SURVEY ON THE SITUATION OF WORK-LIFE BALANCE IN THE AUDIOVISUAL AND LIVE PERFORMANCE SECTORS IN EIGHT EUROPEAN COUNTRIES
The content of this report does not reflect the official opinion of the European Commission. Responsibility for the information and views expressed therein lies entirely with the authors.

### TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>2</td>
</tr>
<tr>
<td>Methodology</td>
<td>3</td>
</tr>
<tr>
<td>The state of Work-Life Balance</td>
<td>6</td>
</tr>
<tr>
<td>A. Flexibility in working time</td>
<td>11</td>
</tr>
<tr>
<td>B. Parental leave</td>
<td>18</td>
</tr>
<tr>
<td>C. Precarity of contracts and job insecurity</td>
<td>24</td>
</tr>
<tr>
<td>D. Childcare</td>
<td>28</td>
</tr>
<tr>
<td>E. Care for dependants</td>
<td>34</td>
</tr>
<tr>
<td>E. Information and training</td>
<td>36</td>
</tr>
<tr>
<td>G. WLB and gender</td>
<td>40</td>
</tr>
<tr>
<td>Conclusions and recommendations</td>
<td>42</td>
</tr>
<tr>
<td>Country profiles</td>
<td>48</td>
</tr>
<tr>
<td>France</td>
<td>50</td>
</tr>
<tr>
<td>Germany</td>
<td>56</td>
</tr>
<tr>
<td>Poland</td>
<td>66</td>
</tr>
<tr>
<td>Romania</td>
<td>70</td>
</tr>
<tr>
<td>Slovenia</td>
<td>74</td>
</tr>
<tr>
<td>Spain</td>
<td>80</td>
</tr>
<tr>
<td>Sweden</td>
<td>86</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>94</td>
</tr>
<tr>
<td>Annex List of resources</td>
<td>98</td>
</tr>
</tbody>
</table>
INTRODUCTION

The European Arts and Entertainment Alliance (EAEA) and the European Federation of Journalists (EFJ) have carried out a joint project on work-life balance in eight countries: France, Germany, Poland, Romania, Slovenia, Spain, Sweden and the United Kingdom. The project has received the support of the European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities.

In 2011 the EAEA and the EFJ agreed with employers in the audiovisual sector to work together on an Equality Framework of Actions (FoA), and an equality working group was set up comprising workers and employers. The working group met regularly to discuss and prepare the FoA and in December 2011 the FoA was signed by the two sides. It is the first Equality FoA to be signed in the audiovisual sector. It focused on equal pay, the portrayal of women in the media, sexual harassment and work-life balance among other matters. Employers and workers undertook to circulate the FoA among their affiliates and to promote equality in the sector. As a follow-up to the FoA, the aim of this new project was to pursue these issues and, in particular, that of work-life balance. It includes an analysis of the situation in eight European countries and brings together good practices of integration of work-life balance policies by both employers and trade unions in order to produce clear data, which can then be used for the promotion of equality and the implementation of work-life balance policies.

This report contains a section on methodology, a section with findings and good practices, a section with overall conclusions and recommendations, plus eight country profiles, which contain more detailed information about the situation in each country.

The discussions and inputs during the regional seminar that took place in Brussels on 20 and 21 January 2014 were an additional useful source of information and ideas for this report.


METHODOLOGY

The aim of the research was to collect and analyse information on the following issues:

- The situation of work-life balance in the four sectors of activity and its impact on men and women in eight selected countries (France, Germany, Poland, Romania, Slovenia, Spain, Sweden and the United Kingdom);
- Strategies developed by local affiliates to promote work-life balance;
- Examples of existing national good policies and practices developed by trade unions on work-life balance.

The research for the survey was divided into four phases that are explained below. All those who participated in focus groups or agreed to be interviewed were happy to share both available information and data and also their personal perceptions about the situation of work-life balance in the performing arts and audiovisual sectors. However, it often proved to be a challenge to get a full and accurate picture of the situation in the countries concerned. This was partly due to the limited time available for the focus groups and interviews but also to the lack of compiled expertise of trade unions on the issue and the lack of available data. Language and in particular the small amount of literature in English was also an obstacle. The languages of the focus groups were French, German, Romanian and Swedish. Although some employers’ representatives attended the focus group meetings, they were few in number and their participation remained limited. Their views are therefore not reflected in this survey, which focuses on trade unions.

Phase 1: Desk Research and Electronic-Survey

Desk research was done in order to delimit the topic, to describe the situation of work-life balance at EU level and to provide a definition of work-life balance.

The aim of this phase was to collect quantitative and qualitative data on the state of work-life balance in the
audiovisual and live performance sectors, with a focus on France, Germany, Poland, Romania, Slovenia, Spain, Sweden and the United Kingdom. The documents provided by the steering group, plus the findings resulting from the desk research, were analysed with an emphasis on the gender dimension. This gave us a first overview of the issue.

**Electronic Survey**

An electronic survey was conducted from January to March 2013. A questionnaire was sent by the project partners to national affiliates from each of the four Federations with five short questions concerning the situation of work-life balance in the country and within the union.

Fifteen answers were sent to worklifebalanceproject2013@gmail.com: 1 from Germany, 1 from Italy, 1 from Poland, 1 from Portugal, 1 from Romania, 5 from Spain, 2 from Sweden, 3 from the UK. The questionnaire can be found in Annex 2 of the report.

**Phase 2: Interviews**

To complete the information gathered through the desk study and survey a series of interviews was conducted with the following objectives:

- To capture the experience and identify the needs of people working on the ground at national level;
- To collect good examples of work-life balance policies which have been implemented;
- To collect proposals for possible solutions to improve work-life balance at national level and in each federation.

The questions for the interviews were based on issues which national affiliates had highlighted in the E-survey. The target group of the interviews were national affiliates, as selected by each of the four Federations on the basis of their active involvement in actions related to improving work-life balance in their sector.

**Phase 3: Focus groups**

One-day focus groups were organised in 4 countries: Romania (10 April 2013, FIM), France (27 May 2013, Euro Mei), Sweden (12 June 2013, FIA) and Germany (16 July 2013, EFJ). Each group was made up of professionals from the audiovisual and live performance sectors and delegates from national organisations affiliated to FIM, FIA, EURO-MEI and EFJ, the aim being to collect information on work-life balance in their country, in their union and at work.

A series of questions was prepared for group discussions where participants were able to present achievements, challenges and possible ways forward.

**Phase 4: Analysis and survey report**

This phase was devoted to analysing the data gathered through desk research, the electronic survey, the interviews and the focus groups.

The current report contains the following sections:

- Information on the state of work-life balance in the four sectors of activity and the eight selected countries;
- Main findings and conclusions;
- Good practices on how trade unions and employers have taken measures to improve work-life balance.
THE STATE OF WORK-LIFE BALANCE IN THE AUDIOVISUAL AND LIVE PERFORMANCE SECTORS
DEFINITION

Work-life balance is used throughout this research as defined by the European Foundation for the Improvement of Living and Working Conditions (Eurofund):

“a term used to describe a state of equilibrium between an individual’s work and personal life. A satisfactory work–life balance is achieved when an individual’s right to a fulfilled life inside and outside paid work is accepted and respected as the norm, to the mutual benefit of the individual, business and society”.

As underlined by the different focus groups, work-life balance concerns all employees, not only those raising children. Therefore this term should be preferred to reconciliation between work and family life used in certain cases and that can be interpreted to a certain extent as excluding those employees without parental responsibilities. It was mentioned several times that the fact that some employees do not have children should not be a reason for them to systematically bear the burden of flexible work arrangements, night work, etc. It was indicated that workers without children should be involved in all discussions and should also be encouraged to use their rights (sabbatical leave, leave to care for dependants, for example).

GENERAL CONTEXT

The desk study and the electronic survey showed that the literature on work-life balance has been increasing since the ETUC, CEEP and UNICE/UEAPME Framework of Actions on gender equality in 2005 and even more importantly since the adoption of the EU’s Work-Life Balance package in 2008. In many countries, companies have been developing tools to implement work-life balance policies: France, Germany, Spain, Sweden and the UK have been particularly active while some projects and studies also exist in Romania, Poland and Slovenia. The difference is in the level of mobilisation on the issue. In Romania, for instance, journalists attending the focus group explained that although issues concerning work-life balance were common, the concept had only recently started to be used in the written press and by the public.

The survey identified several trade union projects on different areas of work-life balance but precise data about the role of work-life balance in trade union work was lacking: information such as the existence of a focus person for these issues was not available. Although many studies and projects have been carried out only a few are directed at the audiovisual and live performance sectors, mainly in France, Germany, Sweden and the UK. In general there was no overall strategy to focus on this issue, even though the potential of WLB as a means to involve all workers and negotiate better working conditions was widely recognised.

WLB IN THE AUDIOVISUAL AND LIVE PERFORMANCE SECTORS

In Europe, 18% of workers report having a poor work–life balance. Factors associated with a good WLB include part-time working, no long working hours, flexitime and having access to emergency leave at short notice, as well as having regular working hours.

Given these elements, adapting work-life balance policies in the audiovisual and live performance sectors, mainly in France, Germany, Sweden and the UK. In general there was no overall strategy to focus on this issue, even though the potential of WLB as a means to involve all workers and negotiate better working conditions was widely recognised.
live performing arts sectors was seen as a challenge because of the common characteristics of employment:

• Long hours
• Little flexibility due to the nature of live performance or costs of production for films
• Evening and weekend work not compatible with childcare
• Multiple employers entailing difficulties in directing requests on WLB
• Small size of the majority of employers
• Push to self employment and generation gap
• Passion and dedication: work comes first (low level of sick leave, low level of enjoyment of benefits (paternal leave, parental leave, short maternity leave)
• Permanent availability (no free time)
• Frequent travel

In order to assess the level of work-life balance in the sectors, the focus groups and interviews concentrated on the following measures mentioned in the FoA on gender equality (see Annex 1):

• Flexibility in working time
• Parental leave arrangements
• Care for dependants
• Life-long learning
• Childcare facilities

Across Europe, despite uniform EU rules on working time (Working time directives), working time is organised in different ways. The main ways to achieve flexibility in working time arrangements include:6

1. part-time work;
2. reduced hours, which allow employees to trade income for time off;
3. term-time contracts, which allow employees to remain on a permanent contract as either full or part-time employees, while giving them the right to unpaid leave during school holidays;
4. compressed working week, where weekly hours are compressed into fewer days than normal, for example a four-day week, giving employees longer weekends;
5. flexitime, which allows employees to vary their working hours within specified limits (core hours) from day to day;
6. shift swapping, which allows employees to rearrange shifts among themselves to suit their needs;
7. self-rostering, where employees schedule their own working day to meet the requirements of service delivery or production (often as a team with a mix of skills, accommodating individual preferences as much as possible);
8. staggered hours, where employees have different start, finish and break times (often in large workplaces to cover longer working days).

1. Description of challenges

Flexible working time is felt to be for the benefit of employers not employees

When asked whether these types of arrangements were used in the sector, interviewees explained that part-time work was the usual solution but also, to a certain extent, term-time contracts, although this was seen as being more favourable to employers who could hire workers for a season (in theatre for instance) and not pay them during the season break corresponding to school

---

6 The term flexibility is commonly used in Anglophone countries in relation to working-time arrangements. In other countries, and in particular in France, the term flexibility is not accepted by the trade unions. Instead the term “temps choisi” (chosen time) is used to indicate clearly that this is at the request of workers.

holidays. This was also the case for “personal working time” which makes it possible to change normal working hours for limited periods of time. This is first and foremost meant to facilitate the production of certain programmes, i.e. to benefit the employer, but many employees appreciate the possibility to regulate “personal” working hours this way.⁸

Flexible working time is not applicable to all workers in the sector

Interviewees explained that there is a difference between artists, technicians and administrative staff and that in general flexible working time is not applicable to artists and to a lesser extent to technicians. Playing in an orchestra or singing in a choir usually requires all the musicians to perform at the same time, both for individual and collective artistic needs. Missing rehearsals makes good performances very difficult to achieve, but differentiation of working hours could be easier to organise for stage and administrative workers.

Freelancers are mostly excluded from part-time arrangements.

Women in the sector are more concerned by part-time work, leading to a higher gender employment and pay gap

The most recent employment study shows that in 2012 the employment rate for men aged 20–64 was 74.6% and for women 62.4%. Poland and Romania have a larger employment gender gap than the EU average. When measured in full-time equivalent, the current level of employment of women is equivalent to 53.5% of the total female work force working full time. This means that women are working more part-time with parenthood being the main factor underlying the gender employment gaps, except in Slovenia. Part-time employment is very high in Germany, Sweden and the UK.⁹

The greater the number of women out of the labour market or officially unemployed, the more the gender employment gap widens through the life cycle. It reaches 14.5% for older workers (55–64) when women are pushed out of the labour market to care for grandchildren or elderly dependants. These elements combined mean that they have shorter and more discontinuous working lives with consequences on training, gender pay gap and pension gap.¹⁰

Flexible working time should be at the request of the workers

In all cases the issue of part-time work is closely linked to the issue of precarity. At the BBC and ITV, for instance, management will look at requests from parents and carers to work flexibly under the statutory right to request this, and if the request is workable, these requests tend to get approved. Sometimes the trade union may need to appeal if the request is turned down. However, members are currently very concerned about their job security and unlikely to request anything that makes them look less “involved” in their career. For some workers there is no possibility to work flexible hours. It also appeared clearly from the discussions in the focus groups that forms of flexible working time such as working from home should be considered carefully: they should be at the request of the workers and not more than two days a week because they can create new issues of work-life balance when the parent stays at home, looking after the children and working at the same time.

Permanent availability and lack of free time are the main challenges in the sector

In many countries, there are exceptions in the collective agreements that make it possible for artists and technicians to work longer hours. The issue of permanent availability was also mentioned by journalists as a new feature, as they were expected to constantly update their Facebook profiles or engage in discussions with the audience in different forums. Another issue mentioned was the intensification of work due to the non-replacement of some staff (in orchestras, for instance, some musicians were not replaced and other musicians play their part) or cost-cutting measures (journalists found themselves editing photos themselves whereas before this was done by a photo editor). In Slovenia, an increase in complaints about breaches of working time regulations was noted.

---

⁸ Working conditions of journalists in the EU: 79% work with a permanent contract, 88% with a full-time contract, 31% work in shifts or have irregular working time, 25% work on Saturdays, 26% work on Sundays and 51% work in the evenings. Only 13% work from home one day a week.


