction of zero hours contracts;
- the isolation stress, fear and vulnerability many low paid, casualised workers experience;
- the abuse, unfair and unequal treatment which often follows;
- the difficulties people face trying to right wrongs and get fairly treated;
- the discrimination part-time workers especially are subject to;
- the lack of representation and support at work;
- the difficulties parents, and especially mothers, face trying to combine paid work with other commitments;
- the maternity rights maze which confronts pregnant women at work.

That's been the experience of millions of working people in this country for most of the last quarter of a century, with Usdaw members and potential members prominent among them.

Armed with that knowledge and that experience, we worked closely with the Labour Party over many years in opposition, making sure the facts of life for low paid workers, for part-time and casualised workers and for the mass of women at work were fully understood. As a result, the Labour Party was returned to office with:

- a clear idea of where the real damage had been done in the previous 20 years;
- a clear idea of who had really been at the sharp end as rights and protection at work were decimated over three decades;
- a clear idea of the priority workplace issues as a result.

It's to the Labour Party's enormous credit and to our own that we've seen our Government deliver on a fairness at work programme which so clearly reflects the experience and the needs of so many Usdaw members and people like them.

## Fairness at Work

Since the Labour Government was elected in 1997, they have introduced a whole range of measures that will have benefited the flexible workforce, including:

- A **National Minimum Wage** which has given all workers aged 18 and over an hourly rate of pay backed by the force of law and which has tackled the worst excesses of poverty pay, particularly in the flexible workforce.
- The **Part-Time Workers' Regulations** which have made it illegal for a part-time worker to be treated differently from a full-time colleague across a range of employment-related matters.

- The **Working Time Regulations** which have given all workers the right to paid holidays and ended excessive working hours for full-time workers.
- **Parental Leave Regulations** which recognise the needs of workers to be able to spend time at home with their young children.

There's no doubt that this Government has made a good start – tackling some of the worst abuses within the flexible labour market.

## Talking to Government

Yet so much damage has been done throughout the 1980s and most of the 1990s that no government could work a miracle overnight. This Government is going to need successive terms to really deliver for our people. We need to show patience, trust and understanding.

For our part, we spread the word and we draw attention to the Government's policies and achievements. We drive the message home to our members and to the wider public.

In doing so, it also means we hear people's views and reactions. We help to clear up the confusion and misunderstandings. We hear the doubts and anxieties. We pick up on the real criticisms and misgivings people have about Government policies, priorities and actions.

We then have a duty to feed back any confusions, doubts and criticisms. We must do it in good faith, constructively and positively, but we must still do it and Government has a duty to hear, listen to and work with us. On that basis and in the spirit of partnership we do have some remaining concerns.

## Part-Time Workers' Regulations

The Part-Time Workers' Regulations have been with us for almost a year now and continue to impact directly on the flexible workforce. For the first time ever in UK law, part-time workers now have the legal right not to be discriminated against.

The union has already started using the Regulations to win equal treatment for part-time workers and we'll continue to do so.

But there are some important ways in which Government got the Regulations wrong and so let part-time workers down.

We'll continue making the case to Government that the Regulations need improving in the following three areas:

- **First**, it's very difficult for a part-time worker to **find a full-timer to compare themselves with**, yet this is the first step to claiming equal treatment under the Regulations.

For many part-time workers in Usdaw industries there simply isn't a full-time worker doing the same job.

So, we want Government to make it much easier for part-time workers to find a full-time worker to compare themselves with.

The idea of having a 'hypothetical comparator', which does away with the need to find a real full-time worker doing the same job, would be the best solution.

- **Secondly**, we want Government to introduce a **Code of Practice** to sit alongside the Regulations. It needs to be as easy as possible for part-time workers to understand their rights and for employers to apply them. The Regulations are complex and a Code would give everyone clear guidance on their rights and responsibilities.

Government had initially said it would introduce a Code of Practice, but has since failed to do so. We will continue making the case.

- **Thirdly**, the Regulations don't make any mention of **the right to work part-time**. They were meant to make it easier for people to move voluntarily between full-time and part-time work.

Government has, however, simply ignored this part of the European Directive on Part-Time Work, which is the basis of our Regulations.

