

MEASURES THAT GOVERN RIGHTS TO ALTERNATE WORK ARRANGEMENTS (2007)

Employers in the U.S. are faced with a dramatic increase in the share of older workers and a significant slowdown in labor force growth, even if demographic trends in the U.S. are less dramatic than in most other high-income countries. Workplaces have not fully adjusted to changes in demographics and related social expectations. The ongoing “workplace-workforce mismatch” is pushing some employees out of the workforce and employing others below their skill level. The majority of high-income countries have introduced flexible working statutes to increase individual employees’ options to find solutions that allow work-life reconciliation, but in a manner that takes account of employers’ business and operational requirements.

This publication charts flexible working statutes in 20 high-income countries and the U.S. with respect to:

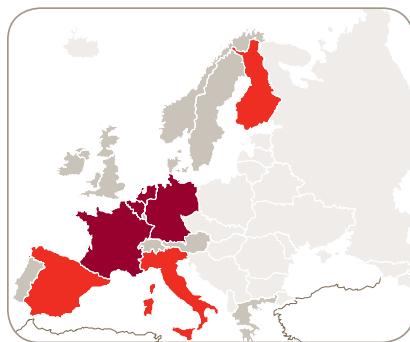
- ⌚ rights for all employees to convert to/from part-time work;
- ⌚ rights specific to working parents or family caregiving status;
- ⌚ rights to gradual retirement; and
- ⌚ rights to time off or schedule adjustments for individual education and training.

Of 21 high income countries examined: 17 countries have statutes to help parents adjust working hours, 6 help with family caregiving responsibilities for adults; 11 allow change in hours to facilitate lifelong learning; 11 support gradual retirement; and 5 countries have statutory arrangements open to all employees, irrespective of the reason for seeking different work arrangements.

Evaluation of statutes supporting flexible working hours shows that the laws have caused few problems for employers, in particular that they have not led to an unmanageable flood of requests nor have they imposed significant costs.

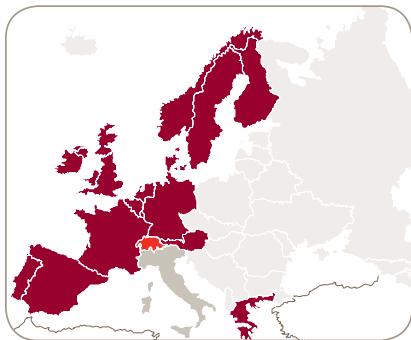
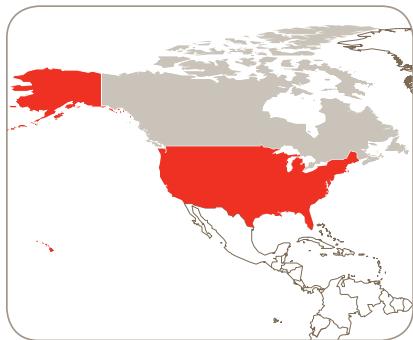
The review shows great diversity in statutory approaches across countries. Yet several trends are evident: the introduction of greater flexibility into existing rights to maternity and parental leave; a focus on making regulations “employer-friendly” by encouraging a win-win approach; a move away from a focus on part-time work to a broader scope of flexible working; and the move toward opening new working patterns to all employees irrespective of why they need change, as an attempt to both reduce administrative complexity and reduce the potential for backlash. Such an inclusive approach reflects the life-cycle approach to business strategy and, increasingly, employer consideration of the needs of the multi-generational workforce.

Countries with general statutory entitlement to part-time work or other modification of working time

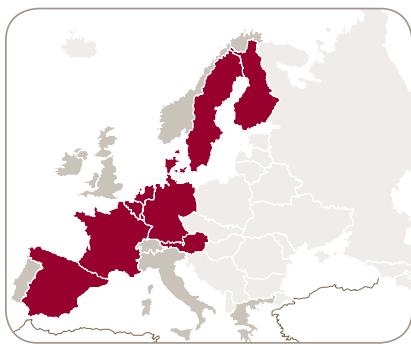


Yes No Limited

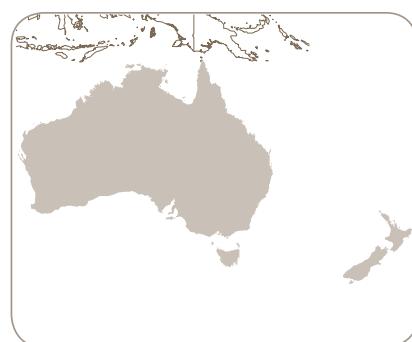
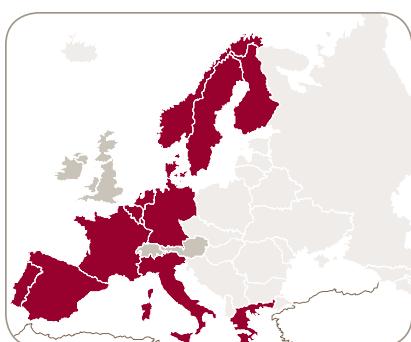
Countries with statutory entitlement to working time adjustments for parents or care for relatives



Countries with statutory entitlement as part of early retirement / active aging



Countries with statutory entitlement to working time adjustments for training / education



Yes No Limited

Additional notes on table usage:

- ⇒ “Other/ comments” column provides information about non-statutory regulation of flexibility, such as through collective agreements (CA) which are an important basis for individual rights to flexibility in many countries. Information about CAs pertains to contents, not to coverage.
- ⇒ The table does not cover rights to non-discrimination of those already working part-time or other alternative work arrangements.
- ⇒ Dates listed in the table indicate dates of implementation.
- ⇒ Endnotes provide information on title/ date of statutes and bibliographic references.
- ⇒ Abbreviations: FT- full-time; PT- part-time; CA- Collective agreement.