¹⁰ Women in the labour force, how well is Europe doing? http://people.bu.edu/olivetti/papers/women.pdf
However, systematic information was generally missing as to the types of working arrangements (one mentioned that at the French Opera, women could work from home). Only in certain cases are the rights enshrined in a collective agreement. In some cases, parents are allowed to take annual leave during the children’s school holidays (the France Télévisions agreement, for instance, provides for a certain number of weeks corresponding to the Christmas, Easter, summer and other holidays). In the majority of cases it is still the employees who make arrangements amongst themselves or on an ad hoc basis depending on the good will of the employer (e.g. in the UK, where some but not all orchestras are open to the idea of job sharing). Trade unions have developed training on requesting flexible working arrangements but it was clear from the focus group that this was considered an issue of a collective right even if requested individually. Furthermore, since it may affect the working arrangements of all employees it should be discussed with the employer, who should be involved in such policies.

2. Solutions and good practices

During the research one example of a tool developed by a trade union in order to facilitate the request and negotiation of flexible working was found in the UK. It is described in the Good Practice box.

Good Practice 1
UK, NUJ equality briefing paper on flexible working

The paper contains information on the legal rights and negotiating tips for those negotiating or applying for flexible working. Although legislation only gives the “statutory right” to request flexible working to parents and carers, all workers may apply to work flexibly.

Here are some examples of tips taken from the document available to NUJ members:

- A job share arrangement is more likely to be accepted if you can find another member of staff who would be willing to be your job share partner and ask her to put that in writing to your employer. Alternatively, if you have a suitable freelance contact who would be willing to take on regular work on this basis, that may be helpful.

- Job share applications for a 3 day/2 day split tend to be more successful than those requesting a 4 day/1 day split, as it can be difficult for the employer to find someone willing to take on a 1 day per week contract.

- Include suggestions for handing over work to your job share partner or manager for the days you propose to not work. Will this be in writing (recommended) or verbally? If a job share is proposed, would a half day crossover be necessary (bear in mind that the cost of this may be unattractive to your employer).

For more information contact Mindy Ran. http://www.nuj.org.uk/

The following example from Teaterförbundet in Sweden shows a comprehensive strategy for fathers, especially technicians, to be more present at home and have a greater WLB.

Presenteeism was indeed found to be a major cultural obstacle for the sector and such initiatives can help to break this habit.
Good Practice II
Dad come home! Sweden

Through this project implemented by Teaterförbundet a “best practice” list was made as well as a list of good examples:

Job sharing:
• The possibility to share the evening work with another person, within the same profession, so as not to have to work every evening.
• The possibility to share tours, so that one employee does not have to go on a full tour.
• More technicians must know the performance so that it is possible to cover for each other/multi-post-employment.

Broader competence (through education):
• Have one “general practitioner”, i.e. a person with a broad competence/knowledge of several professions who is able to work on multiple posts.
• Offer capacity building; create broader competence for more than one employee.
• Make an inventory of the employees working in other professions, for example in the studio or with production, who could (after training) cover at live performances when needed.

Childcare arrangements:
• Provide childcare in the home during inconvenient working hours.
• Have a child-minder in place during the performances.
• Have childcare facilities at the theatre.

Better planning and increased predictability:
• Flexible and/or individually adapted working hours.
• Work evenings/performances every other week.
• Do other work during a fixed-time period.
• Schedule shift-working a long time ahead.
• Be adaptable in terms of times and venues for meetings and conferences.

Organisation of the work load:
• Limit over-time.
• Avoid split or divided days.

Increased individual influence:
• Have consultation dialogue meetings to consider which working times/tours work best for the individual’s needs.
• Keep up a dialogue and arrange for meetings when planning an employee’s return to work following the birth of a child and/or longer parental leave. A new situation has emerged! What is the best approach/what solutions can we offer?
• Make it possible to work from home on an ad hoc basis.
• Parental leave days given by the company. For example five extra days per year (paid vacation days or unpaid) that each employee can decide without having to give reasons.

A positive attitude towards taking parental leave or temporary leave to care for sick children:
• Encourage fathers to take parental leave.
• Organise regular contacts between the employer and employee during the parental leave.
• Monitor the individual’s pay scale and prospects following parental leave.
• Consider extending or postponing the contractual time period for fixed-term employees who wish to take parental leave.


• In order to increase information on this issue, trade unions could collect data on flexible working arrangements with specific attention to the gender dimension.
• Make use of existing tools by producing flexible-working leaflets containing legal entitlements and sector specific advice.
B. PARENTAL LEAVE

1. Description of the challenges

The European Company Survey on the Reconciliation of Work and Family Life 2010 provides a detailed description and analysis of family-friendly policies implemented by firms in six European countries (France, Germany, Italy, Poland, Sweden and the UK). Support for employees on parental leave is found in only three countries covered by the study. In all six countries, most employees return from parental leave to the same job they had before their extended break. However, only British, German and Swedish firms provide support for working parents before, during and after parental leave. In these countries, employees frequently find themselves involved with this issue and in particular with encouraging paternity leave (see Good Practices IV and V: Equality Bonus and Daddy’s Index). This has been the result of a long-running campaign started in the 1980s. The adoption of the EU Parental Leave Directive and its translation into national legislation provide an opportunity to adopt policies to encourage fathers to take parental leave.

There is a perception of a negative attitude towards parental leave in the sector

For instance, the focus group in France discussed the fact that there was a negative attitude towards taking paternity leave as the father was perceived as not giving priority to his work. There was also on this issue a generational gap compounded by job insecurity: young fathers were more inclined to ask for parental leave but the precarity of their situation meant that they hesitated for fear of the consequences.

One of the main elements surrounding parental leave was the fear of losing connections and of not being up-to-date with the latest technologies.

In this context initiatives by trade unions such as the Return to Work brochure (see Good Practice XI) were very much needed as they provide workers with practical tools to plan their return.

Parental leave is mostly taken by women and leads to a gender pay gap

The link between career breaks (maternity leave, parental leave) and the gender pay gap has also been made. The gender pay gap was 16.2% in 2011 in Europe. Statistics from the French Observatory in the audiovisual public sector give an overall figure of 15%, which grows over time (starting at 6% for 18-29 year-olds, 12% for 30-49 year-olds and 16% for 50 and above). The same report also shows that women make up 58% of the 10% least paid employees in both the public and private audiovisual sectors and only 26% of the best paid employees. This is reinforced by a recent study of the gender pay gap in journalism.

In the European Union the gender gap is 16% for journalists (17% for the economy as a whole). It is around 10% in Germany, 12% in Spain and in the UK covered by this report. It is consistent with findings of the French study. In the UK, for instance, the pay gap for 45-65 year-olds is 23% and only 6% for 15-30 year-olds.

National Policies encouraging parental leave have a positive impact but should be completed by sector-specific policies

France has just passed a law on parental leave that will be applicable for children born or adopted on or after 1 July 2014. The rationale behind the law is the fact that currently only 3% of men take parental leave. The new law has laid down the objective of 20% to be reached by 2017. The aim is to increase the level of women’s employment, to fight against inequalities and to encourage a better share of parental responsibilities. The reform will be accompanied by the creation of childcare facilities for 275,000 children.

For the parents of one child, the current six months parental leave is completed by an additional period of six months for

11 http://www.bmfsfj.de/RedaktionBMFSFJ/Broschuerenstelle/PdfAnlagen/Europ_C3_A4ischer Unternehmensmonitor-Familienfreundlichkeit
13 Observatoire de l’égalité hommes-femmes dans la culture et la communication, 1er États des lieux, 1er mars 2013, http://www.culturecommunication.gouv.fr/Politiques-ministerielles/Egalite-entre-femmes-et-hommes/Ressources
the second parent. For the parents of two children, the current period of three years is maintained but 6 months of these must be taken by the second parent. The law also provides measures for return to work.

2. Solutions and good practices

In several countries (France, Germany, Slovenia) family-friendly labels or awards have been introduced. Private companies or public institutions have to demonstrate good practice in family awareness and support to parents to receive the label. In Germany this is known as the “Audit Beruf und Familie” and was developed in the 1990s. However, very few institutions in the audiovisual and cultural sectors are covered by it (for instance, in Slovenia only 1 out of 156). Trade unions can encourage the cultural and audiovisual sector to adopt some of the measures. Below is an example:

Good Practice III
Family friendly certificate in Slovenia

In Slovenia, the certification process requires participating companies to agree to adopt at least three measures from a catalogue of work–family reconciliation measures. These include flexible working times, company childcare services, job-sharing, adoption leave, part-time work and caring assistance for a family member with a disability. Moreover, companies need to agree to undergo an assessment of their existing measures that address employees’ reconciliation of work and family.

Some examples of measures are:

Appointment of a work–life balance officer: involves the provision of advisory services and practical support in emergency situations for employees with caring responsibilities.

Information newsletter for employees and their family members: an internal company newsletter is published regularly with information and articles on the reconciliation of working and family responsibilities.

Other certificates and awards linked to occupational health and safety but also covering WLB issues have also been adopted. One example is the Healthy Orchestra Charter in the UK.

This joint initiative of the Association of British Orchestras and the Musicians’ Benevolent Fund was launched in 2006 and updated in May 2011. The aim of the Charter is to set an industry-wide standard of care and to award Charter Marks to orchestras that are displaying good practice towards the physical, mental and emotional health of employees – both orchestral musicians and their management. The Charter has been designed to give an indication of the different areas that orchestras ought to consider, including rehearsal and performance conditions, venue facilities and management responsibility.

The awards are based on how successful each applicant’s practices, policies, procedures and facilities are in achieving the highest standards possible within their means for protecting the occupational health and safety of their employees. The following good practice shows a strategy to increase the level of parental leave taken by fathers.

For more information: www.certifikatdpp.si
Good Practice IV
Parental Leave and Equality Bonus, Sweden

Prior to the election campaign in 2002, TCO launched the Jobb&Familj (Work&Family) campaign focusing on WLB. The campaign generated results as several parties pursued issues relating to families with children during their election campaigns. The issue of offering an equality bonus on parental leave insurance to encourage parents to share their parental leave entitlements as equally as possible was taken up by the Liberal Party and Centre Party. A new political position was created: the job of Minister for the Family and Children.

The rationale behind the equality bonus in Sweden was the fact that fathers had had the opportunity to take parental leave for more than 30 years but women still took out four times as many parental leave entitlement days as men. The most common argument for fathers not taking parental leave is the family economy because men often earn more and the reduction in income is more marked for the family economy.

With the equality bonus, the parent allowance paid is raised from 80% to 90% for the days that are not transferred to the other parent. In this way it becomes economically advantageous to share parental leave equally. The Union is currently working on simplifying the current system of equality bonus.

For more information: http://www.tco.se/vara-fragor/Livspusslet/

Good Practice V
TCO’s Daddy Index, Sweden

The Daddy Index is a total appraisal of the proportion of all parental leave days taken out by fathers and the percentage of men among those on parental leave. If the child’s father and mother share their parental leave entitlement equally, the index value is 100. Each year, TCO presents the figures for all municipalities. One of the purposes of measuring the Daddy Index is to inspire the local media to write about local differences.

For more information www.tco.se

In English: http://www.tco.nu/FileOrganizer/TCOs%20webbplats/Publikationer/Tryckt%20material/2010/TCO%20and%20the%20work–life%20balance_100531_w.pdf

3. Recommendations

• Engage in policies encouraging fathers to take parental leave
• Use the criteria set by labels and awards on WLB and apply them to the sector
C. PRECARIETY OF CONTRACTS AND JOB INSECURITY

All groups and people interviewed mentioned the recession and its impact on a sector that was already subject to precarity. A push towards self-employment with lower benefits was unanimously felt. This is known as “economically dependent self-employment”.¹⁷

1. Description of challenges

Trade unions have difficulties to engage with self-employed workers and to negotiate agreements on their behalf

One of the questions in the electronic survey concerned the type of employees covered by collective agreements and trade union work. Respondents often mentioned the difficulties trade unions faced in engaging with the self-employed and freelancers and in protecting their rights. In Slovenia, a collective agreement on freelancers is currently under discussion, while in France the group “Matermittentes” has been fighting for the protection of mothers’ rights in connection with their work in the audiovisual and live performance sectors. Their fight concerns the very specific status of “intermittents” and the discrimination faced by mothers in this context. The status is further explained under the Country Profile.

The European Federations representing creative workers pointed out that “Freelance workers have the basic right to be represented in social partner negotiations and benefit from collective bargaining. Clearly, where they are freelance workers, without any staff, and carrying out contract-based work in a pay-earner relationship, they do not belong in the employer representation, but in the worker representation.”¹⁸ For this reason, many of those interviewed recognised that trade unions in the media/entertainment/creative sectors should make a greater effort to reach out to self-employed workers and engage with them as members.

Self-employed women are in a more vulnerable situation, especially pregnant women

The study by Eurocadres (Femanet) shows the difficulties faced by self-employed women and the fact that by leaving the worker in the most vulnerable condition of depending on one employer only, but without any safety-net regarding social security or poor working conditions, it paves the way to precarity.¹⁹

The study recognised that the pressure for self-employment, as a way to side-step dependent work relations, and, in this way, reduce the responsibility and cost for the employer, should be an issue on which the trade union movement should take a firm stand.

Social and economic benefits for all categories of workers are being reduced with an increased workload and pressure on WLB

Another phenomenon noted in France but also in Poland was the outsourcing of some categories of employees who are not considered to be “core” to the work. This means that different people work under different contracts and employers in the same building and branch of activity.

Linked to an erosion of their rights, musicians and actors mentioned that per diems for touring had been reduced by up to 80% (in Romania and Slovenia). The lack of replacement of those retiring because of cuts was also mentioned in Slovenia and Spain. German journalists explained that fewer people were doing more work: not only did this mean that work intensity increased but also that with cuts in spending some jobs disappeared and the remaining staff had to perform additional tasks. One example mentioned was photo editing for news writers/editors. Now, the person has to access a website, choose and download a picture and work on it herself to have the right angle. There are no more photo editors in the department.

The situation described was the same for German actors in television series. One example compared the amount of film produced during one day’s shooting of a TV series: in 1998 6 minutes of film was produced, in 2012 it went up to 12 minutes.


¹⁹ Eurocadres (FEMANET), Improving the representation of self-employed women with professional and managerial tasks, Main findings, Richard Polacek and Karima Zahi, January 2013.
Similarly in France in 1987, a contract for “intermittent work” lasted on average 21 days but in 2003 it lasted no more than 5 days. During the same period, the average annual number of contracts increased from 4 to 11 to achieve the same annual volume of work. In 2003, intermittent workers therefore had more than twice as many contracts as in 1987.  

