

An Anglo-German Foundation Report

The Effects of Flexible Working on Employee Representation: UK and Germany Compared

Richard Croucher, Nick Kratzer, Ingo Singe

Executive Summary

This edited version of a longer report presents findings from an empirical investigation into the impact of flexible labour deployment on workplace representatives in Britain and Germany. The report's longer version includes six case studies, used as the basis for the conclusions drawn here. The main research question is: *What effects have flexible working practices had on employee representatives in their representative work?*

Workplace representation clearly plays an important role in ensuring that the benefits of flexibility for employees are realised in practice, since flexibility in and of itself does not automatically lead to work-life balance. Previous studies have been limited and, taken as a whole, have not provided a clear picture of how flexibility has impacted on representatives' effectiveness in representing employees' interests. The balance between opportunity to increase influence and threats to representative effectiveness has not been clear. The question is important as flexibility does not necessarily in practice lead to the benefits for employees that they often assume. Poorly tailored schemes can lead to increased turnover. If representatives' effectiveness is reduced, this may increase the likelihood of such an outcome and, more widely, undermine the viability of the 'European model' of employee representation.

Survey evidence is used to show a general trend to increased flexibility in the use of labour in the 1990s. The differential extent of flexible working in the two countries and in different sectors is demonstrated. In some respects German organisations have shown more marked trends to flexible use of labour than British.

In-depth case studies in different economic sectors were undertaken to investigate the main research question. These showed that management faced some difficulties in implementing flexible working. Workplace representation often assisted in their solution. However, the medium-term effects on representation tended to be negative.

These effects fall into three main categories. First, time flexibility could give rise to demanding or 'greedy' employee constituencies. This, in turn, threatened the representative bodies' capacity to reproduce themselves. Second, workforces became more differentiated and difficult to represent. Third, formulating a response to management initiatives posed complex problems.

To a considerable extent, the problems were shared by representatives in the two countries despite differences in legal rights and institutional arrangements. There were marked differences between the cases within countries. However, there was one case in which representatives actually strengthened their position. This German case showed the importance of long-term co-operative traditions in the workplace, strong articulation between the works councillors and their union, and a degree of political cohesion between the councillors. While these factors were supported by the legal framework, they also built extensively on it.

Overall, representatives acted as facilitators of flexible labour use. Yet flexibility itself tended to erode their capacity to act in this way.

For more information please contact:

Annette Birkholz
Anglo-German Foundation/Deutsch-Britische Stiftung
34 Belgrave Square, London SW1X 8DZ
Tel +44 (0)20 7823 1123, Fax +44 (0)20 7823 2324
E-mail ab@agf.org.uk, Website www.agf.org.uk

Dr Richard Croucher
Cranfield School of management
Cranfield University, Cranfield, Bedfordshire, UK MK0 4AL
Tel +44 (0)1234-751122, Fax +44 (0)1234-751806, E-mail r.croucher@cranfield.ac.uk

Notes to the editor:

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The authors of the report are:

Richard Croucher, Senior Research Fellow, Cranfield School of Management; Ingo Singe, Researcher, Cranfield School of Management; Nick Kratzer, Researcher, Institut für Sozialwissenschaftliche Forschung e.V, ISF München.