This table was prepared by Ariane Hegewisch, with research assistance from Diana Polson, as part of a cross-national project on “working time regulation and labor market outcomes”, directed by Janet C. Gornick at the City University of New York. The table is based on secondary sources, a review of labor statutes, and communications with national labor experts, and is correct to the best of our knowledge as of December 2007. We will gratefully receive any corrections or suggested changes. Please contact agework@bc.edu for comments on this table; we invite your feedback.

AUSTRALIA



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>No</p> <p>National statute: prohibits direct and indirect “discrimination based on family responsibility” in dismissal</p> <p>Applies to: all employees</p> <p>Complaints: to special discrimination board/ tribunals</p> <p>Since: 1996 (from 1986: prohibited direct discrimination)</p> <p>State statute: Some states oblige employer to accommodate needs for alternative work arrangements in response to family responsibility; New South Wales obliges employers to accommodate alternative work requirements, unless accommodation would cause “unjustifiable hardship”</p> <p>Applies to: all employees in firms with at least 5 employees.</p> <p>Complaints: to special discrimination board/ tribunal</p> <p>Since: 2001 ^{1, 2, 4}</p>
Statutory entitlement as part of early retirement/ active aging?	None
Statutory entitlement to working time adjustments for training/education?	None
OTHER/COMMENTS	<p>Case law has established that refusal to grant changed work arrangements to mothers constitutes indirect sex discrimination. ^{4, 6, 7}</p> <p>A statutory right to request changes in working arrangements for parents and careers will be introduced in 2010.</p>



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parents i) Mothers and fathers of children under 7 (until child enters school if later) may reduce their work hours to PT and change scheduling of hours and to return to FT work afterwards (from 2004).⁶ Each parent has an independent right to request change in hours; application 3 months in advance.</p> <p>Applies to: employees in firms with 20 plus employees after 3 years tenure.^{7, 8, 9}</p> <p>Employer: may object on business/ operational grounds.</p> <p>Complaints: to labor court.</p> <p>Since: 2004</p> <p>Parents ii) Employees in firms with fewer than 20 employees or less than 3 years tenure have the right to extend their two-year parental leave on PT basis until the 4th birthday of the child; parents may share the entitlement but may not reduce hours at the same time.</p> <p>Complaints: to labor court.</p> <p>Since: 2004</p>
Statutory entitlement as part of early retirement/ active aging?	<p>Workers (2007: women aged 52 plus, men 57 plus); age threshold will rises gradually to 54.5 (women)/59.5 (men) by 2012; from 2013: 60 (women), 65 (men), in agreement with employer, may convert to 40 – 60% of normal work week with partial wage replacement.</p> <p>Applies to: Employees with at least 15 years of social security contributions in last 25 years, in companies with relevant collective or enterprise agreements.</p> <p>Complaints: Initially via works council; then labor court.</p> <p>Since: First introduced 1999; current stricter regulations since 2004.^{10, 11}</p>
Statutory entitlement to working time adjustments for training/ education?	None
OTHER/COMMENTS	Parents PT legislation not yet tested in court (2007 March)

BELGIUM



General statutory entitlement to part-time work or other modification of working time arrangement?	<p>Career break: Employees are entitled to one year off over the course of the life-time. Also may reduce their hours to 1/2 time for up to one year (may be extended to 5 by CA); or 1/5 reduction for up to 5 years (public sector: up to 6 years half time) as part of career break, with partial wage replacement.</p> <p>Applies to: all private sector employees (with exception of managerial staff in company with fewer than 10 employees) with min. service of 12 months, as long as no more of 5% of total workforce are on career break (slightly different rules for public sector).</p> <p>Employer: may object on business grounds.</p> <p>Complaints: if internal appeals procedures are exhausted (set in CA), to labour court.</p> <p>Since: 1985; until 2002 conditional on hiring of unemployed person as replacement.¹²</p>
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parents: Each parent has right to 3 months FT or 6 months PT or 15 months at 80% of time for parental leave before child is 4 years old (8 if child is disabled); replacement allowance available through unemployment fund.</p> <p>Applies to: firms with 10 or more employees (Smaller firms: requires employer approval); employee must have been employed by firm 12 of previous 15 months.</p> <p>Employer: limited grounds for objection, as long as no more than 1-3% of employees are on such leave.</p> <p>Complaints: if internal appeals procedures are exhausted (set in CA), to labour court.</p> <p>Since: 1997</p> <p>Palliative leave (to take care of terminally ill patient) or medical leave (to take care of seriously ill family member): 1 month, with one month extension; may be taken on FT basis, 50% or 20% reduction of working hours.</p> <p>Care for seriously ill family member: 12 months FT or 24 months half-time or 4/5th time.^{13, 14, 15}</p>
Statutory entitlement as part of early retirement/active aging?	<p>Employees 50 years and older may reduce their working hours, over an unlimited period of time, by 1/5 to 1/2 (since 2002 this no longer requires replacement with unemployed person).</p> <p>Since: 1996 (revised since)^{14, 16}</p>
Statutory entitlement to working time adjustments for training/education?	<p>FT workers and PT workers without set working hours are entitled to paid time-off to follow recognized vocational and educational programs; employer is refunded wage and social insurance costs from state funds for 50% in case of vocational courses and 100% for general educational courses. Work organization is agreed through works council or, where there is none, with employees (without being able to prevent individual from following program).</p> <p>Complaint: To Ministry of Employment and Labor.</p> <p>Since: 1985 for FT workers, 1999 also PT without set hours.^{17, 18}</p>