The focus group in Germany noted the practice of Vertrauensarbeitszeit (trust-based working time). Under this system, more responsibilities are given to the workers with yearly benchmarks (and bonuses). This means that no overtime is taken into account and the worker becomes part of a system of self-exploitation. Other issues mentioned were:

- Permanent availability
- Changing job descriptions which do not fit into current collective agreements
- Expectation to be connected 24/7; digital media, mobile phones: for example Zeit online editors have to look at the website and check comments 24 hours a day and are asked to use their own Facebook.

New challenges to occupational health and safety

This situation was seen as threatening occupational health and safety. It was also noted that laws and regulations were not being applied and the number of breaches was on the rise. Linked to this situation fees were being introduced or increased for complaints brought before the Employment Tribunals in at least two of the countries: Slovenia and the UK raised serious concerns about the capacity of workers to defend their rights. Approaching WLB through occupational health and safety was considered as an avenue that should be explored. This had already been done in 2013 in the UK when the Musicians’ Union tested a well-being week (see the Information and Training section).

Discrimination of parents and pregnant workers, bullying and harassment

Job insecurity also has an impact on bullying and harassment especially of the most vulnerable workers, among them those with childcare responsibilities. The report Creating without Conflict published by a Federation of Entertainment Unions examines bullying, harassment and discrimination in the entertainment and media industries. It shows that the tolerance and pervasiveness of bullying, harassment and discrimination are exacerbated by a culture of job insecurity and the prevalence of freelance or fixed-term contracts and a power imbalance as a consequence. The survey also showed disregard or ignorance of equality legislation regarding maternity. There are accounts of women being dismissed on disclosing pregnancy or childcare issues and exclusion was frequently listed as a problem with meetings scheduled after times when parents had to leave work and the fact that childcare responsibilities were often seen to downgrade a worker’s professional standing.

2. Solutions and good practices

Among the solutions was a greater consideration of freelancers, which was recognised by all trade unions as a challenge. In Slovenia, for instance, Suki-Glosa has been very active in negotiating rights for freelancers. 2,300 freelancers registered with the Ministry of Culture (including journalists) are progressively acquiring the same rights and benefits as other workers.

Good Practice VI
Ensuring rights to maternity leave, Les Matermittentes, France

To address the issue of women working under “intermittence contracts” who are at risk of losing their rights to maternity leave and sick leave a group called “Matermittentes” was created in 2009.

Following a hearing of this group, the French Parliament issued recommendation 22 in the framework of new legislation on culture and artistic profession:

22. End social injustice towards “matermittentes”: the Government should adopt a document recalling the rules on maintenance of social insurance rights so that the bodies concerned apply the law.

For more information: http://www.matermittentes.com/

3. Recommendations

- Monitor increase in number of breaches of working-time regulations, parental or maternity leave rights
- Follow up on the introduction of fees for employment tribunals (Slovenia, the UK)
- Trade unions should involve freelancers and self-employed workers


D. CHILDCARE

The Barcelona objectives laid down by the European Council in 2002 provide that ‘Member States should provide childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age’.22

Only France, Slovenia, Sweden and the UK meet both Barcelona objectives. Spain meets only Objective 1 and Germany only Objective 2. Availability of childcare is particularly poor in Poland where the rate of childcare is less than 5%. In France the childcare rate went up from 31% in 2006 to 43% in 2010 and was expected to continue to rise owing to a significant plan to develop the provision of childcare, which aimed to create 200,000 new childcare solutions between 2009 and 2012. Another noticeable change was in Slovenia (+8%), probably linked to a 2008 amendment to the law on kindergartens which introduced state-funded childcare for second and subsequent children. However, interviews showed that this measure has now been terminated.

1. Description of challenges

The reliance on informal and costly childcare has an impact on the presence of women in the sectors

The impact of childcare has been evidenced by several SkillSet studies in the UK, according to which childcare cost and availability was cited as a key barrier to balancing parenthood and a media career for both men and women.23 For those combining parenting with demanding and unpredictable hours of working, the only way they were able to manage was by relying on external sources of childcare. Mothers who had continued to work in the audiovisual industries relied on formal paid childcare such as nannies and au pairs, informal unpaid childcare via support networks made up of family and friends, or a combination of formal and informal childcare. In a couple of cases this included their partner, whose job allowed more flexibility to combine caring responsibilities. Other research showed that “it has consistently emerged that women aged 35 or over are under-represented in the workforce, compared with both men of the same age and women aged under 35”. While this could be attributable to greater numbers of women now entering the industry, it has also been noted that:

- fewer women than men in the audiovisual workforce have dependent children aged under 16 years, and
- representation of people with dependent children is lower in the audiovisual industries than in the UK economy as a whole.

Money was cited as the strongest factor affecting the decision to return to work, to delay starting a family and also to leave the audiovisual industries by both male and female participants and this could be explained by the reliance on costly childcare.

These findings show the need for available childcare but also the need for adequate timing of childcare to meet the irregular hours of the workers in the audiovisual and by extension the live performance sectors.

Lack of suitable childcare for workers in the audiovisual and live performance sectors

Despite the rapid development of childcare in several of the countries involved in the study, in line with the Barcelona Objectives, in the audiovisual and cultural sectors only big companies provided some kind of child support. This was the case of major audiovisual companies such as France Télévisions or German TV. On an ad hoc basis some operas or theatres had provided support in the past.

---

22 EC, Barcelona objectives, The development of childcare facilities for young children in Europe with a view to sustainable and inclusive growth.
and workers had found it very useful. However, there had been no continuity in the provision of this service due to cost cuts or lack of availability of a room.

2. Solutions and good practices

Besides the provision of specific support in the audiovisual sector, for instance France Télévisions’ new agreement on gender equality currently includes a provision for looking into intercompany crèches and booking of places, some interesting practices were noted such as the early booking of places in crèches by several smaller sized companies for their future employees in need of childcare facilities mentioned in the focus group in France. Night crèches were found in Sweden, in Germany and very recently in France. However, this was not seen as a good solution: the provision of childcare at home was preferred in the best interest of the child. it was widely considered that although workers and employers could facilitate the access to childcare, it was the responsibility of the State at national, regional or local level to provide childcare for all, including those working outside standard working hours. It was a matter of taxes and benefits for all. The following good practices provide some examples.

Good Practice VII
Night childcare in Sweden

In Sweden each child is guaranteed a place at a public preschool and no parent is charged more than three per cent of their salary. Most public nurseries offer care from around 06:00 to 18:00. But with the numbers of parents working flexible or unconventional hours going up, local councils are increasingly providing overnight and weekend services.

In south-east Sweden, the city of Norrkoping has four council-run nurseries open overnight, the first of which was launched 20 years ago.

Gina Tse, 33, is prima ballerina for the Royal Swedish Ballet Company and lives in Stockholm. The night nursery is in the same location as the day nursery, so her baby has the same carers and is in familiar surroundings.

Dramaten, or the Royal Dramatic Theatre, is Sweden’s largest publicly financed theatre.

It has voluntarily chosen to broaden the Gender Equality Plan it is required to establish by law into a Diversity or Equal Treatment Plan. By doing this, it is also acknowledged that other aspects than gender equality can also enrich the workplace and society as a whole. The Plan also aims to facilitate parenthood especially for actors and artists who are performance-bound. As an example, a trial project of providing childcare through a child-minding company in emergency situations (which are defined as something outside of what has been planned for in the everyday, routine, childcare) has recently been put into place on a permanent basis.

For more information: http://www.dramaten.se/Dramaten/In-English/
Good Practice VIII
In site or inter-company childcare in Germany

The German Broadcasting station “SWR” has set up work-rooms for parents and their children, called Parent-Child Rooms. There are two rooms, one for employees with two desks, desktop computers, laptops, telephones and printers, and a small area for meetings. The other room, separated by a child safety gate, is for babies, with nappy-changing facilities and space for mothers to feed their children. There is also a cot. The rooms were set up for special circumstances, for example when the nanny is ill, grandparents are not available and/or the kindergarten is closed.

The Lindstrasse programme has a childcare facility with three employees, all paid for by the production company.

For more information: Angela.Sterzenbach@swr.de

Time policies, childcare and WLB

One other interesting related discussion, and one which trade unions could be more involved in, is the discussion around time policies. In France but also in other countries such as the UK or Spain there is increasing consideration given to time policies in relation to gender equality and work-life balance.

For instance, the “Rhône Alpes, territoire d’excellence en matière d’égalité professionnelle” Convention signed in December 2012 requires work equality to be considered globally and to include issues of equal pay, fight against forced part-time work, organising working time, promotion of women to management positions and the fight against harassment. Organisations such as Tempo Territorial are involved and this makes it possible, within a given geographical area, to have a global discussion on businesses, schools, transport and public administration working hours. Trade unions are partners in the discussions.24 In Germany there are the Local Family Alliances. The networks include the local authorities, the town council, companies, trade unions and representatives of employers’ associations, families, civil society organisations, etc. Local alliances focus on different aspects of WLB from the organisation of public childcare and care of the elderly to flexible working-hour arrangements, family-friendly opening hours for the administration, modified timetables for public transport, etc.25

More directly linked to the audiovisual sector, in Spain FAPE has made a contribution to the national debate on rationalisation of time.26

Among the recommendations are the following:

• Fight the culture of presenteeism
• No press conferences in the evenings and at weekends
• Reduce the working day by shortening lunch breaks
• Prime time programmes to be screened at earlier times

Fighting the culture of presenteeism

One of the issues for some of the trade unions is to fight against the culture of presenteeism. This was found for journalists in Spain and also in the UK through the “Go home on time” initiative supported by the NUJ.

NUJ links work-life balance to well-being at work campaigns as it considers that unless members can resolve the conflicts between the demands of work, family, home and leisure they will be more prone to illness, less able to devote time to acquiring new skills and unable to perform to their full potential.

As part of this policy it participated in the “Go home on time day” (25 September 2013) promoted by the working families campaign.27

3. Recommendations

The availability of childcare lies mainly with government authorities at national, regional or local level but it was felt that due to the irregular working hours and lack of availability of public childcare most workers in the sector had to have recourse to informal care. In this context, it was extremely useful when the employer took measures such as:

• providing information on nannies or babysitting facilities for newcomers
• booking places in nearby crèches
• establishing in site crèches
• supporting childcare at home by participating in municipal negotiations.

In addition, involvement in national/regional discussions on time management could be a useful avenue for trade unions representing the audiovisual and live performance sectors.

24 More details can be found at: http://tempoterritorial.free.fr
25 More details can be found at: www.lokale-buendnisse-fuer-familie.de
27 More can be found at http://www.nuj.org.uk/campaigns/work-life-balance/
E. CARE FOR DEPENDANTS

1. Description of challenges

With increasing life expectancy, the issue of care for dependants is becoming a priority in many European countries. At the focus group in Germany it was mentioned as an important part of both gender equality and work-life balance.

**Women are more likely to stop working or make flexible working arrangements to take care of dependants, with an impact on the gender pay gap and level of benefits.**

The risk is that women that have stopped their career once to raise their children will then stop a second time to care for their dependants, with consequences on their pensions and pay gap. In France, for instance, the Union nationale des associations familiales (UNAF) has found that, of the two million people that are the main carers for a dependant needing care, 77% are women and 60% are workers.\(^{28}\)

2. Solutions and good practices

Provisions on this issue should include both short-term and long-term absence from work. Long-term absence from work in general does not give a direct right to payment (other systems of compensation may exist through social insurance of the dependant) but does offer the possibility to change to part-time working. In Germany, for instance, the Home Care Leave Act (Pflegezeitgesetz) provides for the possibility to take up to 10 working days off for care of (elderly) relatives in cases of emergency and the New Family Care Leave Act introduced in 2011 gives the right to employees to reduce their weekly working hours to a maximum of 15 hours for a period of up to 24 months to care for (elderly) relatives.

This type of provision is also to be found in French law. However, apart from the Deutscher Journalisten-Verband (DJV), which has been working directly on this issue, there was no information on the sector about this right being included in collective agreements, being promoted by trade unions or being used by workers.

**Good Practice IX**

**DJV, Germany, Double role**

In November 2013, DJV issued the “Double role: work and family” Guide with information on how to combine work with care for children and other dependants for all workers including those who are self employed. The Guide explains what rules apply to the social security benefits for artists (Künstlersozialkasse or KSK), including pensions, health insurance and nursing care insurance, and a possible voluntary unemployment, plus rules related to parental allowances for the self-employed. It also lists what other claims are available. The Guide in the form of an eBook brochure and the separate Kindle version can be acquired at low cost.

https://www.djv.de/startseite/service/mitgliederservice/shop.html

3. Recommendation

- Conduct more research and collect data on leave for care of dependants in the different sectors with specific attention to the gender dimension (i.e. include questions on whether the workers requesting leave for dependants have benefited in the past from parental leave).

1. Description of challenges

Workers are not fully aware of their rights and benefits related to WLB

Another priority identified was the information concerning workers’ rights and benefits. It was felt that the information should already be made available at places of learning, especially to target young workers who are not affiliated to trade unions and are pushed towards self-employment and freelancing. Including this in the curricula of some music schools in France was mentioned. The focus group in France expressed concern at the fact that some young musicians for instance started invoicing for their services when before they would have been under a short-term contract. The young musicians were not necessarily aware of the loss of benefits in the long term and the consequences in terms of unemployment, sick leave, parental leave, pension, training, etc.

Unions are not fully engaged in training on all aspects of WLB and do not reach out to all workers

Adequate training and information on all aspects of WLB (flexible working, leave entitlements) was mentioned in all focus groups and in the interviews as an important element. Very good and inspiring initiatives dedicated to training and awareness-raising were found in several countries and are included in the Good Practices section: guides and manuals on WLB, return to work training in Germany, well-being week or negotiating flexible time in the UK. However, with the exception of a few trade unions which had devoted extensive research and resources to this issue, in particular in Germany, Sweden and the UK, in other countries the information was either difficult to find or non-existent. It was felt that these initiatives needed to be further expanded in collaboration with employers in order to build coherent strategy on WLB. Information and training should also be more widely available to all workers.

Return to work training after parental leave or other forms of leave was seen as a priority in the audiovisual sector, in particular linked to rapid technological change and the risk of being out-of-date upon return to the work place.

2. Solutions and good practices

Several trade unions have developed excellent guides and manuals for employers and workers with tips on how to approach WLB issues. Some good practices are presented below.

Good Practice X

The Manual is aimed towards executives and heads of human resources in devising their strategies for their organisation.