This is a serious omission. It would have established the principle that workers in the UK had the right to at least have a say in determining their hours of work and offered real prospects of worker-centred, rather than employer-driven, flexibility. Government has seriously missed the point here and we will continue to argue for the right to work part-time to be covered by the Regulations.

## Childcare

It's impossible for working people to make real choices about how and when they work if they don't first have childcare choices.

For too long, childcare has been too costly, too thin on the ground or too poor in quality to meet the needs of our members.

Add to that the fact that most formal childcare just doesn't fit in with today's flexible work patterns and it's easy to see how childcare has to be a top priority for Government action.

The National Childcare Strategy is enormously welcome and we'll continue urging Government to make sure the strategy is properly resourced and progressed.

## Maternity and Parental Rights

As more and more people want to choose flexible working patterns to fit round their family commitments, the issue of rights to decent maternity and parental leave will become increasingly important.

Again Government has made an excellent start in this area. Maternity rights have been simplified and improved and the UK now gives fathers, as well as mothers, the legal right to take time off work to be with their children through parental leave.

There are, however, some big issues that Government still has to tackle. The right to return to work after maternity leave on reduced or altered hours, the right to paid time off work to care for children and the fact that parental leave can't be taken flexibly – all these issues will need to be addressed if Government is serious about helping people to balance work and home life.

The current Government review of maternity and parental rights provides an excellent opportunity for Government to do just that and the union will be making a full contribution to that review.

## Zero Hours Contracts

The union has been saying to Government for several years that this kind of contract has no place in today's modern labour market.

Zero hours contracts are a reminder of the dark days of employer-driven flexibility, casualisation and job insecurity.

They are a million miles away from the kind of progressive, employee-centred flexibility which Government and unions like ours are trying to promote.

We have already submitted detailed proposals to Government on how zero hours contracts should be tackled, including the requirement that all contracts should guarantee a minimum number of hours to the worker. We will continue to press Government on this issue.

# Section Summary

## Flexibility – Working with Government

- Knowing what we're talking about.
- Fairness at Work.
- Talking to Government.
- Part-Time Workers' Regulations.
- Childcare.
- Maternity and Parental Rights.
- Zero Hours Contracts.



# Flexibility – Working With Members

## Flexible working ... here to stay

The flexible workforce is a lasting and permanent feature of the modern UK labour market.

No Government and no employer of flexible workers is going to turn the clock back.

We know that, for all the slick and superficial tributes paid to the flexible workforce, for the people at the sharp end flexible working has often had a notorious reputation, an ugly history and a lasting and damaging impact:

- Inflicted unfairly and unjustly on workers, pushed from pillar to post, vulnerable, exploited and insecure.
- Dragging the better employers to the level of the worst, driving us down into a bargain basement economy.
- Passing the buck to the taxpayer, expecting us to pick up the cheap labour employers' bill through the benefits system.

## A change of climate

Yet we now have a Government, and increasingly a body of employers, who understand that worker-centred and not employer-driven flexibility is the key to a more productive, efficient and stable workforce.

We now have better statutory protection around flexible working practices, and especially family-friendly working, than we have ever had.

More than that, we have a climate and a culture in which the views, needs and interests of workers, as expressed through their representatives, are seen as relevant, legitimate and valuable in the context of the business case and the management of change.

## Listening to members

Against that background and whilst continuing to lobby and work with Government and employers, it is essential we speak with authority about our members' experiences in flexible work and understand for real what concerns and matters to them.

That means constantly developing and upgrading our communications and our dialogue with our members:

- Making sure our new rights at work, especially those surrounding flexible working practices, are understood and applied in our workplaces, with our members aware of and knowledgeable about them and their employers knowing they are.
- Ensuring members are aware of, understand and have confidence in their agreements and shop floor organisation.
- Making sure the Union's structures at shop floor level and above are all accessible and welcoming to members, encouraging their involvement and receiving their views positively and in good faith.
- Dedicating our established structures – for example, our women's committees, political committees, youth committees, divisional and trade conferences – to examining flexible working issues and devising appropriate initiatives and campaigns.

- Reviewing, developing and, where necessary, re-designing our structures and procedures to ensure we move closer to members and not expect them to move to us.

We are at a critical stage industrially and politically around flexible working practices.