CANADA

General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	None
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	None
OTHER/COMMENTS	A limited number of CA provide right to reduction in hours, flextime, job sharing ²⁷

DENMARK

General statutory entitlement to part-time work or other modification of working time arrangement?	No Law makes it illegal to forbid conversion to/ restrictions on PT work in CA Since: 2002 ^{28, 29}
Statutory entitlement to working time adjustments for parents or care for relatives?	Parents: Paid parental leave of 32 weeks, available to either parent, may be extended to 64 weeks of PT work, with pro-rata compensation. Employer: may object Applies to: all employees, irrespective of tenure or size of employer. The receipt of the parental leave allowance requires 8 weeks tenure. Complaints: no procedure provided Since: 2002 ³⁰
Statutory entitlement as part of early retirement/active aging?	Partial retirement pensions are available to wage earners 60 to 67 (65 for people who turned 60 before 1999); must reduce the number of working hours by at least seven hours or at least by one quarter; remaining number of hours must be between 12 and 30 per week ^{31, 24}
Statutory entitlement to working time adjustments for training/education?	Any employee may request time off to pursue basic adult education, for up to 3 1/2 years, alternating with work. Employees over 25 years with 2 years employment may request time off for advanced level education, to a maximum of 1 year FT. A legal right to training as part of getting unemployed people into jobs was abolished in 2001. Most CA provide right to, annually, two weeks time off for training, unpaid, and agreed with employer. ³²
OTHER/COMMENTS	Individual saving of overtime hours for time off widespread in CAs since early 1990s Framework CA for municipal sector on decentralized solutions on working time arrangements resulted in increase in alternative work arrangements since 1999. CA in finance and in food sectors in 2003 introduced options for individual employees to trade wage increases against time off. ³³

FINLAND



General statutory entitlement to part-time work or other modification of working time arrangement?	Limited An employee may reduce his/ her hours from FT to PT and qualify for a partial wage replacement allowance if an unemployed person is hired to replace those hours. Applies to: Employees with 1 year tenure and customary FT work hours. Complaints: None, employer participation is voluntary
Statutory entitlement to working time adjustments for parents or care for relatives?	Parents: Parents (only one at a time) have the right to 158 working days of parental leave (60 days extra for multiple birth), FT or as 40 – 60% reduction of usual work hours, until child finishes second grade (18 for disabled child), and to return to FT work afterwards. Social security benefit available if child under age three, or in 1st or 2nd grade. Applies to: Employee must have been employed by the employer for at least 6 months of last 12 months. Employee must give minimum of 2 months notice. Employer: may only refuse in case of “non-avoidable severe damage” to operations. Even in this case, employee has right to 6-hour-work day for minimum of 12 days per year. Complaints: not specified Since: Last amended 2004; prior to that only for children under 3 ^{34, 11} Reduced hours for other social or health reasons: requests should be treated in good faith; the employer must seek to arrange work so that the employee can work part-time. Since: 2001 ³⁵
Statutory entitlement as part of early retirement/ active aging?	PT pensions are available for workers age 58 to 67 (from 56 until 1998), if employee reduces hours from FT (at least 35 per week) to between 30 - 70% of normal FT hours, with corresponding salary reduction; subject to employer's agreement. Since: 1996, amended in 2005 ³⁶ Reduced- hours allowance: Where employer and an older employee mutually agree a reduction of the employee's hours from FT to PT, and employer hires an unemployed person for vacated hours, the employee may be entitle to an allowance of approx. 50% of the difference between FT and PT wage. Complaint: No appeals procedure if employer refuses ^{37, 38, 22, 24} If an employee wishes to work fewer than the regular working hours in order to retire on part-time pension, the employer shall seek to organize the work so that the employee may do part-time work. Working hours shall be reduced in a manner agreed upon by the employer and the employee, taking into consideration the needs of the employee and the production and service activities concerned.
Statutory entitlement to working time adjustments for training/ education?	Unpaid job protected leave for recognized training/education for up to two years within in a five year period. Applies to: Employees with 1 year tenure and at least 75% of customary FT work hours; employees with 3 months or more tenure are entitled to five days per year. ³⁹ Employer: may postpone no more than twice if the absence would cause ‘manifest inconvenience’ and if he employs at least five people. Complaints: Paid leave: allowance of 75% of applicable unemployment benefit (80% for employees with 25 years plus social security contributions) for a minimum of 90 to a maximum of 359 calendar days for recognized training, if a registered unemployed person is hired for at least the same hours. Requires mutual agreement, in writing, from employer and employee. Applies to: Employees with one year tenure of at least 75% of normal working hours and at least 10 years of social security contributions. Since: 2003 ⁴⁰
OTHER/COMMENTS	Social or health reasons: An employee may request a reduction in working hours for social or health reasons, for up to 26 weeks, renewal possible; employer should accommodate if possible. ²²