It includes advice on informing employees about parental policies during initial stages of employment regardless of age and life circumstances; about reacting to an employee sharing information on becoming a parent; encouraging employees to take parental days and the attitude to adopt during parental leave (sharing information on the main changes within the company/institution: executive posts, new appointments, information on salary negotiations), planning return to work.

Available at: http://www.tco.nu/
http://www.tco.nu/FileOrganizer/TCOs%20webbplats/Publikationer/Tryckt%20material/2011/Parental%20manual_1a%20upplagan%20Engelsk%20version.pdf
Good Practice XI
Return to work, DJV (Germany): When parents return to work

The brochure “Zwischen Schnuller und Schlagzeile” (Between soother and headline) from the German Union DJV provides advice to journalists who become parents. What financial support can they expect from the state and their company? How can they reconcile work and family? Studies carried out show clearly the impact of parenthood on equal pay. Gender-specific pay statistics, or sector surveys on the pay gap, are effective means to compare men’s and women’s wage levels.

https://www.djv.de/startseite/service/mitgliederservice/shop.html

In addition to these examples:

In **Spain**, the Ministry of Equality (Ministerio de Igualdad) launched in 2010 a Guide with good practices on how to enhance work-life balance policies. Although not directed specifically at the culture or communications sector, it does contain tips, practical examples and good practices on the different measures both for employers and employees.29

In the **UK**, trade unions have been particularly active in providing tools and services on WLB.

For instance the TUC has published a family-friendly rights guide. This guide explains all flexible working options with benefits and drawbacks. It provides case studies, legislation, FAQs, places for guidance and support (although not from the audiovisual sector). It contains two very useful tools: an employers’ implementation checklist and an employee’s implementation checklist.30

Finally, in August 2013 THEMU organised taster sessions for members on the theme of Health and Well-being for Musicians. These sessions were free for members to attend with the intention of gathering feedback so as to put together a nationwide programme of activity working with BAPAM and the Musicians Benevolent Fund in 2014. The objective of the well-being week is to enable musicians to have healthier and happier lifestyles. The well-being week included sessions on performance wellness, life coaching and yoga for musicians.31

3. Recommendations

Information and manuals on WLB benefits should be compiled and circulated within and outside trade unions in order to also reach out to freelancers. Places mentioned included places of learning, child centres, cultural centres, retirement homes.

• Build on best practices of informing on WLB adopted by other trade unions
• Give priority to return to work training
• Disseminate information outside traditional trade union environments including childcare centres, training centres, etc

32 http://www.musiciansunion.org.uk/
G. WLB AND GENDER EQUALITY

As indicated by the sector’s Framework of Actions on gender equality and as confirmed by the research for this report, all aspects of WLB – flexible working, parental leave, leave for dependants, childcare, precarity, freelancing – have a gender dimension that can lead to an increased gender pay gap and under-representation of women in the audiovisual and live performance sectors.

For this reason, all focus groups held discussions around wider gender issues. Among them policies for a stronger representation of women in trade unions and Gender Equality Plans were often cited as useful tools. Some good practices are listed below.

Trade union representation

Good Practice XII
Introducing quotas for trade union representation

Ver.di, one of the German unions of journalists, decided that all players within the organisation should be taken into account to realise the equal participation and representation of women and men. Since 2007, the union has implemented a quota of women, which means that half of all executive posts are occupied by women.

The number of women on boards and committees holding union office should, at the very least, correspond to the percentage of female members (proportionality). Women represent 50.44% of total membership; therefore they should fill half the posts on boards and committees. On the elected Executive Committees of 11 regional districts, women hold two of the three mandates.

Even on the main board, the Bundesvorstand, women occupy nine out of fourteen seats. As a result, ver.di is the only trade union in Germany that implements a consistent quota for both voluntary and paid managerial staff.

www.verdi.de/fraeun/frauen_verdi/fraeunquote

Good Practice XIII
Gender Equality Index

The Swedish Union for Theatre, Artists and Media and Swedish Performing Arts have jointly developed a Gender Equality Index. Its use can be initiated and overseen by a local working group composed of representatives of both employers and unions. It is conceived as a tool for managing directors, heads of departments, union representatives and equality advisors and applies to all groups of employees (artistic, technical and administrative) irrespective of the nature of their employment contract (long-term, short-term or freelance).

The checklist can be used during season planning, department meetings, first readings or in the planning of individual provisions.

This is one example from the Checklist on WLB.

It is my/our understanding that at our theatre it is possible to combine work and parenthood and that there are clear guidelines for this in our plan for gender equality.

☐ Yes ☐ No

For more information: info@svenskscenkonst.se

Good Practice XIV
Increasing the number of women in managerial positions, Sweden

Joint programmes between employees’ and employers’ organisations for educating team leaders. The parties have undertaken to provide for an education for prospective theatre managers in integrating gender equality and gender identity into leadership, organisation and supply issues. This has led to real improvement in the number of women becoming theatre managers in publicly financed theatres.

Before the project started, which ran for two rounds, 3 out of 34 theatre managers were women. After the project, with the same number of theatre institutions even though numbers of managers differ due to shared management, 20 women and 17 men are managers for a theatre institution. Out of the last project round, 10 out of 12 women accepted on the programme are managers today.
CONCLUSIONS AND RECOMMENDATIONS
**CONCLUSIONS**

**Work-life balance policies in the audiovisual and live performance sectors**

- Workers in the audiovisual and live performance sectors are not satisfied with their work-life balance.
- Studies and national legislation on work-life balance exist in all countries although in France, Germany, Spain, Sweden and the UK they have been more numerous than in Poland, Romania and Slovenia. This data is essential to take measures to enhance WLB.
- There are still too few collective agreements and sector specific arrangements that include WLB.
- The sector’s culture of presenteeism and dedication needs to be tackled as the belief that one must always be present and available has a negative impact on WLB.
- There are problematic differences in rights between categories of employees (civil servants, fixed/temporary employees, self-employed/independent workers).
- Ad hoc arrangements for flexible working are very dependent on management.
- Insufficient availability of crèches or childcare support.
- Linking the discussion of WLB with other issues such as equal pay or occupational health & safety are good strategies.

**Role of trade unions**

- Model setting on equality (boards, representation: quotas).
- Information and training on employees’ rights within and outside membership.
- Pushing for adequate legislation and participation in national policies.
- Reaching out to independent workers to respond to higher precarity.

**RECOMMENDATIONS**

**TO EMPLOYERS**

- Document requests for flexible working time and success measures (productivity indexes/sick leave, absenteeism).
- Fight culture of presenteeism by launching or joining campaigns on going home on time.
- Develop standard procedures for requesting flexible working hours.
- Encourage positive attitude towards fathers taking parental leave (awards, label, daddy’s index).
- Remove indirect forms of discrimination such as times of meetings unsuitable to WLB.
- Develop childcare facilities including in site child facilities (France, Germany, the UK) or joint arrangements with nearby facilities (France, Germany) and at home childcare for workers with non standard working hours (Slovenia).
- Include measures on care for the elderly (Germany) such as days of leave.
- Engage in partnerships with public authorities for innovative solutions such as booking of crèches, time policies, etc.
- Information campaigns about leave possibilities available to both women and men and encouraging parents to share leave periods more equally in accordance with legislative framework (France, Slovenia, Spain, Sweden).
TO TRADE UNIONS:

In general:

- Information / training by trade unions (salary negotiation, flexible working arrangements, leave entitlements) in and outside the workplace (family centres / places of learning)

- Inclusion of freelancers and self-employed

Due to the push towards self-employment and freelancing with the loss of benefits and social protection it entails, trade unions should be reaching out more to these groups by providing training outside of the union: places of learning (e.g. conservatoires), family institutions, time policies

Better representation and improved legislation and policies to advance social protection and working conditions of self-employed workers

- Increase representation of women in trade union decision-making processes

Remove indirect forms of discrimination such as times of meetings unsuitable to WLB

- Negotiating Teams should reflect and represent the members concerned, including as regards gender balance, professions, job roles, age and types of contract, including freelance. They should also include lay representatives employed in the sectors

- Document flexible working arrangements through surveys and other tools in order to produce data for the sectors (see model in European Company Survey on Reconciliation of Work and Family Life)

- Build on good practices: Daddy’s Index (Sweden), family-friendly label (Slovenia), freelancers collective agreement (Slovenia), parental guides (Slovenia, Spain, the UK)

- Reinforce implementation of health and safety regulations

Document increase in breaches of labour law in the audiovisual sector regarding working time

Document introduction of fees for complaints

Link policies directed at WLB to occupational health and safety: well-being week (UK), "go home on time" day

As regards collective bargaining on work-life balance

- Aim to negotiate the inclusion of a section on WLB covering all its aspects in all collective agreements, bearing in mind the following strategic considerations:

  The importance of integrating work-life balance into the mainstream collective bargaining agenda (rather than allowing it to be a stand-alone item, too-often pushed aside by issues such as pay and redundancies):

  Using multiple strategies, enlisting equality, health and safety and other agendas;

  Enlisting public opinion and lobbying;

  Developing online communication and access to resources for collective bargaining;

  Considering how best to form negotiating teams from representatives who often have to decline work to attend meetings – perhaps by the use of ‘substitute’ representatives;

  Developing legal support for bargaining teams;

  Giving consideration to both ‘bottom-up’ and ‘top-down’ union approaches; Developing the skills and talents of lay representatives.

- Considering how best to form negotiating teams from representatives who often have to decline work to attend meetings – perhaps by the use of ‘substitute’ representatives;

  Developing legal support for bargaining teams;

  Developing the skills and talents of lay representatives.
COUNTRY PROFILES
1. Trade unions and context

The Ministry of Culture and Communication is responsible for the implementation of government-initiated action in the field of culture throughout the French territory. However, the Ministry does not have a monopoly over cultural action, which is also, to a large degree, initiated by the local and regional authorities. In fact local authorities manage most local cultural facilities and organise a large number of cultural events in their area (e.g. festivals), partly in cooperation with the Ministry of Culture and Communication.

Although it is not easy to clearly distinguish between subsidised and commercial sectors, all in all, in 2008 8% of all live performance establishments were publicly owned, 45% were publicly subsidised and 47% were commercial.

Some 200,000 people work on a regular basis in the sector. According to trade union statistics, the total number reaches 300,000 if individuals having at least one engagement within a year are included.

People working in the live performance sector in France can have different employment status, including civil servant, employee or very rarely self-employed (this category only applies for authors). Since 1969, any performing artist engaged in return for payment by appearing in public is presumed to be engaged under a contract of employment unless s/he carries on her/his activity as a commercial live-stage businessperson. Despite the occasional nature of their work, artists and technicians that have limited contracts can benefit under certain conditions from social protection (social insurance, training, pension, etc.) and from specific rules to access unemployment benefits. These workers are known as “intermittents du spectacle”. Once a performing artist in this sector has completed a specified number of hours in any one year (507 hours over 10 months (technicians) or 10.5 months (performers)), s/he is entitled to special unemployment insurance.

Performing arts workers are part of the following trade union federations which are affiliated to a confederation:

- FNSAC-CGT – Fédération Nationale des Syndicats du Spectacle, de l’Audiovisuel et de l’action culturelle (Federation of National Trade Unions for Performing Arts, Audiovisual and Cultural Action)
- F3C-CFDT – Syndicat National des Artistes et des Professionnels de l’Animation, du Sport et de la Culture (National Trade Union for Artists and Professionals in Entertainment, Sport and Culture)
- FCCS – CFE-CGC – Fédération de la Culture, de la Communication et du Spectacle (Federation for Culture, Communication and Performance).
- CFTC (Confédération Française des Travailleurs Chrétiens)

---

33 http://www.worker-participation.eu/National-Industrial-Relations/Countries/FRANCE,
accessed on 12 January 2014.
There are decrees establishing the representativeness of trade union organisations in France. 5 confederations (CGT, FO, CFDT, CFTC and CGC) are representative at national level and in the branches. Moreover, in audiovisual productions and film production SNTPCT (independent union) is also representative. In film production and for journalists, Solidaires Unitaires Démocratiques (SUD) is also representative (including the Syndicat national des journalistes, SNJ).

2. Situation of work-life balance

Several pieces of research have been carried out on Work-Life Balance including a Guide to good practices. An observatory of parenthood and companies has been set up, as has training run by the main trade unions for companies on how to implement WLB measures. However, until very recently, the audiovisual and live performance sectors had not been included in this research. There was lack of information on the sector. This situation has recently changed. In 2013, several initiatives such as the Ministry of Culture report on equality in the culture sector, the report from the Senate on the same issue and the new law on parental leave provided the occasion for a sectorial approach to the issue. On paper, several agreements include good work-life balance provisions, such as the 2007 France Télévisions collective agreement (revised on 28 May 2013). It included a chapter on work-life balance (see Good Practices section). Because of the number of employees (11,500 in 2011) France Télévisions has a very important role in these issues. In private TV channels such as TF1, WLB has been included in the negotiations of an agreement on health and occupational safety, thus reinforcing the finding that this might be an avenue to explore to include WLB measures. Under this agreement, team meetings must be held between 10:00 and 16:30 and Wednesdays should be avoided to allow workers with parental responsibilities to be present.

Several other collective agreements in the theatre include provisions on WLB.

However, implementation remains a challenge. For the France Télévisions collective agreement only those measures that required automatic application were implemented (for instance an amount given to compensate for the cost of childcare in the case of a training session on a Sunday). But all measures requiring political will have been poorly enforced or not applied at all and the gender pay gap remains. Training has remained too limited and only concerned a small number of employees. New priorities such as obtaining the Diversity Label have pushed WLB off the radar. A new agreement is also under negotiation. Despite some positive elements, participants in the focus group noted that the culture of the sector remained male dominated and with traditional values. There was still a negative perception attached to taking paternity leave.

The main issue was the precarity of contracts in the sector and the obligation to accept fixed-term three-day contracts or send journalists to war zones without protection.

Staggered hours/working in the evenings and at weekends were also seen as major obstacles to achieving a WLB. Despite the fact that France is one of the few countries meeting both Barcelona objectives on childcare, because of the unpredictability of the work and the long hours it was felt that this was still not satisfactory. Some good practices such as in site crèches, night crèches, yearly booking of places at nearby crèches and pooling of facilities between several small companies/employers were mentioned.

Women’s representation in the media, lack of experts and lack of representation in certain categories as well as a continuous gender gap pay were identified as the main obstacles to equality and as having an impact on WLB.