The union will be working hard to ensure our members and their employers know where we stand and that we speak with increasing certainty about what our members want from flexible working and how their genuine needs and interests change over time.

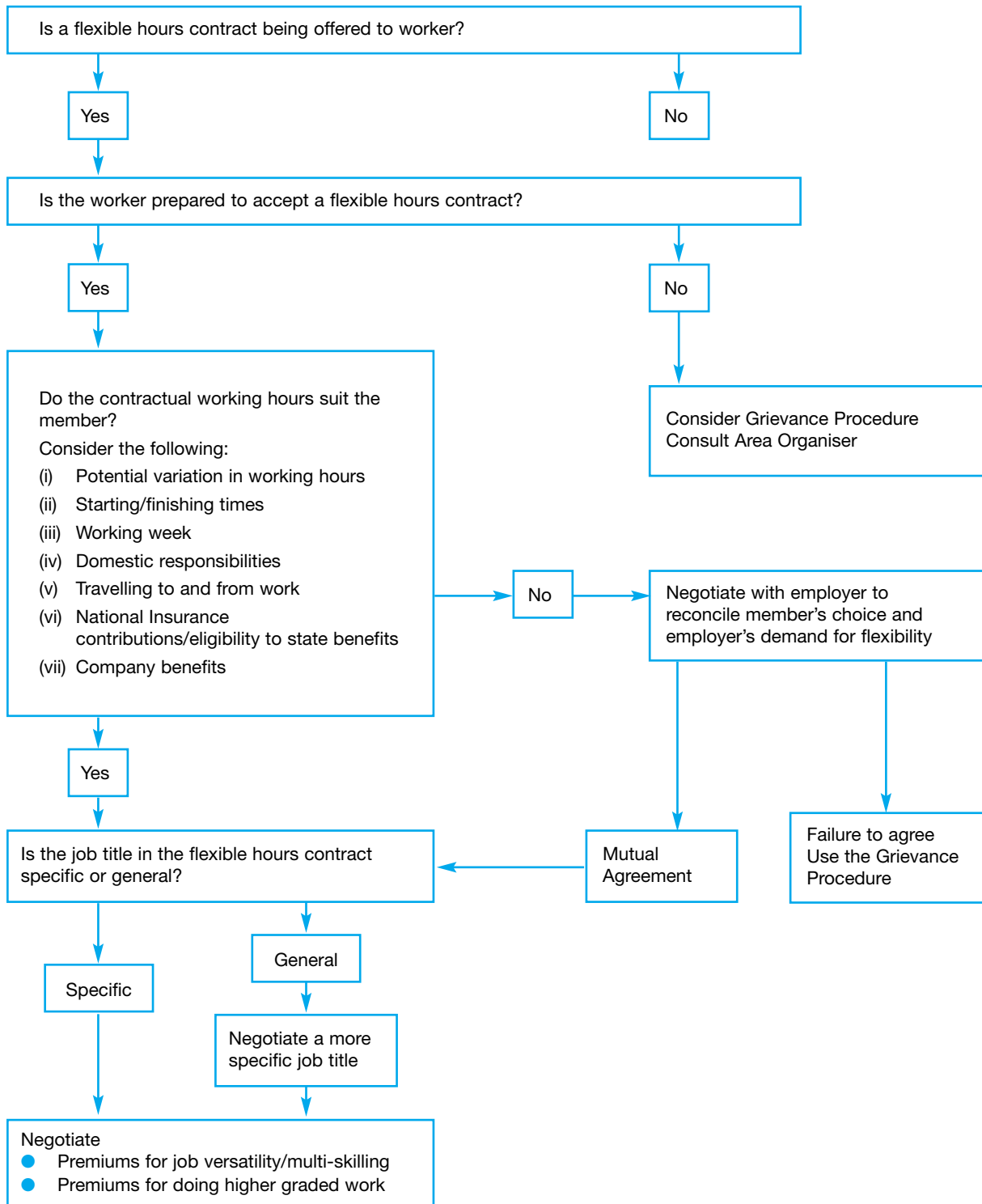
## Section Summary

### Flexibility – Working with Members

- Flexible working ... here to stay.
- A change of climate.
- Listening to members

# Appendix 1

## Worker-centered flexibility – flowchart





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