General statutory entitlement to part-time work or other modification of working time arrangement?	<p>Right to apply for a conversion of FT to PT, and of PT to FT hours; request and refusal procedures and objective grounds for objection from the employer must be worked out in CA/ enterprise level agreements. Without CA: employee must apply by registered letter 6 months ahead of intended starting date of PT work, stating starting date and desired number of hours; employer must respond by registered letter within 3 months of receipt of request. Refusal is possible for business reasons (operation, production, efficiency) or if there is no job in the same occupation category of the employee (for PT to FT)</p> <p>Applies to: organizations with more than 20 employees. Tenure requirements: not specified Complaints: Internal appeals process via CA; then labor court Since: 2000 ^{41, 42, 11, 43}</p>
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parental leave: until child is 36 months old (48 months if child is has disability) is available on PT basis, with reduced parental allowance, and right to return to equivalent FT job at the end. 2 months notice (1 month if directly following maternity leave); free distribution between parents. Employer must accept request to work PT but has the right decide on the number of hours worked (between 16 and 32 hours per week).</p> <p>Since: 2000</p> <p>Leave to take care of child under 20 needing medical care: blocks of 4 months, may be extended twice up to 12 months), FT or on PT basis; leave to care for terminally ill family members: available PT or FT for up to 6 months.</p> <p>Applies to: Employee must have been employed by the employer for at least 12 months before the birth/ adoption of child. (Employment requirement for allowance is higher and differs by number of children)</p> <p>Complaints: Internal appeals process via CA; then labor court Employees have a right to refuse a change in the scheduling of their working hours if this conflicts with their family responsibilities. ^{43, 11}</p>
Statutory entitlement as part of early retirement/ active aging?	Move to PT work with partial pension possible for workers 60 and older (previous threshold: 55) was introduced in 1997. ^{44, 24, 45}
Statutory entitlement to working time adjustments for training/ education?	<p>Employee has right to apply for job protected time off for accredited training / education of up to (1 year FT or 1200 hours PT); wage replacement via social insurance funds. Application at least 60 days in advance (120 for days for FT or courses of 6 months plus); employer must respond 30 days before starting date)</p> <p>Applies to: employee must have been employed during last 24 months, 12 months with existing employer (36 months tenure if employer has fewer than 10 employees). Employer: may postpone for service reasons but not decline eligible application. Since: 1990, last revised 2004 ⁴⁶</p>
OTHER/COMMENTS	<p>Individual working time accounts (<i>compte épargne-temps</i>) are legal possibility Since: 1994</p> <p>2006 Tripartite Action Plan for 2006 to 2010 will lower contribution criteria for eligibility for gradual retirement from 2008 ⁴⁵</p>

GERMANY



General statutory entitlement to part-time work or other modification of working time arrangement?	Right to reduce contractual working hours and change related scheduling of hours; to request increase in hours and have preferential consideration for vacancies. Request must be made in writing at least 3 months prior to proposed starting date, stating desired starting date, numbers and scheduling of hours. One request per 24 months. Applies to: Employees with min. 6 months tenure, in organizations with more than 15 employees. Employer must reply one month before proposed starting date and may refuse on business and operational grounds; these have been defined by several court cases. Complaints: to labor court, for change of contract. No financial remedies. Since: 2001 ^{47, 11, 21}
Statutory entitlement to working time adjustments for parents or care for relatives?	Parental leave: Both parents may convert to PT work (between 15 and 30 hours per week) during the parental leave of up to 3 years after birth of a child, with a right to return to an equivalent FT job at the end. Until 2001 PT work was limited to 19 hours per week and could only be worked by one parent at the time. Applies to: Employees in organizations with more than 15 employees and 6 months tenure. Employer: may refuse on serious business or operational grounds. Complaints: to labor court, for change of contract. No financial remedies. Since: 2001 ^{48, 13}
Statutory entitlement as part of early retirement/active aging?	Employees aged 55 plus, in agreement with employer and CA, may reduce working time by half (may be averaged out over longer period) with partial wage replacement and protected FT pension or unemployment entitlement, if employer hires officially unemployed person as replacement. Employee must have been employed/ made contributions to social insurance for five years prior to change. By CA leave can be taken in blocks. Since: 1996, last amended 2004 ⁴⁹
Statutory entitlement to working time adjustments for training/education?	Employees have the right to paid leave for recognized professional, political or cultural training; details are regulated in state laws (about 5 days per year). ^{50, 46}
OTHER/COMMENTS	Widespread CAs on working time accounts (means of trading overtime/ additional hours worked for time-off; detail and employee control vary considerably. Widespread availability of flex time. ^{51, 52, 53}



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Private sector: following maternity leave, mothers are entitled to reduce working day by 1 hour (either at beginning or end) for 30 months, or 2 hours for 12 months, followed by 1 hour for 6 months; fathers may take this only if mother does not take up the option. Public sector and banks: mothers may take 9 months unpaid leave after maternity; or reduce working day by 2 hours until child reaches 2 years, or 1 hour until child reaches 4 years.</p> <p>Applies to: Private sector: 1 year service, irrespective of size of employer; public sector: no tenure requirements.</p> <p>Employers: No business defense for 1 hour reduction; consent required for alternative arrangement.</p> <p>Complaints: Labor court, for change of contract; financial remedy possible.</p> <p>Since: 1993 for mothers; 2003 for fathers ⁵⁴</p> <p>Parents of children with mental or physical disabilities: may ask for 1 hour daily reduction in working time.</p> <p>Applies to: Organizations with 50 plus employees.</p> <p>Employer: should accommodate in order of application, unless more than 8% of workers require such an arrangement. ^{55, 56}</p>
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	Private sector: employee may request up to 20 days per year for examinations; other leave at discretion of employer; Public sector: employees with at least 5 years tenure may request educational leave for up to 5 years ³²
OTHER/COMMENTS	National collective agreements set basic conditions on working time.