Live performance sector

The situation is very different from that described in the audiovisual sector. The live performance sector consists of about 18,000 entities, with 90% having fewer than 10 employees. This means that with a few exceptions, it is made up of small businesses. A national collective agreement on gender equality was adopted in 2012 for the live performance sector receiving state support. It contains a detailed section on WLB.34

This sector was also seen as young, with new forms of employment and new management cultures as illustrated by the field of “musiques actuelles”. Given that this field is new, the average age

34 Accord collectif national, Égalité professionnelle et salariale entre les femmes et les hommes dans le spectacle vivant, 2012.
is low and there are not yet any retired employees. The employers in this sector felt it was difficult to follow the changing periods in an employee’s life, by offering an evolution in salary for example, or offering certain employment adjustments to single parents. Single parenthood was also very strong in the sector with the fact that school holidays matched the timing of the season being a positive element. Family situations such as shared residency for the children also needed to be taken into account for touring.

**Film industry**

On 10 October 2013, the Culture and Communications Minister, the Women’s Rights Minister, Arte France and the National Cinema Centre (CNC) signed a sex equality charter for the film industry aimed at improving the number and position of women working in the French cinema sector. Under the charter, the signatories pledged to ensure an equal ratio of women to men on funding selection committees in their organisations as well as to stimulate the creation of projects that “subverted traditional representations of men and women”.

Musicians explained that stereotypes were still present in some areas such as jazz singing and musicians.

Progress has been made since the blind auditions behind a screen that have been held over the last 10 years.

3. Main challenges and recommendations

- Gender pay gap
- New type of contracts without benefits: self-employed/independent workers/freelancers/interim contracts
- Outsourcing of part of the work weakens workers’ rights
- Quotas in trade unions and lack of young people
- Importance of including information on social rights and gender equality in the educational curriculum
- Return to work and training after maternity leave or parental leave
- Situation of “intermittents”: loss of employment benefits and networking

**Recommendations:**

- Give priority to equal pay as a key lever because choice of leave depends on salary
- More research on workers with precarious contracts (intermittent, interim, short-term) as not always taken into account by the unions and poorly protected
- Need quotas at union level as an intermediate step necessary to restore balance
- Role of the employer to inform employees of their rights and encourage them to exercise these rights including paternity leave
- Flexible working in the form of working from home should only be at the request of the employee and in the case of long commuting time and should be limited to 1 or 2 days a week
2013 discussed the issue of “How to live with the rhythm of the working flow”.

**ver.di – (United Services Union)** member of the DGB

**Total members**: 2,009,039; 49.1% men, 50.9% women

The name ver.di stands for Vereinte Dienstleistungsgewerkschaft – United Services Trade Union. The members are employees, freelancers, civil servants and students drawn from over 1,000 different occupations. ver.di, all includes workers in services or related industries in the fields of education, art and culture, and the media. It has 13 departments, one of which is the Culture, Media and Industry Department which has four subsectors. One of them is the Media and Journalism sector and includes Public Service Broadcasting Corporations, Commercial TV and Radio, film and cinema (10,000 members). Another one is the Art & Culture sector (20,000 members) including the fine arts, theatres and stages, cultural institutions and event management, as well as music and literature (German Writers Guild VS).

In all departments, sectors and subsectors as well as at local, regional and federal level, ver.di has policy officers and secretaries dealing with many aspects of the gender issue, as they occur in the different branches and kinds of employment they are confronted with. On all levels many initiatives and workshops regarding work-life balance have already been organised or are still work in progress. The results are published on the corresponding ver.di websites or in brochures.

A more recent union for film and TV actors (German Screen Actors Guild, Bundesverband der Film- und Fernsehschauspieler BFFS) has been successful in obtaining a collective agreement with the particularity of being written using the feminine form.

**Co-determination in the Federal Republic of Germany**

Works councils are elected every four years by the employees of a company. The number of members depends on the number of employees. Since the amendment of the Betriebsverfassungsgesetz (Works...
Constitution Act) in 2001, the work-life balance and harmonisation of job and family are official tasks of interest representation in Germany.

Staff representatives are elected every five years by, for instance, the employees of public services such as the Public Service Broadcasting Corporations (Law on Staff Representation).

Both councils are allowed to negotiate and conclude agreements with the employer (Betriebsvereinbarung or Dienstvereinbarung) to regulate company or authority specific issues.

Co-determination (only) in joint-stock companies:

The relevant trade union appoints two representatives to the Supervisory Board of the company.

Collective Bargaining

A. Media and journalism sector

German legislation provides for two different kinds of collective agreement: collective agreements (Manteltarifvertrag) with a long period of validity and collective remuneration agreements (Vergütungstarifvertrag) with a short period of validity (one year up to three years).

In the media sector collective agreements have been concluded with eight public broadcasting corporations in the Federal States of Germany (Länder) and the Deutsche Welle and Deutschlandradio, all of which are members of the ARD (Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland), as well as with the ZDF (Zweites Deutsches Fernsehen), which is the second German TV channel. All public service broadcasters are independent of the State (Federal Republic) and are financed by the population, who pay a monthly television license fee of €17.68 per household. Due to the federal structure of the German Republic there are in total 11 more or less different collective agreements for the PSB in Germany. In all PSB corporations special collective agreements and collective remuneration agreements are concluded for the self-employed.

In commercial TV (RTL and Pro7Sat.1) collective bargaining no longer exists. In 2001 the employers cancelled their membership of the national employers' organisation. Consequently, ver.di and the DJV (German Association of Journalists) lost their negotiating partner. There are some small commercial radio stations which still participate in collective bargaining with ver.di and the DJV. They have just signed a new collective agreement which is valid until 2016.

The journalists in ver.di are organised under the label DJU (German Association of Journalists) and are also covered by collective agreements and collective remuneration agreements. The majority of the journalists work in the printed media of all kinds, including the big publishers such as Axel Springer, Bertelsmann, WAZ-Group. In recent years more and more journalists have been working with online agencies under new working conditions. This means a challenge for the unions, which not only have to react to existing collective agreements but sometimes have to organise them.

DJV – Deutsche Journalisten Union (German Association of Journalists) organises journalists. The DJV has been very active on the issue of WLB. Its first report contained advice for parents on returning to work after parental leave. In November 2013, it published a second report "Double role: work and family" with information on how to combine work with care for children and other dependants for all workers including those who are self-employed. It is interesting to note the evolution from WLB measures that only concern parents to WLB measures that concern all workers. This evolution is also present among other unions that have WLB policies and strategies.

B. Live Performance Sector

Given the diversity of professions in this sector, there are a number of collective agreements.

Besides ver.di there are many professional associations such as the BFFS (German Association of Employees in Film and Television Production), the association of costume designers, the association of make-up artists, etc. A few of them cooperate more or less closely with ver.di and they do collective bargaining together. In December 2013 a new collective remuneration agreement for actors was concluded by ver.di and the BFFS. A very long and close cooperation exists between
ver.di and the DOV (Deutsche Orchester Vereinigung/German Association of Orchestras).

The GDBA (Genossenschaft Deutscher Bühnenangehöriger – Cooperative Society of German Stage Workers) concluded a collective agreement called “normal contract stage” (Normalvertrag Bühne). They have the right to act as a trade union but there is no cooperation with ver.di.

Respondents to the electronic survey and those who took part in the focus group indicated that the issue of WLB has received a lot of attention at national level, with several research studies. For instance, the “Business Monitor Family-Friendliness Study in 2010, by the German Institute of Economic Research in Cologne, provides information on the status of family-friendliness in German companies and shows the development over the previous six years. Other comparative research carried out by the same institute shows that in Germany two-thirds of the companies’ family-friendly initiatives have been introduced on the management’s initiative. Figures are not provided for the audiovisual and live performance sectors but it could be interesting to find out if this trend is confirmed for these sectors and how to build upon this. The European Company Survey on the Reconciliation of Work and Family Life provides a comparison of the situation in France, Germany, Italy, Poland, Sweden and the UK using very interesting tools such as graphs on the percentage of companies offering a specific WLB policy: flexible working time and work arrangements, parental leave/parental support, childcare/care for dependants, family services. Although not specific to the sector it provides a good tool that could be used to gather data.

Sector specific research and resources were also mentioned by the respondents. In particular, a Goethe-Institute publication covering practical examples from the world of theatre, and a document on the impact of late shift work on WLB.

2. Legal Provisions regarding Work-Life-Balance

There are different levels of legislation in Germany based on the principle of subsidiarity.


Federal State Level (16 Federal States, Länder): Exclusive competence for legislation for education, training and science. Consequently, legislation affecting universities, primary schools, secondary schools and kindergartens is introduced at the level of the 16 Länder.

Municipalities: They also have legislative powers, especially with regards to kindergartens and primary schools, which are managed and financed by the communities.

1. Parental Leave and Parental Allowances (Elternzeit und Elterngeld)

Parental Leave
Each parent is entitled to three years’ parental leave per child, of which two must be taken by the time the child is three years of age; with the employer’s agreement, the third year can be taken up to the child’s eighth birthday. During the three years the employment relationship continues under existing contractual conditions. After parental leave parents are entitled to return to the previous working place and working time. Both

36 Hans-Böckler-Stiftung (www.boeckler.de), a foundation financed by the DGB (Confederation of the German Trade Unions) and especially by the integrated WSI (Wirtschafts- und Sozialwissenschaftliches Institut, Institute of Economic and Social Research (www.boeckler.de/wsi))
DIW (Deutsches Institut für Wirtschaftsforschung, German Institute of Economic Research), which does research and surveys especially for the Federal Government on behalf of the Ministry of Families, Senior Citizens, Women and Youth and the Ministry of Labour and Social Affairs (www.diw.de).
38 http://www.goethe.de/kue/the/tba/en5734185.htm
39 http://www.boeckler.de/39512_39519.htm
parents can make use of three years’ parental leave at the same time. Under certain conditions parents are legally entitled to reduce their working time during parental leave to between 15 and 30 hours per week. Parents are protected from dismissal during parental leave but no earlier than eight weeks before the parental leave begins.

In 2013, the Federal Government passed an additional regulation allowing grandparents to make use of parental leave. Grandparents are allowed to take three months of the three years’ parental leave from the parents to take care of their grandchildren.

**Parental Allowances**

A decisive step in this direction was taken by the Federal Government with the introduction of a system of income-related parental allowances (Elterngeld) on 1 January 2007; it replaced the previous system of child-raising allowances. It is paid to mothers and fathers for a maximum of 14 months. Each parent can make use of it for either two months or twelve months. For single mothers or fathers a parental allowance is paid for 14 months. A minimum parental allowance amounting to €300 per month is paid to all parents who after birth look after the child themselves and have a job not exceeding 30 hours per week. Parents are protected from dismissal during parental leave but no earlier than eight weeks before the parental leave begins.

**2. Childcare/kindergartens/day-care mothers and other childcare facilities**

Since August 2013 all parents have a legal entitlement to a place guaranteed by legislation passed in 2013 by the Federal Government.

Due to the federal structure of Germany there is a great variety of legislation especially regarding childcare. In the Länder of Berlin and Rheinland-Pfalz, for example, kindergarten is free for all children aged three and more. In other Länder such as Bavaria, and especially in the city of Munich, even though there is a legal entitlement it is difficult to get a place in a kindergarten. As the Länder are responsible for financing childcare facilities and as they often claim budget restrictions as a reason not to implement the legislation as soon as possible, the Federal Government has decided to provide €5.4 billion to finance the expansion of childcare facilities in 2014.

There is also a network of day-care mothers and fathers, which is governed by statutory regulations. Because of the lack of sufficient places in childcare facilities, many parents, especially in the big cities, have started to set up their “own” kindergartens. They register as an association, rent an empty shop in their neighbourhood, renovate it and engage childminders and educators. Often they do the cooking for the children and all the families have a weekly task list. This is a very proactive response to the permanent lack of childcare facilities in Germany.

Statutory health insurances allow parents to take off up to 10 days per year maximum when the child is sick and if they present a medical certificate to the employer confirming that the child is ill. Furthermore, there are many work agreements and service agreements by which the employee is entitled to take two days paid leave on the birth of a child.

Mothers looking after children under three at home receive an allowance (Betreuungsgeld) of €150 per month. The law, which was passed in 2013 based on an initiative of the conservative government (CDU/CSU), was very controversial even among the conservatives. Trade unions, women’s associations, teachers and many others warned that this would exclude children from attending pre-school, because their parents would prefer to supplement their income with the childcare allowance. This is particularly true for the children of poor and immigrant families who actually have a strong need for a good education.

Furthermore, all-day schools are the exception rather than the rule in Germany. Usually school finishes at about 14.00. Consequently, parents have to organise a childcare after school.

**3. Care for elderly dependants**

The 2013 Federal Law on Leave for Family Carers (“family carer leave”) entitles a person to take leave to take care of a sick relative and to be employed. During family carer leave employees are allowed to reduce their working time to 15 hours per week for a maximum of two years. If the working time is reduced to 50% during this leave, the employee receives 75% of his/
her last gross monthly income. To make up for this, the employee is obliged to work full-time after the leave but for just 75% of the gross income until the salary account and the time account are balanced. A written agreement on family carer leave has to be signed by the employer and the employee, which means that the system more or less depends on the good will of the employer. If there is no agreement, the employee has no right to take this leave.

**Challenges**

**Childcare**
The situation of early childcare and care of young children in Germany has improved in recent years but compared to other European countries it is still unsatisfactory. According to the data of the European Statistics Office Eurostat published in April 2013, in 2011 24% of all children under three were in formal care. According to the official definition, the term “formal” means that the children attended a pre-school or a kindergarten. In 2010, only one child in five had access to day-care outside the home. The percentage has increased significantly in the last few years but, despite this improvement, Germany comes only halfway on the scale of childcare in Europe.

**Self-employed/independent/freelancers**
The issue of precarity of contracts was raised. In RTL Hamburg, for instance, it was noted that 98% were on short-term contracts. Those taking part in the focus group noted that there was a generation gap between older workers and younger workers in terms of benefits and protection. The mechanisms that existed to transform short-term contracts into more permanent ones were being suspended or employers were making sure that their employees did not meet the necessary conditions for this change of contract. The example of an opera was given: after 15 years and more than 72 contracts, workers on short-term contracts could be considered as employees. Instead of this measure preference was now being given to compensation for being made redundant.

The push towards self-employment and freelancing was also observed in the sector. A large number of theatre professionals, for instance, do not have a permanent position with a monthly salary in a public theatre, but instead work in unstable, uncertain and precarious employment conditions. In this professional environment long-term planning for their private or family life was found to be virtually impossible.

The specific issues and challenges raised by self-employment were discussed: the self-employed were excluded from social networks and, even though they paid their social contributions, they were not entitled to social benefits. In particular there was a gap in protection since the special social security regime for artists (Künstlersozialkasse KSK) did not apply to people who had partly employed and partly independent status, which was a growing trend in the sectors.

