

Shaping working time

Solutions in the Collective Agreements of the German MET sector

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German MET sector (2022)

- 3.93 million employees
- 1,365 billion Euros turnover
- 25,6000 companies
- 67,300 Euros average wage per year for full-time employees

Gesamtmetall (2023)

- 22 member associations
- 3,199 companies with 1.85 million employees falling under the CAs
- 4,102 companies with 0.62 million employees which do not fall under the CAs

Legal base

German Working Time Act

- max. 8h/day, can be prolonged to 10h/day when the average within 6 months or 24 weeks does not exceed 8h/day (§3)

Possibilities to flexibilise working time within our collective agreements

Collective Agreement

- In general: **35 / 38 working hours per week** within a certain **time frame** (mostly 12 months)
- The **time frame** can be adjusted via Collective Agreement or via agreement between works council and company management
- → **weekly working time within the adjustable time frame gives flexibility to adjust to order fluctuations**

- CA foresees that a **certain amount of the employees can work longer** than 35 / 38 hours / week, normally 13 or 18 percent of the employees (depending on the base of calculation)
 - On this basis, employer and employee can agree on working time up to 40 hours / week
 - This is on a fully voluntarily basis!
 - → employer can have more working time volume, employee can earn more

- Some regional CAs also foresee different **working time account modells**, such as “**flexi accounts**” or **long-term working time accounts**

Individual possibilities to reduce working time in accordance to the CA from 2018

Shortened full time work (“Verkürzte Vollzeit”)

- Possibility to reduce the working time to min. 28 h / week for 6-24 months, right to return to full working time after the period

Additional days off

- Some employees (shift workers, care givers, parents with children <8 years) can waive getting an additional allowance (“T-ZUG”) and agree with the employer to get 8 additional days off instead
- Employer can deny the shift from allowance to days off if he cannot compensate the reduced volume of labour

Possibilities to reduce working time volume on company level

- agreement between works council and management for either structural or cyclical reasons
- Working time volume can be reduced (down to 30 or 32 hours / week, depending on regional CA) for
 - max. 12 months
 - or max. 36 months (structural) with agreement of the Trade Union and employers' association
 - In some cases the employer has to partly compensate wage loss

Possibilities to flexibilise working time on collective agreement level

Pforzheim Collective Agreements (“Pforzheim-Abkommen”)

- Instrument exists since 2004
- “Agreement to secure work places, innovation and competitiveness”
- Possibility to conclude supplement CAs to have some flexibility to deviate from the regional CA in case of **cyclical crisis**: longer/shorter working time, adjustment of the wages in return to e.g. exclusion of termination for operational reasons / promises for local investments

Collective Agreements for the Future (“Zukunfts-Tarifverträge”)

- Instrument exists since 2021
- Comparable to Pforzheim: Possibility to conclude supplement CAs on company level to overcome **structural crisis**