IRELAND



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Both parents (only one at the time if they work for same employer) have a right to 14 weeks parental job protected leave before the child turns 8 years old, 16 if the child is disabled. The leave may be taken as one block of 14 or broken up (minimum block of 6 weeks). Taking leave as reduced hours or in smaller blocks of time may be agreed with employer. Application has to be in writing six weeks before proposed starting date.</p> <p>Applies to: all employees with one year continuous service and with child/ adopted child/ in loco parentis. Employer: may only reject if there is reasonable doubt regarding parental status; may postpone leave for up to 6 months in case of substantial adverse effect on business operations. Complaints: to Rights Commissioners Since: 2006; from 1998 until child reached 5^{57, 58, 56}</p>
Statutory entitlement as part of early retirement/ active aging?	None
Statutory entitlement to working time adjustments for training/education?	None
OTHER/COMMENTS	The 1998 Parental Leave Act allows employers and unions to negotiate more flexible implementation of parental leave; there are only a few examples. ⁵⁸



General statutory entitlement to part-time work or other modification of working time arrangement?	Limited The employer must give consideration to requests by an employee to transfer from FT to PT; there must be appropriate reasons for refusal (not specified in law). Since: 2000 ^{59, 56, 11, 44}
Statutory entitlement to working time adjustments for parents or care for relatives?	No/Pending Preferential access to reduced hours for an employee if caring for child with disability or under 13; caring for a seriously disabled person they live with; or who have spouse children or parent with serious illness; Since: Basic law passed in 2007; includes provision for government to introduce detailed legislation within next 12 months. ⁶⁰
Statutory entitlement as part of early retirement/active aging?	No Previous scheme abolished: Employees between 57 and 65 were able to convert to PT and receive partial pension if employer hires an unemployed person instead (Pension Reform 1995). ^{61, 24}
Statutory entitlement to working time adjustments for training/education?	Unpaid leave for up to 11 months during working life for recognized individual professional and vocational training Applies to: An employee with at least 5 years tenure Add. Rules in CAs Since 1970s, last revised 1997 Paid leave of up to 150 hours for completion of basic education for employees without minimum school leaving qualifications, as long as no more than 2 – 3% of employees in organizations are requesting this leave at same time. ³²
OTHER/COMMENTS	Working time accounts for daily, weekly or annual flexibility: Widespread introduction through CA since 1999 have led to limited increase in flextime. ⁶² Right to reduce working hours for a period of time (with right to return to FT work) for employees with childcare responsibility: included in some CAs (particularly in retail) ⁶³

LUXEMBOURG



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parental leave (6 months) may be extended to 12 months PT (reduction of at least 50% normal time); receive allowance. Leave must be taken before child is 5; applies to each parent but only one may receive allowance. One parent must take leave immediately following maternity leave. Right to return to FT work. Employees must give 4 months notice.</p> <p>Applies to: employees with at least 12 months tenure; employers with fewer than 15 employees may delay granting parental leave for 6 months. Employer: requires employer agreement Since: 1998 ^{64, 12, 56, 65}</p>
Statutory entitlement as part of early retirement/active aging?	<p>A FT worker 57 plus, in eligible enterprise, in agreement with employer, may receive up to 3 years of partial wage replacement through early retirement payment, if hours are reduced by 40-60% and replaced with unemployed person. Since: 1990</p> <p>A FT worker 49 plus, in agreement with employer, who changes from FT to PT for up to 7 years, is entitled to full payment of employer social insurance contribution if an unemployed person is taken on for at least 18 months. If an unemployed person is hired on a FT or a permanent basis, subsidy will also cover the equivalent of the employee's FT social security contributions. Since: 1999 ⁶⁰</p>
Statutory entitlement to working time adjustments for training/education?	<p>An employee may request up to 20 (paid) days off for recognized training over a two year period, up to 60 days over life time.</p> <p>Applies to: employees with at least six months tenure (and formally under 30, but waivers granted). Employer: may refuse on organizational grounds ^{32, 46} Since: 1970, amended several times</p> <p>Employees who changed to PT work for reasons of training or education have the right to return to FT work.¹¹</p>
OTHER/COMMENTS	<p>2003 framework agreement provides for unpaid time off for (recognized) education of between 4 weeks and 6 months after tenure of 2 years; employer has several grounds for refusal (such as staffing shortages; number of people on training leave in firm; firm has fewer than 15 employees; employee is senior manager).</p> <p>Additionally there is a right to up to 80 days individual time off over the lifetime (up to 20 per year) to follow specific educational measures, such as taking exams. ⁶⁵</p>