In this context, the securing of as many long-term socially insured employment positions as possible, which are governed by a collective agreement with the possibility of part-time work, is the best way to ensure the compatibility of work and family for theatre professionals.

**Major challenges remain:**

- System of social insurance for artists and associates (including journalists) through KSK.
- Intensification of work and permanent availability.
- Challenges to health and occupational safety.
The following survey published in 2006 illustrates the general difficulties regarding WLB. The most effective approaches as regards assistance for women returning to work after childbirth include:

- Making it possible for mothers to work during hours which are convenient for them or to work part-time – 56%.
- Development of inexpensive and readily available childcare facilities, such as nurseries, kindergartens, day-care rooms – 41%.
- Financial incentives for employers hiring mothers returning to work after maternity leave (e.g. refund of part of the employment costs, such as social security contributions) – 39%.
- Changes in the labour code to make it easier for women to combat discrimination on the labour market and in the workplace – 24%.
- Free professional training and courses – 14%.

Polish statistics on balancing of roles versus having children also show that when women have only one child, 64.1% of them are in employment. When women have three children or more, only 56.4% are in employment. If the youngest child is less than 3 years old, 46.7% of women are in employment, if the child is between 4 and 6 years old, this figure goes up to 70.6%.

Only a minority of employees in Poland are covered by collective bargaining, which takes place largely at company or workplace level. This means that where there are no unions to take up the issue, while pay and conditions are set unilaterally by employers, subject to the national minimum wage. There are no collective agreements in the audiovisual and live performance sectors.

The key reasons for women’s lower number of births in recent years include:

- Women’s fears of losing their jobs – 62%.
- Poor living conditions, insufficient housing – 58%.

What are the main reasons for lower number of births in recent years?

- Women’s fears of losing their jobs – 62%.
- Poor living conditions, insufficient housing – 58%.
Based on these findings and in order to improve conditions for families and help parents achieve a better work-life balance, the Polish government launched a ‘Family Policy Package’ that includes the expansion of childcare facilities, the improvement of maternity leave and the introduction of paternal leave. However, in 2010 only 2% of children under three and 42% of children between three and school age attended formal childcare.\(^{43}\) This is far below the Barbara objectives and the EU averages of 28% and 84% respectively. In April 2011 a new law came into force that aims to facilitate the creation of new childcare places and improve the provision of childcare for children under four.

In 2011, only 59.7% of the population of working age was in paid employment, compared with an EU average of 64.3%. Female employment, at 53.1%, is low compared to other EU countries. Also, at 56.9% in 2011, the employment rate for mothers of children under six was lower than the EU average. In 2009 the gender pay gap was low (5.3%) compared to the EU average (16.4%).

Between November 2010 and May 2012, the Polish Ministry of Labour and Social Policy implemented a project: ‘Gender mainstreaming as a tool for changing the labour market’. The main objective of the project was to identify solutions aimed at reconciling family and professional responsibilities, including informing working fathers about employees’ rights related to parenthood. This project was designed to raise awareness of employment policies helpful to working parents among employers, employees and representatives of the labour market (such as trade unions, professional organisations, chambers of commerce), as well as to eliminate gender stereotypes that portray women as less attractive employees because of their childbearing and childcare duties.

On 17 June 2013 a law introducing amendments concerning parental benefits for employees came into force. Alongside changes with respect to existing parenthood-related leave, a new type of leave has been introduced. 26 weeks paid parental leave. Parental leave may be used by one of the parents or simultaneously by both parents; however, in the latter case, the joint length of the parents’ leave may not exceed 26 weeks.

On 23 August 2013, changes in the Labour Code concerning working time were adopted. The new law allows for the extension of the work time calculation period up to 12 months in each working time system, thus allowing working time to be balanced over a longer period and materially decreasing operational costs in particular in season-specific businesses. This can therefore be beneficial for the live performance sector. Furthermore, the new law makes it possible to introduce flexible working hours. This law will be implemented under procedures requiring the trade unions’ or employee representatives’ participation. This means that trade unions will have an opportunity to engage in WLB issues.

---

**Main challenges**

- Precarity of contracts: 80% of journalists were freelancers and not covered by any collective agreement
- Cost cuts and outsourcing of employment. A recent conflict arose when the public television network TVP issued a tender that sought to outsource the employment 600 full-time workers in the Polish public television including graphic designers, make-up artists, film editors and journalists.
- Lack of childcare facilities
- Few possibilities of flexible working

---

\(^{43}\) European Commission report, Barcelona Objectives: the development of childcare facilities for young children in Europe with a view to sustainable and inclusive growth, 2013. Statistics vary in different sources, for instance the 2010/2011 UNICEF report for Poland mentions 3% of children under three and 69.9 of children between three and school age.
The system has been fundamentally changed by legislation passed in 2011; collective bargaining at national level, which previously set minimum pay and conditions for the whole economy, has practically been abolished. The culture sector has not been able to meet with the Ministry of Culture since early 2012.

A group of union federations in the public sector was formed in September 2009 to protest against government policies to cut public spending, and it was able to organise strikes and demonstrations at the start of October. More recently all five confederations have acted together to protest against the government’s austerity plans and in opposition to changes to the labour code (see section on collective bargaining).

Overall trade union membership in Romania has declined since the beginning of the 1990s as the economic role of the state has been cut back and unions’ economic and social council, the CES. Confederations must meet certain criteria in order to be classed as nationally representative. These include having members in at least half of Romania’s administrative districts and in at least a quarter of its industrial sectors. In addition, a nationally representative confederation must have at least 7% of all employees in membership (see section on collective bargaining for more details). A new law laid down that in each given sector the union should have 50%-1 of votes. This means for instance that in radio only one trade union discusses with the employer.

The concept of Work-Life Balance (Echilibrul muncă-viață personală) is a new one. Journalists interviewed explained that it is only recently being mentioned in some articles in the press but without a clear content. At union level it has not been approached so far as there has not been an opportunity for a structured debate about it and no possibility to meet with the Ministry of Culture. Interviewees showed interest in knowing how other structures and institutions in Europe were dealing with this issue and in particular what specific provisions could be included in collective bargaining. However, the challenges of WLB were familiar to workers in all life. The union had made progress with the support of employees and the employer but the project had to be dropped for financial reasons.
The discussion around WLB also has to take into account the economic context: when 25% cuts in salaries are happening, employees are not in a position to have high demands. On the other side, it was acknowledged that compensation was not only financial and other forms of compensation in terms of career, holidays and training could be provided. In this sense the economic crisis provided unions with an opportunity to develop actions on WLB.

Main challenges identified:

Economic situation and the need for a second job
The low level of income means that most workers and amongst them workers in the cultural sector are looking for additional sources of income. This means that the balance is no longer between free time and work but between a first job and the possibility to find a second job for the family. In this context of high pressure on the worker it was perceived that employers could do more to understand the needs of their workers and work on the internal organisation of the company.

Planning/Work organisation
This should also be understood in the context of the need to find a second job. The need for employers to plan ahead was recognised by all those interviewed as a priority in all sectors. This was seen as a matter for unions since it was difficult at individual level to challenge the employer on these issues without risking being put aside.

Last minute planning also had other consequences for instance on workers’ leisure and holiday activities: they are not able to benefit from good travel and vacation offers. Also, workers were entitled to days off but were under pressure not to take them. For radio journalists this pressure took the form of “fridge programmes”, meaning that they have to prepare programmes in advance of their absence, which puts the burden on them to book studios, technicians, etc. Since this is a service provided by the worker it should be acknowledged as such and facilitated.

Childcare
Women interviewed reported having to sacrifice their family life in order to continue their career or to be creative in order to find alternative solutions in the absence of a public policy. In general, the majority of women with children are employed, but the supply of childcare services is insufficient. Current government spending on family policies is low compared to the EU average and the high cost of bringing up children is a major concern for most Romanians.

In 2011, 56.7% of Romanian mothers of children under six were in employment, compared to 58.9% of mothers in the EU as a whole. This despite the fact that formal childcare was available in 2010 to only 7% of children under the age of three and to 66% of children between three and the minimum compulsory school age. This figures put Romania well below the Barcelona objectives and the respective EU averages of 28% and 84%.45

Child allowances were introduced in 2008. The relevant documents on childcare are the General Action Plan for gender equality (Decision no. 237/24.03.2010 approving the National Strategy for Equality between Women and Men for the period 2010 to 2012 and the Action Plan for Implementing the National Strategy for Equality between Women and Men for the period between 2010 and 2012). The National Programme for Equal Opportunities for Women and Men 2005-2013 aims at boosting horizontal gender mainstreaming. Still, some specific areas of intervention are addressed: to increase the number of women among the self-employed and entrepreneurs; to decrease vertical and horizontal segregation; and the gender pay gap. One of the significant areas for improving gender equality is the family policy and policies promoting reconciliation of work and family life.

Independent workers
The situation of independent workers was mentioned by all interviewees as even more precarious. Independent workers have seasonal contracts (from October to June) with no entitlement to holidays or workers’ rights (maternity and paternity leave). The possibility for involvement in union work in these conditions was very low. This is the reason why unions were looking into ways of integrating those workers and being proactive.

3. Recommendations

• Include an article on WLB in future collective agreements
• Include independent workers in negotiations
• Campaign for more involvement of employees in planning/work organisation

ZSSS, the association of trade unions of Slovenia was founded on 6 April 1990. It regroups seven industrial trade unions, six service sector trade unions, six public sector trade unions and three other trade unions. The majority of trade union membership is concentrated in the two biggest confederations, ZSSS and the Confederation of Public Sector Trade Unions (KSJS) founded in 2006, and the Institute of Social Sciences estimates that 90% of all union members are in these two plus the Confederation of New Trade Unions of Slovenia “Independence” (KNSS) and the Confederation of Trade Unions of Slovenia-Pergam.

Most live performance workers are civil servants, as are workers in public audiovisual institutions.

The relevant unions for the sector are the following:

Slovenian Association of Dramatic Artists (ZDUS) (not a representative trade union, but a professional civil organisation); Union of Culture and Nature of the Republic of Slovenia (GLOSA) (with its members: Union Conference of Freelance Workers in Culture and Media SUKI-GLOSA; Union Conference of Musicians-GLOSA SKG; Union Conference of Performing Activities; Union Conference of Public Libraries; and Union Conference of Technical Workers and Organisers; Education, Science and Culture Trade Union of Slovenia (SVIZ); Slovene Association of Journalists (DNS); Slovenian Union of Journalists (SNS); Union of Workers in Broadcasting of Slovenia (SDRS); Union of Cultural and Artistic Creators of RTV Slovenia (SKUU RTVS).

In November 2006, GLOSA and ZDUS signed an agreement on ‘durable cooperation’ to provide each other with mutual support, assistance, solidarity and cooperation in the promotion of common interests. As a result of this agreement the Union Conference of Performing Activities (GLOSA-SKUD) was set up to represent the interests of actors, dancers, directors, playwrights, choreographers, production designers, costume designers and other artists in associated activities. The agreement was repealed by ZDUS in 2011.

At the time of writing the public health insurance programme was conducting a survey called “kronibo” on how stress, working hours and diet impact on journalists’ health. As part of the survey, two pilot groups were set up.

In comparison with other countries, Government support has allowed for a relatively high employment rate for women (60.9% versus 58.5% for the EU as a whole in 2011). Women make up about half of the Slovenian work force and are on average better qualified than men. Part-time work is rare amongst women (at a rate just above 13.3%, versus an EU average of over 32.1% in 2011) and similar to the EU average for men (7.9%). The gender pay gap, measured at 4.4% in 2010, was the lowest in the Union (the EU average was 16.4%).

The major policy reforms of Slovenia’s economic transition have been aimed at improving aid for families. Slovenia meets both Barcelona objectives on childcare and, as a consequence, in 2010 Slovenia had the highest employment rate of mothers of small children.

The basis for government policy on the family is to be found in a government policy paper called ‘Shaping family policy on the ground’, which includes strategic planning for the development of family policy.
Despite a good general childcare system, those interviewed indicated that there were no available solutions for night work. There was also an indication that compulsory parental leave for fathers had been rejected recently.

**A. Certificate for family-friendly companies**

In 2007, the Slovenian government introduced a certification scheme to encourage employers to apply family-friendly principles in the workplace. The ‘Family-Friendly Company’ certificate is awarded to companies that adopt at least three measures from a catalogue of work-family reconciliation measures, such as flexible working times, company childcare services, job sharing, adoption leave, part-time work and assistance to care for a disabled family member. However, the interviews revealed that it does not fully apply to the culture sector. From 2007 to 2013 156 companies received the basic certificate, among them 27 from the public sector, and 36 companies received a full certificate, 2 being from the public sector. The national broadcaster RTV Slovenia received the basic certificate in 2010 and is the only one in the audiovisual and culture sectors including the private sector.

According to SUKI-GLOSA, RTV Slovenia claims that at the time of receiving the certificate it had 2,500 employees and freelancers and it will implement 10 measures to enhance work-life balance by October 2015.

The selected measures are:
1. Yearly leave planning
2. Alternating work from home
3. Communicating with employees
4. Communicating with external publics
5. Staff survey on the harmonisation of work and family
6. Education for managers in the field of reconciliation of work and family
7. Evaluation of managers by the subordinate staff
8. Reintegration after a long absence
9. Gifts for newborn babies
10. New Year gifts for children

**B. Deteriorated working conditions for all**

What also became apparent through the interviews was the worsening of employment conditions and a generational gap between those who had permanent contracts and those who were entering the job market.

For instance, musicians report that there have already been two attempts to introduce a regulation regarding the employment of artists in 2011 and 2012. Their objective was to limit contracts to five years with a new audition following this period. The commission would be composed of 50% of musicians of the orchestra and 50% of outside members. This situation has been denounced and brought to the attention of FIM for support. The introduction of new regulations was expected again in 2013.

In the audiovisual sector this erosion of working conditions was obvious at public radio and television with more and more people forced to be freelancers that should in fact be employees. Recently a large number of freelancers working for public radio and television sued their employer and were consequently employed. The position of freelancers with the public broadcaster is the best in the whole sector because the union is negotiating collective agreements for freelancers too, so they would have comparable rights to employed colleagues. Reporters and journalists reported that in the new company collective contracts for Dnevnik and Večer newspaper staff, five days of recreational leave have been deleted.