General statutory entitlement to part-time work or other modification of working time arrangement?	<p>Employees may request reduced contractual working hours and related scheduling of hours.</p> <p>Request must be made in writing at least 4 months prior to proposed starting date, stating desired starting date, numbers and scheduling of hours. One request per 24 months.</p> <p>Employer: must respond no later than 1 month before proposed starting date (details to be worked out in CA). May only refuse reduction in hours if there are 'serious' business grounds; these have been defined by several court cases. Employer has greater control over scheduling and increased hours.</p> <p>Applies to: Employees in organizations with more than 10 employees and 12 months tenure. Employers with fewer employees are subject to a weaker voluntary code.</p> <p>Complaints: to labor court, for change of contract. No financial remedies.</p> <p>Since: 2000 ⁶⁶</p> <p>Paid leave saving scheme: employee may save up to 12% of salary per year (up to a limit of 230% of their gross salary) and use this for a paid sabbatical of up to three years, for any purpose (higher limits for older workers); may also save time off for overtime. The saving carries tax benefits; additional tax breaks for employees on parental leave. The 2006 law replaces previous arrangements on gradual retirement, parental leave and career breaks.</p> <p>Applies to: All employers must offer such a saving scheme.</p> <p>Employer: must give a reasoned response to a request.</p> <p>Since: 2006 ^{67, 21, 38}</p>
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parental leave of 13 times usual weekly working hours can be taken up to 8th birthday of child/ adopted child. Can be taken by reducing weekly working hours, as blocks of time, or all at once. Application in writing at least two months ahead of planned starting date.</p> <p>Employer: must accept standard agreement (50% reduction in working hours taken over 6 months period); other arrangements require employer agreement.</p> <p>Applies to: Employees with minimum of 12 months tenure.</p> <p>Since: 1997, amended in 2001 ⁶⁸</p>
Statutory entitlement as part of early retirement/ active aging?	Adjustment in hours is governed by general statute (see above). A "paid-leave-saving-scheme" replaces early retirement options.
Statutory entitlement to working time adjustments for training/education?	Paid leave saving scheme replaced specific regulations in force since 1998 for financial support during training leave.
OTHER/COMMENTS	<p>Rights to convert from/ to PT and to working time saving accounts etc were introduced in CAs from early 1990s; wide application. ²¹</p> <p>CA regulate conditions for take up of training and education leave. ³²</p>

NEW ZEALAND



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>An employee who has “the care of any person” (for children or an adult in need of care) has the right to request a variation of their working arrangements (change in number of hours; days of week; location of work). Request must be in writing, stating starting date, new arrangement, whether requested change is permanent or temporary, how it will improve ability to provide care, organizational feasibility.</p> <p>Employer: must respond to request as soon as possible, not later than 3 months after receiving request. Refusal must be justified with reference to grounds for believing that employee is not eligible for request; referral to eight business / organizational grounds listed in the Act, and/or if new arrangement would be inconsistent with existing collective agreement (union contract).</p> <p>Applies to: Employees with tenure of at least 6 months immediately prior to request and who has not made a request in last 12 months.</p> <p>Complaints: to Labour Inspector; then to mediation; then to Employment Relations Authority; maximum penalty for non-compliance: NZD \$2000 (US\$1,500) Referral to Labour Court only possible via judicial review.</p> <p>Since: 1st July 2008 ⁶⁹</p>
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	None
OTHER/COMMENTS	The Employment Relations Act 2000 sets working hours and provides the possibility of negotiating flexible working hours as part of CA. ⁷⁰ Many CA include possibility of shift to PT work and other flexibility, but low coverage. ⁷¹



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Paid parental leave of up to one year after birth, job protected, may be taken PT through 'time accounts', working 50, 60, 75, 80 or 90 percent of normal FT job, for maximum of 2 years. Employee must give notice a minimum of 4 weeks before leave / new working time arrangement starts; agreement between employer and employee must be in writing; employer and employee then jointly apply to National Insurance office for the financial benefit.⁷²</p> <p>Applies to: Parental benefit requires paid employment for at least six of the last 10 months prior to the birth/adoption.</p> <p>Employer: must accept request unless there are serious operational or business reasons.</p> <p>Complaints to: Special appeals board of Labor inspectorate</p> <p>Reduced working hours: for parents of children (under 10) on 'welfare grounds'⁷³</p> <p>Employer: should accommodate the wishes unless there are serious business or organizational reasons. Procedure same as paid parental leave.</p> <p>Right to request exemption from overtime or additional hours if this interferes with the care of a child; in case of longer term requests, employer may demand documentation, e.g. from day care center.⁷⁴</p>
Statutory entitlement as part of early retirement/active aging?	<p>No</p> <p>Gradual retirement schemes widespread via CAs</p> <p>Since: 1988, revised 1997^{75, 24}</p>
Statutory entitlement to working time adjustments for training/education?	<p>Employees have a right to job protected leave for purposes of education for a maximum of three years, full or PT</p> <p>Applies to: Three year of employment, of which two years with same employer</p> <p>Employer: may refuse on business/ operational grounds</p> <p>Since: 2001^{76, 32, 46}</p>