**C. Negotiation of a collective agreement to improve the situation of freelancers**

Currently the work-life balance is not in favour of freelancers as they are not entitled to paid annual leave as employees are. They work unlimited hours per day, i.e. 12 or 16 hours or even more, sometimes every weekend without extra payment for overtime, night shifts or Sunday hours. Freelancers earn about 50% or less than employees, as illustrated in the following statistics:

- Average gross annual salary in the public sector in 2012 was €21,444
(educational structure of the self-employed in culture is comparable to the public sector);

- The average annual gross income of the self-employed in culture for 2012 was €12,513;
- Almost 90% of the self-employed in culture earn less than the annual salary of an employee in the public sector;
- 45.5% of the self-employed in culture earn less than €10,000 per year;
- 65.5% of the self-employed in culture earn less than the average self-employed. 

GLOSA and other representatives have been negotiating with the Ministry of Culture which employs 2,300 persons including photographers. These workers had some benefits as the Ministry was paying for their social insurance. In December, they received additional benefits. The Ministry for Culture will cover accountancy costs for those of the 1,700 self-employed in culture whose annual income is less than €14,679; the state will once a year cover their sick leave up to 30 days (after 30 days the insurance company covers sick leave, up to 30 days the self-employed receive nothing); they can apply for a €1,500 grant for their projects. Journalists’ organisations are negotiating for benefits comparable to those of the self-employed in culture. In 2014 the social insurance of a certain number of young self-employed journalists should be covered by the Ministry of Culture.

3. Main challenges:

- According to data collected by Associacija representing cultural workers and the Association of Slovene Journalists, the average annual income of the 2,300 self-employed workers in the culture sector and around 300 self-employed journalists is €14,000. More than 40% of them earn less than €10,000, which puts them below the poverty threshold.

- All media and cultural institutions (private and public) are cutting costs which usually means that there are no new contracts, some contracts are terminated and freelancers receive lower fees. All employees are losing certain benefits and rights such as paid overtime and recreational leave, and at the same time their workload is increasing.

- Self-employed persons with no employees are currently considered by law as entrepreneurs. Their status should be changed from employers to employees, enabling unions to negotiate collectively for them.

49 Figures provided by SUKI-GLOSA.
musicians do register, however, especially those that can be paid intellectual property rights from their recordings. The main challenges for trade unions in Spain include the lack of accessible vocational training (especially for freelance musicians), reversing the trend of declining working conditions and low wages, ensuring a comprehensive social security system for all workers (pensions and health care which seem to fall short in the current system) and the conclusion of more collective agreements covering all professions.

Trade union affiliation amongst performing artists is believed to be quite high: around 70% for actors. In Catalonia approx. 90% of musicians are affiliated to the regional musicians’ trade union. One major difficulty across Spain is to organise jazz and modern music musicians. Dancers seem to be organised only to a limited extent.

As regards actors there are several trade union organisations in Spain, which are active either at national level or at regional level or across several regions:

- At regional level, trade unions for actors exist in Andalusia (Unión de Actores e Intérpretes de Andalucía), Principality of Asturias (Unión de Actores de Asturias), Castile and León (Unión de Actores de Castilla y León), Malaga (Unión de Actores de Málaga), Catalonia (Associació de Professionals de la Dansa de Catalunya) and Madrid, where the Union de Actores de la Comunidad de Madrid is one of the biggest actors’ unions in Spain with approx. 3,000 members.

- All these regional actors’ unions are regrouped with FAEE (Federación de la Unión de Actores del Estado Español, Trade Union Federation of Spanish Actors), which was created in 1987. It has around 6,500 members across the whole country.

- Another actors’ trade union is active across several regions but is not a member of FAEE: OSAEE (Organización de Sindicatos de Actores y Actrices del Estado Español, Spanish Actors’ and Actresses’ Trade Union) regroups about 2,500 actors in the regions of Aragón, Baleares, Valencia and Catalonia. One of its main members is the trade union AADPC, which is an independent trade union that brings together actors, directors and stage managers working in Catalonia.

Theatre technicians are mostly affiliated to two big trade unions in Spain:

- UGT, Union General Trabajadores (General Workers’ Union) and
- CCOO, Confederación Sindical de Comisiones Obreras (Trade Union of Workers’ Commissions).

As regards musicians there are several trade unions:

- At national level, AMPE (Asociacion Musicos Profesionales de España, Professional Musicians’ Association of Spain) has approximately 500 members in and around Madrid, but also includes several regional musicians’ trade unions.

  AMPE is a member of the International Federation of Musicians (FIM).

- AMPOS (Asociación de Músicos Profesionales de Orquestas Sinfónicas, Association of Symphony Orchestra Music Professionals). It does not seem to have official trade union status.

- The Federació Unió de Músics de Catalunya (United Federation of Musicians’ of Catalonia) represents about 3,500 musicians (all genres) in Catalonia. Members of the federation include several regional trade unions (5-6 in Catalonia covering all music genres, e.g. MUSICAT (Association of Professional Musicians of Catalonia) and AMJM (Association of Jazz Musicians and Modern Music of Catalonia).

- FAPE (Federación de Asociaciones de Periodistas Españoles, Federation of Spanish Journalists’ Associations regroups 45 press associations with 12,500 members and three sectorial corporations of journalists representing 3,000 associates.

- FeSP (Federación de Sindicatos de Periodistas) integrates the news journalists. There are also regional unions.51

### 2. Work-life balance in the audiovisual and life performance sectors

As confirmed by the responses received to the questionnaire, in Spain there are no studies specific to the sectors covered by the report (equilibrio entre trabajo y vida personal). There is a more general document published by the Ministry of Equality in 2000 with tips and good practices on implementing WLB policies but none of the questionnaires or interviews mentioned this document, meaning it has not been known or used by the sector. The Journalists’ Trade Union FAPE has been very involved in this issue over the last few years linked to the national debate on rationalisation of time and making demands in order for the work of journalists (60% of women but only 20% in managerial positions) to be more family-friendly. On International Women’s Day in March 2013 the Secretary General issued a statement with a call to fight the culture of presenteeism: no press conferences in the evenings and at weekends, reduce the working day by shortening the lunch break, and screen prime time programmes earlier.

The national legal framework is Law 3/2007 (Ley organica 3/2007), especially chapter II on Equality and Reconciliation and article 44 “the right to reconcile personal life, family life and work life”. This law recognises work-life balance as a matter of gender equality with provisions for maternity leave as well as paternity leave. Chapter III also provides for equality plans to promote and protect gender equality. These plans are compulsory for any company with more than 250 employees and when laid down in the collective agreement. Article 46 explains the contents and the list of elements that can be taken into consideration for equality plans, while article 46.2 lists time management to foster WLB. However, this law is not applied in the audiovisual and life performance sectors. The decree (Real Decreto 1435/1985) regulating special working relations in the artistic sector does not contain any reference to WLB. On the contrary, working relations regulated through collective agreements are contrary to WLB, as for instance the Agreement operating since 2005 for producers and agents of actors and actresses.

51 The description of the trade unions is adapted from European Arts and Entertainment Alliance (FIM, FIA, UNI-Mei), Performing Arts Employers’ Associations League Europe, Survey on the Situation of Social Dialogue in the Live Performance Sector in Twelve Southern European EU Member States and Candidate Countries, July 2010, p. 97.
greater flexibility in accordance with the necessities of filming or recording is required. The working day can be organised without any distinction on a 24-hour basis and can be continuous or broken up, the producer having complete discretion to decide. Article 14 also provides for an exception to the 40-hour week and companies can extend earlier plans by 24 hours. And the same situation applies for theatres that are regulated by collective agreements by region and do not include WLB measures.\(^{52}\)

A distinction has to be made between permanent workers and independent workers (autónomos), in particular those permanent workers who took up their position in the last twenty years. For instance, staff at some symphonic orchestras have very good conditions that were negotiated at a time of economic growth and they allow for good WLB (e.g. article 59: measures for WLB, Baleares Symphonic Orchestra). However even in the public institutions there is a move towards short-term on demand employment of musicians and lack of replacement of orchestra members.

**Challenges**

- No public policy regulating the sector
- Little possibility of part-time work since technical and artistic staff have to be present at all times
- Cost cutting and intensification of work
- Planning (information, last minute changes)
- Status/autónomos

\(^{52}\) (II Convenio Colectivo Estatal regulador de las relaciones laborales entre los productores de obras audiovisuales y los actores que prestan sus servicios en las mismas B.O.E. núm.89 – 14 de abril de 2005)
TCO has been very active on work-life balance issues by publishing guides and launching campaigns (see Good Practices section).

Journalistförbundet is the Swedish Union for journalists (SJF) which now has approximately 17,000 members in print, broadcast and electronic media.

Teaterförbundet, the Swedish Union for Performing Arts and Film, covers actors, circus and variety artists, dancers and choreographers, film directors, film workers, musical artists, set designers, theatre directors, technicians and administrators. It has participated in and produced several studies, research projects on the subject of work-life balance. For example, in 2006 it participated in the report "On Stage, please" which was conducted by the Committee for Gender Equality for the Performing Arts. It also participated in an educational project called Staging Gender, where students had the opportunity to reflect on power and norms in regards to sex and gender. The Union has also conducted a few studies on its own. For example "Waiting for what? Teaterförbundet’s guide to equality", 2007. This led to a Gender Equality Checklist for Film and a Gender Equality Checklist for Theatre. The latter was produced in cooperation with Svensk Scenkonst (Swedish Performing Arts). (See Good Practices section)

Teaterförbundet and SYMF (Employee Labour Organisation for Professional Musicians and Singers) also worked together on the report "Children – a work obstacle in almost one municipality in three".

Work-life balance is also an issue of collective bargaining in the sector. There are for example collective agreements for employees working in the different types of theatres, large, publicly financed theatres as well as smaller, independent free theatre and dance groups, but also for those who are working with TV, film and radio in the public and private sectors. These collective agreements are strong, seeing that the level of union organisation is still high in Sweden, and apply to both employees on indefinite term contracts and different types of fixed-term contracts alike.

For example, in 2006 it participated in the report "On Stage, please" which was conducted by the Committee for Gender Equality for the Performing Arts. It also participated in an educational project called Staging Gender, where students had the opportunity to reflect on power and norms in regards to sex and gender. The Union has also conducted a few studies on its own. For example "Waiting for what? Teaterförbundet’s guide to equality", 2007. This led to a Gender Equality Checklist for Film and a Gender Equality Checklist for Theatre. The latter was produced in cooperation with Svensk Scenkonst (Swedish Performing Arts). (See Good Practices section)

Teaterförbundet and SYMF (Employee Labour Organisation for Professional Musicians and Singers) also worked together on the report "Children – a work obstacle in almost one municipality in three".

---

55 A summary of the study and project can be found on the website of the Stockholm Academy of Dramatic Arts: http://www.stdh.se/om-stdh/samverkan/att-gestalta-kon
57 In Swedish the report is called “Pappa, kom hem!” and can be found as a pdf-file on the following website: http://teaterforbundet.se/web/TF-rapporter_om_jamstalldhet.aspx#.UTW5tVvCYp0
58 "Barn – arbeids hinder I nästan var tredje kommun!" http://teaterforbundet.se/web/Barnomsorg_1.aspx#UTYDfFvCyP0
Considering gender equality and work-life balance is also an integrated aspect of all work environment research, for example in the 2010 study “And everyone is feeling good?”\textsuperscript{59} which was initiated by the Film Workers’ Section of Teaterförbundet.

2. Measures on Work-Life Balance

Parental leave

Sweden has several policies and laws relating to work-life balance, the right to parental leave and prohibition against discrimination of parents. The Parental Leave Act grants workers the right to full leave for staying at home and caring for their new children (both adopted and natural), regardless of receiving parental benefit, for up to 480 days. While this law only entitles parents to the leave itself, the right to paid parental benefit is stipulated in the Public Insurance Act.

Leave can be taken up until the child’s 8th birthday and can be used for extended periods of time or by decreasing the work time by hours or days. Another aspect, which seeks to encourage both parents to take an equal number days off for parental leave is the so-called bonus that parents who share their leave equally receive (see Good Practices). However, women still take 76.3% of the days while men take 23.7% of the days.

Incapacity to exercise a profession

In consideration of the fact that it can be difficult to exercise a profession at least 60 days before the planned birth, for actors or dancers, for example, a provision has been included in the largest of the collective agreements for the sector – the agreement for employees working within the publicly financed institutional theatres.

“…if the employee is unable to exercise their profession during part of the time mentioned above, the theatre and the employee can agree upon a different suitable work task.”

This gives employees the opportunity to agree with their employers on different, lighter, work tasks with maintained work benefits during the time they are unable to exercise their regular profession.

Working status

Swedish law only allows for fixed-term employment under certain circumstances, listed in section 5 of the Employment Protection Act\textsuperscript{60} Except for these cases, employment is for an indefinite term. Under Swedish labour law, a worker is either an employee under one of the contracts listed above and covered by the collective agreement, or an entrepreneur who is not covered by the collective agreements. Further, the entrepreneur (who is often one individual worker without employees) has a so-called F-tax card and invoices their work and pays taxes and social contributions to the authorities themselves. Under Swedish law, there is no intermediate alternative, such as self-employed workers; workers are either employees or entrepreneurs.

However, the majority of those working on a freelance basis in the audiovisual and live performances sector have either indefinite term contracts or (more common) fixed-term contracts and are therefore employees covered by both statute and the collective agreement. However, in the film sector it is also common to work as an entrepreneur. This means that those workers are not covered by the collective agreements – even though employers usually conform to, for example, the work-time regulations found in the collective agreements even for those who are contracted as entrepreneurs. Although entrepreneurs are not covered by the collective agreement and parts of legislation, they are covered by work environment legislation, which gives unions some possibilities to act in the name of the workers contracted as entrepreneurs as well.

As regards journalists, the collective agreements cover all employed workers (i.e. including part-time and interim). The working-life-balance issue is especially important when negotiating agreements for journalists employed by agencies, who have to be on “stand-by”, available for work to an extent which makes it difficult to plan their lives at every level. The question of availability is still at the top of the list of priorities.

Working Time

In the Work Time Agreement the

\textsuperscript{59} “Alla mår bra”, http://teaterforbundet.se/web/Filmarbetare.aspx#.UTYFtvlCYp0

\textsuperscript{60} Employment Protection Act, http://www.government.se/sb/d/5807/a/76536
regulations found in the Swedish Working Hours Act, SFS 1982:673, are adjusted and adapted to certain circumstances that exist in the performing arts sector. Not only does this agreement regulate standard provisions such as regular working hours, remuneration for overtime and time worked during inconvenient hours, work-free days due to holidays, special regulations for tours, and rules for the daily and weekly rest, but it also requires the employer to consult the employees on a regular basis, through a local consultation group consisting of the employer and representatives of the local labour union at the workplace, about the accommodation of work time in order to provide for a long-term planning of the work and increased participation and predictability for the employees. The employer is also required, at least 14 days in advance, to establish a schedule for the coming four weeks (which is also the period when the average working hours are calculated). The schedule for the last two weeks can be changed up until the start of the period, but the decision on days off is final, and any other change means that the employer must pay the employees a sum of money. The agreement also contains a provision according to which the employer, when planning the work, must take into the utmost consideration the employees’ opportunity to combine work and family life in general, for example by striving to keep days off as continuous as possible. In the local consultation group, questions such as gender equality, diversity and work environment are discussed. This aims to ensure employees with a secure work environment, influence and control over working hours, and a good balance between work and private or family life.

The public service television company mentions work-life balance in its staff policy. In addition to the SJF national collective agreement for the public service broadcasters, there is a local agreement for the television company about “personal working time” which makes it possible to change normal working hours for limited periods of time. This is first and foremost meant to facilitate the production of certain programmes, i.e. to benefit the employer, but many employees appreciate the possibility to regulate “personal” working hours this way.

Childcare
Already in the negotiations for the collective agreement in 2007, the parties agreed on this note in one of the protocols: The parties agree to negotiate locally about the issue of babysitting and its cost and how to provide a solution when the person who is taking part in rehearsals or a performance is unable to take advantage of general, public, childcare because of the times of the rehearsal or performance.” And, even though the wording as such does not exist in the collective agreement anymore, the spirit continues. Some publicly financed theatres do offer childcare for the employees working with performances. However, it remains in principle a question for the municipality and the state, not the employer.

3. Main challenges

Many tools exist but it is sometimes difficult to put them into practice. This can be explained by resistance – not only by thinking in old structures, but also through slim-lined organisations where there may be a lack of time or resources to put the good practices into use. There is also a very strong collegiality between employees in a work place, which means that employees can “cover” for each other in matters that are really the employer’s prerogative, especially when discussing

---

61 See the Work Hours Act here: http://www.government.se/sb/d/5807/a/104979
the terms for artists performing on a live stage. For technicians there are usually back-up plans. For artists these back-up plans do not exist to the same extent, but at the same time the very strong sense of duty and collegiality prevents artists from taking the time they have the right to by law and collective agreements to, for example, be at home with their sick children.

Another key issue is that many working in the sector are freelance workers on fixed-term contracts for many different projects and for different employers. This means that it may be difficult to demand their rights, as people do not want to be seen to be “difficult” to work with. Therefore a lot of the work conducted by the labour organisation must be done in general terms for all employees, to the greatest extent possible, instead of representing individual members. One sector with special difficulties in this respect is the film sector, where work places and working relationships last for a very short period of time. Therefore, the employers are not used to some of the aspects of being an employer, which can create difficulties. For example, an employer in the film industry may usually have fewer than 25 employees and therefore will not introduce Gender Equality Plans as required. The existence of Gender Equality Plans in the film industry can therefore vary a lot.

• Employees taking on the role of employer

There is also the issue of employees sometimes taking on the role of employer, for example directors, art directors and producers, who may have assistants or employees reporting to them. Sometimes they do not get the support and instructions about statutory rules concerning working hours, work environment, safety regulations, gender equality, etc. they need in order to perform their duties as work leaders. This, and providing information about the requirement of Gender Equality Plans, is something Teaterförbundet, along with the employers’ organisations, strives to do, by educating team leaders on the matter. Teaterförbundet has two Health & Safety Delegates working in this area, who are experts on work environment issues. Their role is especially key in relation to film, where production rates and project financing are the over-arch ing considerations, often leaving little room to consider the question of work-life balance.

• For journalists the main challenge remains lack of free time, especially for journalists employed by agencies. Many journalists are expected to follow up their work in “dialogues” with their audiences on Facebook, Twitter etc.
United Kingdom

Key Facts

- Population: 63,256,141
- Collective Bargaining Coverage: 29%
- Proportion of Employees in Unions: 26%

Principal Level of Collective Bargaining company

Workplace Representation
- union – but other structures are possible and since 2005 these can be triggered by employees

Board-level Representation
- no

Company Board Structure
- monistic

1. Trade union and context

The pay and conditions of most employees in the UK are not negotiated. Figures from the Labour Force Survey show that in 2012 only 29.2% of employees were covered by collective bargaining. However, collective bargaining coverage is not even across the economy. In the public sector 63.7% of employees are covered by collective bargaining compared with only 16.0% in the private sector.

In the audiovisual and live performance sectors the main unions are:

- Association of British Orchestras (ABO) exists to support, develop and advance the interests and activities of the orchestral profession in the UK. It is the national body representing the collective interests of professional orchestras throughout the country.

- Dance UK has about 150 corporate members, including most of the major dance companies, venues, agencies, donors and educational institutions. Individual members include individual dance artists, choreographers, administrators, managers, technicians, teachers, students, writers and members of dance audiences.

Equity is the trade union which represents artists across the performing arts. Its membership includes actors, singers, dancers, choreographers, stage managers, theatre directors and designers. Equity’s primary function is to negotiate minimum terms and conditions of employment for its members and to ensure these take account of social and economic changes.

Independent Theatre Council (ITC) is the management association for 680 venues, companies and individuals in the fields of drama, dance, opera, music theatre, puppetry, mixed media, mime, physical theatre and circus.

Theatrical Management Association (TMA) is a nationwide association whose members include repertory and producing theatres, arts centres and touring venues, major national companies and independent producers. In general, TMA represents the larger subsidised producing and presenting venues as well as established touring companies. Venues in this category can be found across the country and are typically the larger repertory or lyric theatres such as the Bristol Old Vic, The Grand Opera House Belfast and the Edinburgh Playhouse.

The Writers’ Guild of Great Britain supports writers for TV, film, radio, theatre, books and computer games. It negotiates terms and agreements for its members with associations such as TMA and corporations such as the BBC.

Opera and Music

Theatre Forum (OMTF) is the representative body for opera and music theatre in the UK and is a network of companies working to create an environment in which opera and music theatre can flourish. Membership is open to professional opera and music theatre companies, educational organisations, promoters, festivals and individuals.

Society of London Theatre (SOLT), founded in 1908, is the trade association which represents the producers, owners and managers of the major commercial and subsidised theatres in Central London. In central London, West End theatre is largely commercial, with high production costs and equally big risks. In addition to the major commercial theatre, SOLT also represents key subsidised houses such as the Royal National Theatre.

British Association of journalists

National Union of Journalists

Work-Life Balance

Workers in the UK work the longest hours in Europe, take the shortest lunch breaks and have the fewest public holidays. Childcare is expensive and difficult to find, care for older people is of inconsistent quality and it can be difficult to get support for family-related leave.

The issue of Work-Life Balance has long been an issue of research and of trade union work. The first Work-Life Balance Survey (WLB1) was conducted in 2000 and used to provide baseline measure of the availability of work-life balance practices and whether employees felt that existing practices met their needs. The second and third surveys conducted in 2003 and early 2006 examined changes during this period. 63

In particular, SkillSet has done research on the issue for the audiovisual sector and published a report on balancing children and work in the audiovisual industries that looked at the challenges for both men and women and showed a clear under representation of women more than 35 years old, suggesting that they have to leave the industry when they become mothers, mostly because of the cost of informal childcare. 64

Other research has been done on the situation of dancers by the Vincent Dance Theatre (see Good Practice). It showed the multiple challenges faced by dancers including safe working during pregnancy, returning to dancing after maternity leave and maintaining a demanding career as a parent, often with long hours and frequently working away from home.

Dancers tend to delay parenthood, meaning that companies rarely or never work with parents, and dance artists who do have children and companies who work with them can feel isolated and uncertain about whether they are getting it right. 65

The TUC has a guide to work-life balance and the NUJ supports a series of events and initiatives to raise awareness and promote work-life balance campaigns. It also has a fact sheet with advice on requesting flexible work arrangements available for members (see Good Practices section). It encourages local branches and chapels to organise campaign activity to promote a healthy work-life balance.

It is interesting that work-life balance issues are linked to well-being at work campaigns based on the fact that unless members can resolve the conflicts between the demands of work, family, home and leisure, they will be more prone to illness, less able to devote time to acquiring new skills and unable to perform to their full potential.

Flexible working time arrangements are available and possibilities have increased over the years: employees have the right to ask for a flexible working pattern if they have worked for their employer for 26 weeks and have parental responsibility for a child aged under 17 (or under 18 if the child has a disability), or have adult caring responsibilities for a close relative or someone within the household. This right has been extended to the right to request flexible working for employees with adult caring responsibilities from April 2007, and the inclusion of employees with children aged six to 16 in April 2009 (previously eligibility was restricted to those with children aged under six).

Although the UK meets both Barcelona objectives on childcare, information for the sector was not available. Some interviewees mentioned a system of childcare vouchers. In situ crèches or mutualised crèches were not indicated.

In recent times the issue of work-life balance has been overshadowed by other issues: bullying and harassment at the BBC, increased job insecurity through zero hours contracts, the abolition of retiring age.

Other challenges include:

• Fees introduced for employment tribunals

In July 2013 fees of £160 or £250 were introduced to lodge a claim before an employment tribunal, with a further charge of either £230 or £950 if the case goes ahead. Discrimination, detriment and dismissal claims attract the higher fee. UNISON, with the support of the Human Rights Commission, challenges the introduction of these fees before the High Court as a measure detrimental to the application of labour law and workers’ rights protection. 66

• Discrimination against pregnant women or women taking maternity leave

A new £1m programme of independent research has been launched to examine the extent of pregnancy discrimination in the UK and its effect on both families and the economy.

It follows a report that highlighted that half of all pregnant women in Great Britain experienced some form of disadvantage at work, simply for being pregnant or taking maternity leave, with 30,000 women saying they had been forced out of their job. 67

67 http://www.equalityhumanrights.com/
Annex: List of Resources

General Information:
Andrea Broughton, Reconciliation of work, private and family life in the European Union, 2011


Confederation of Family Organisations in the European Union, Reconciling family, private and professional life to prevent poverty and social exclusion, 15-16 December 2008

European Federation of Journalists/International Federation of journalists, A Handbook on Gender Equality Best Practices in European Journalists’ Unions, to combat gender stereotypes and Promote Equal Opportunities in Film, Television and Theatre in Europe, July 2010

Eurocadres, Femanet, Work/Life Balance Recommendations, Annex: Parental leave, 2005

European Arts and Entertainment Alliance (FIM, FIA, UNI-Mei), Performing Arts Employers’ Associations League Europe, Survey on the Situation of Social Dialogue in the Live Performance Sector in Twelve Southern European EU Member States and Candidate Countries, July 2010

International Federation of Journalists/European Federation of Journalists, Survey report on women in journalists’ unions in Europe, IFJ/EFJ Conference on Gender equality in journalists’ unions, Confronting the financial crisis, empowering women, Athens 2012

Eurostat, Reconciliation between work, private and family life in the European Union, 2009

Central European Labour studies Institute and Wage Indicator Foundation, Gender pay gap in journalism, Wage indicator Global report 2012

Improving the representation of self-employed women with professional and managerial tasks, Femanet, Eurocadres, study by Karima Zahi, Richard Polacek, 2013

Organisation for economic cooperation and development, Better Life Index, 2012

European Commission, Barcelona Objectives, the development of childcare facilities for young children in Europe with a view to sustainable and inclusive growth, 2013

Studies covering several countries

Work Life Balance, Life long learning programme, Grundtvig learning partnerships, Poland, Italy, Slovakia, 2011

Confederation of Independent Trade Unions in Bulgaria, Bilancia, Costs and benefits of Work-Life Balancing in Europe, What are the Challenges for the Social Partners, 2010

European Arts and Entertainment Alliance, Pearle, Survey on the Situation of Social Dialogue in the Live Performance Sector in Twelve Southern European EU Member States and Candidate Countries, July 2010

Country specific studies

• France

Observatoire de l’égalité hommes-femmes dans la culture et la communication, 1er état des lieux, 1er mars 2013

Ministère de la réforme de l’État, de la décentralisation et de la fonction publique. Pour une meilleure articulation entre vie professionnelle et vie familiale, identification des bonnes pratiques des secteurs public et privé en France et à l’étranger, Edition 2013

Sénat, Rapport d’information fait au nom de la délégation aux droits des femmes et à l’égalité des chances entre les hommes et les femmes sur le thème « La place des femmes dans l’art et la culture », juin 2013

Observatoire de l’emploi culturel, Le marché du travail des artistes et des techniciens intermittents de l’audiovisuel et du spectacle vivant (10987-2003) d’après les fichiers de la Caisse des congés spectacle, Série données de cadrage, N°43, Mai 2006

Institut des hautes études en sciences
sociales, Mesurer l'égalité de genre dans le secteur audiovisuel, étude en cours


France Télévisions, Accord sur l'égalité professionnelle, France TV, 13 juillet 2007

Observatoire de la parentalité en entreprise, Guide du manager de proximité, la conciliation entre vie professionnelle et vie familiale, 2010.

Reine Prat, Mission pour l'égalité et contre les exclusions, Rapport d'étape n° 2, « Arts du spectacle - Pour l'égal accès des femmes et des hommes aux postes de responsabilité, aux lieux de décision, aux moyens de production, aux réseaux de diffusion, à la visibilité médiatique – De l'interdit à l'empêchement », mai 2009

Reine Prat, Mission pour l'égalité et contre les exclusions, Rapport d'étape n° 1, « Pour une plus grande et une meilleure visibilité des diverses composantes de la population française dans le secteur du spectacle vivant - Pour l'égal accès des femmes et des hommes aux postes de responsabilité, aux lieux de décision, à la maîtrise de la représentation », juin 2006.

• Germany

Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Final report, European Company survey on reconciliation of work and family life, 2010

Maresa Feldmann, TU Dortmund University Sozialforschungsstelle (sfs) Germany, Reconciling elderly care and work, the German case, 2012

• Slovenia

Family friendly enterprise certificate, Work and private life hand in hand, Eqvilib Institute, 2007

• Spain

Ministerio de igualdad, Conciliacion de la vida laboral, familiar y personal, Madrid, Enero 2010

IESE, Políticas de conciliación trabajo-familia en 150 empresas españolas, Nuria Chinchilla, Universidad de Navarra. Steven Poelmans, Consuelo Leon, 2003

• Sweden


• UK


EuroBalance, UK Guide on WL

UK Film Council, Women in film and television, Work-Life Balance, Frequently Asked questions


Skillset, Creative Media Workforce Survey, 2010


Joanne Conaghan, Reconciliation of private and professional responsibilities : recent legislative and case law developments, ERA seminar : EU Law on Equality between Men and Women in Practice 25-26 October 2010.