PORTUGAL



General statutory entitlement to part-time work or other modification of working time arrangement?	No Rights to information: Employer must inform an employee indicating a wish to reduce or increase hours of suitable vacancies; employer must inform employee representatives of PT work in organization Civil servant: may request to work PT for between 30 days and 2 years. Applies to: 3 years tenure (lower if request for family, health or educational reasons) Since: 1998 ^{77, 22}
Statutory entitlement to working time adjustments for parents or care for relatives?	Parents caring for a child under 6 but older than 3 have the right to either 3 months FT leave or 6 months PT leave (unpaid) (in addition to a right of 6 months FT leave until the child is 3 years old (if there are at least 3 children in the family, leave of 2 – 3 years is possible). 30 days notice minimum. Since: 1984 ⁷⁸ Parents of children under 12 or disabled or chronically ill are entitled to work PT (usually 50% of normal hours unless otherwise agreed), working either in the morning, the afternoon or on three days per week or work flexible hours, for up to two years (three years if more than if more than 2 children). Only one parent at the time. Employee must give 30 days notice. Employer: may refuse on business grounds or hard-to-fill vacancy but requires an opinion from the tripartite Commission for Equality at Work and Employment. Complaints: to Commission for Equality at Work for assessment, then Labor Court Since: 1999 ⁷⁹ (Breast) feeding break: During first year after birth of a child, mother or father are entitled to two breaks per day for feeding, up to 1 hour per break; employee and employer may also agree to implement this as a two hour reduction in the working day. ^{11, 12, 13, 56, 44, 22, 80}
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	Employee may request job protected unpaid leave for training purposes; must give 90 days notice. Applies to: Employees in firms with at least 20 employees and 3 years tenure who have not had adequate similar training in last 24 months Employer: may refuse if employee is in managerial jobs, when replacement would mean serious problems for the company's functioning



General statutory entitlement to part-time work or other modification of working time arrangement?	Limited Requests for changes in working time: should be considered by the employer, as far as possible, Since: 2001 Right to information: Employer has to inform employees wishing to move from FT to PT/ PT to FT of suitable vacancies. Employees who voluntarily changed to PT and want to return to FT should be considered preferentially for FT vacancies ²²
Statutory entitlement to working time adjustments for parents or care for relatives?	Parental leave: 10 weeks of the 16- weeks-entitlement may be taken on PT basis (first 6 weeks after birth must be taken by mother FT); remuneration from social security subject to 180 insured days in 5 years before birth) Since: 2007 (amended 1995 law) Parents of children up to 9 months old: breast feeding mother has right to 2 breaks of up to 1/2 hour; alternatively mother and father have a right to reduce the working day by up to 1/2 hour per day or save for time-off as whole days, either as set by collective agreement or in individual agreement with employer; paid by employer. Employee must give 15 days notice of desire to return to previous hours. ⁸¹ Parents of children under 8 years old or caring for a dependent relative: are entitled to a reduction of work hours to between 80 and 50% of normal working hours, at a proportional reduction in salary; no automatic right to return to previous hours Since: 2007 ⁸² Unpaid leave: for parents of children under three, for up to 3 years per child (each parent, in amendment of 2007); right to return to same job within one year; afterwards to equivalent job. ¹² Adjustments for work family reconciliation: an employee has the right to adjust his/ her working hours to comply with family obligations as negotiated in a collective agreement or enterprise agreement Since: 2007 ⁸² Carers: An employee is entitled to unpaid leave for up to two years (or longer by collective agreement) to care for a sick, disabled or elderly dependent relative; leave might be split into separate periods Applies to: All employees Employer: has 20 days from receipt of a request for a change in work hours related to breast feeding or work-family to reject it; may refuse on business grounds if more than one employee requests it. Complaints: appeal the 'social court'; if case is accepted judgment has to be passed within 5 days, and implemented within the following 3 days. Since: 1999 ^{83, 44}
Statutory entitlement as part of early retirement/ active aging?	Employees aged 60 years or older may reduce their working hours by up to 85%, with same wage and social welfare benefits (in proportion to the number of hours worked and topped up by the retirement pension) if company hires replacement; requires agreement from Social Insurance Institute. Since: 2002 ⁸⁴ (until 1997: Employee may reduce work hours by 50% and qualify for PT pension if unemployed person is employed as replacement; first introduced in 1984 ^{85, 86})
Statutory entitlement to working time adjustments for training/education?	Professional training/ education is basic right at work; employee has the right to an adjustment of working hours/ shift patterns to be able to follow recognized professional training/ qualification ⁸⁷ Wage replacement for up to 200 hours, for workers with at least one year tenure; very low take-up. ^{89, 46}
OTHER/COMMENTS	Enterprise equality plans: Enterprises with 250 plus employees are under obligation to negotiate gender equalities plans with unions, which include measures to improve work-family reconciliation Since: 2007

SWEDEN



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Paid Parental leave: 480 days to be shared by parents, to be taken before child is 8 years old or has completed 1st grade; 60 days reserved for each parent, remainder at parents' discretion. 390 days paid at 80% of parent's qualifying income; 90 days at flat rate. Leave may be taken in one block, broken into shorter blocks or as hours reduction by 1/8th; 1/4; half. Employee should give 2 months notice.</p> <p>Applies to: Employees with at least 6 months tenure (or 12 months in last 24 months prior to birth) Employer: should accommodate employee wishes for implementation of reduced hours unless this causes 'substantial disturbance to employer's activities'; must give two weeks notice if proposed leave arrangements differs from request Complaints: For union members, to union/ internal complaint procedure; then labor court via union. Non-union members may bring case to labor court. Since: first established in 1974, last amended in 2002.⁸⁹</p> <p>Unpaid reduction in hours for parents of children up to 2nd grade: may reduce working day to 75% of normal daily hours, with no wage replacement. Right to return to FT job at the end. Applies to: as above Employer rights: as above Complaints: as above Since: 1978^{89, 12, 90}</p>
Statutory entitlement as part of early retirement/active aging?	Pensions may be drawn from the age of 61 in full or as partial pensions (1/4, 1/2 or 3/4); application requires agreement from employer. Since: last reform 1998 ³¹
Statutory entitlement to working time adjustments for training/education?	An employee has the right to job protected leave for educational purposes, in blocks of time from 1 hour per day up to 6 years FT. Limited wage replacement for lower paid. <p>Employer: has limited rights to defer leave Applies to: tenure of at least 6 months, or 12 out of last 24 months Since: 1974^{91, 32}</p>
OTHER/COMMENTS	<p>Sabbatical leave: An employee, with agreement of employer may apply for a one year sabbatical leave, to study, look after children, start business, with two-thirds wage replacement paid out of public funds; requires replacement of position with unemployed person. Limited to 12,000 people annually; piloted 2002 – 2004; extended nationally in 2005.</p> <p>Applies to: minimum two years tenure.⁹²</p>



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Limited</p> <p>Employer must take account of an employee's family responsibility (for children up to 15 and relatives in need of care) when setting work and rest times; employee with family responsibility for children under 15 has right to refuse overtime; may request lunchbreak of at least 1 1/2 hours. Employed mothers are entitled to breaks for breast feeding.</p> <p>Applies to: all employees in private and public enterprises; separate regulation for public administration.</p> <p>Since: 1964, last amended 2000 ^{93, 22}</p>
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	None

UNITED KINGDOM



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Parents of children under six or under 18 if disabled have the right to request flexible working (change in number of hours; timing of hours; location of work; flexitime) for childcare purposes, as a permanent change of contract. Request has to be in writing, stating starting date, new arrangement and organizational feasibility.</p> <p>Employer: must meet with employee within 28 days of request, then has 14 days to provide reasoned decision. Refusal must be phrased with reference to seven listed business/ organizational grounds</p> <p>Applies to: All employees in category with at least 26 weeks tenure who have not made a request within preceding 12 months.</p> <p>Complaints: Only in terms of procedural fault, to Employment Tribunal (Labor court).</p> <p>Since: 2003 April ^{94, 21}</p> <p>Family caregivers: an employee who is or expects to be caring for a spouse, partner, civil partner or relative, or lives at the same address as the adult in need of care: same as above. No proof required for medical condition/ need of person to be cared for.</p> <p>Employer/ applies to/ complaints: as above</p> <p>Since: 2007 ⁹⁵</p>
Statutory entitlement as part of early retirement/ active aging?	No
Statutory entitlement to working time adjustments for training/education?	<p>No (adults)</p> <p>16-17 year olds have right to paid time off to study for vocational qualification</p> <p>Since: 1999 ⁴⁶</p>
OTHER/COMMENTS	Case law has established that refusal to grant changed work arrangements to women with children constitutes indirect discrimination. ⁹⁶

UNITED STATES



General statutory entitlement to part-time work or other modification of working time arrangement?	None
Statutory entitlement to working time adjustments for parents or care for relatives?	<p>Limited</p> <p>Parents and family caregivers: Right to 12 weeks unpaid leave for maternity leave; to care for serious illness of employee, employee's children, spouse or relatives (parents or in-laws); may be taken in small increments of time if medically necessary.</p> <p>Applies to: Employees with 1 year tenure working, working more than 25 hours per week, for employer with at least 50 employees.</p> <p>Complaints: to Court</p> <p>Since: 1993 ⁹⁷</p>
Statutory entitlement as part of early retirement/active aging?	None
Statutory entitlement to working time adjustments for training/education?	None
OTHER/COMMENTS	<p>Employees with disabilities: Right to reasonable accommodation (incl. flexible schedules, PT work, telecommuting) for 'qualified individuals with disabilities'; application process not specified (good faith obligation).</p> <p>Applies to: Employers with more than 15 employees.</p> <p>Employer: may refuse on grounds of business necessity.</p> <p>Complaints: to Court</p> <p>Since: 1990 ^{98, 99, 100}</p> <p>Religious practice: Employees have a right to reasonable accommodation of time requirements for religious practice (through, e.g. flextime, shift swaps). Application process not specified in law.</p> <p>Applies to: Employers with more than 15 employees</p> <p>Employer: may refuse if request causes 'unreasonable hardship'</p> <p>Complaints to: Court</p> <p>Since: 1964 ¹⁰¹</p> <p>Federal employees: Heads of Federal Agencies have the right to establish alternative work schedules for their employees, but there is no independent right for individual Federal employees to change work schedules (since 1970s)</p> <p>State employees: similar legislation in several states ^{102, 103}</p>

The Sloan Center on Aging & Work at Boston College was founded in 2005 with a multi-million dollar grant from the Alfred P. Sloan Foundation. The Center partners with workplace decision-makers in evidence-based research on employer and employee responses to the increasingly global multi-generational workforce. These collaborations focus on quality of employment with the aim to inform employers with research data to attract, engage and retain high quality industry talent. As of 2008, the Center has three research streams – the US National Initiatives, the State Initiatives and the Global Initiatives. Their collective mission is to gather information and collaborate with leaders in the public, non-profit and business sectors in an effort to leverage today's multi-generational workforce and globalization as competitive advantages in the 21st century economy.

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