



# The interdisciplinarity of working time. Face to face with François-Xavier Devetter <sup>(1)</sup>

Interview by Diogo Silva

The French legal system has proved to be sensitive to the constant changes in the world of work, producing several legislative changes with the purpose of adapting to those transformations. One of the most debated matters is working time, a topic on which I have interviewed François-Xavier Devetter in order to know more about the French case.

- 1) Being at the core of the employment relation, working time is greatly influenced by the occurring transformations on the nature of work and its organisation. Is it possible to identify any major trend emerging from the regulation of working time?

The regulation of working time is at the heart of many conflicts which illustrate the questioning of the "Fordist convention" which was largely dominant from the 1950s to the early 1980s. Debates on durations, regulation of the working day or workweek (especially Sunday work), the degree of predictability or freedom granted to employers or employees to adapt schedules to the constraints of the various actors are far from being regulated and there is no consensus at the moment. Laws and statutory regulations, at least in France, succeed one another and sometimes they are in contradiction with each other: the case of the *Aubry* laws on 35 hours per week, or the delay in the regulation of the minimum durations of part-time work, are both emblematic. Reducing working hours to 35h per week started to be so widely questioned in 2003 that it was no longer properly implemented. It is therefore very difficult to identify a major trend, at least precisely for the diversification of practices and the rise of inequalities. The longest durations (which means more than 44 hours per week) tend to progress alongside the shorter durations (less than 20 hours per week). Similarly, while some categories such as managers tend to gain control over their working time (in particular through an increased entitlement to holidays and rests), others such as workers (and precisely unskilled workers) express the imposition of even more variable and unpredictable working times. Accordingly, the major trend would be a sort of polarization comparable to what has been observed on wages.

- 2) Are you of the opinion that the right to disconnect, introduced last year in the French system, will help promote work-life balance in light of the increasing narrowing down of post-fordist modes of production?

The right to disconnection is an illustration of the mentioned polarization. While issues that affect mostly working groups such as the managers have started to be taken into account, other practices, able to create profound conflicts between family and professional life, are developing without much resistance. For instance, off-peak hours (early in the morning, at the end of the day or on Sunday) impact mostly the low-skilled employees in personal services, cleaning or retailing. Indeed, these employees are often bound to the conciliation of times of other social categories. The right to

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disconnect affects very little of these manual workers or care services. Nevertheless, this new law is a real progress in order to face the growth of new forms of invasion of the professional activity in the private personal sphere.

- 3) The French [presidential debate](#) has also touched upon the matter discussed here. But the main incidence seems to point to the connection between working time and the levels of employment, as way to promote work sharing arrangements. Do you believe that the reduction of working time is a good argument in favour of the fairer distribution of work?

Unfortunately, the question of working time has been rarely addressed in the presidential debate. Emphasis has often been placed on the need to grant more flexibility to employers, mainly on the management of working time but more broadly on the regulation of the employment relationship (in particular through proposals to enlarge the right to dismiss). The left-wing candidates, on the contrary, stressed the role that stricter regulation of working time could play on job creation and supported a policy of reducing its legal duration. The experience of the limitation to 35h showed that this type of measures could have a significant impact on employment (there is a relative consensus estimating about 350 000 jobs created by the *Aubry* laws). A fairer distribution of labour certainly involves a reduction in the working duration, but it also implies the strengthening of regulations on part-time work and, more broadly, on the way to calculate working hours. A significant part of the part-time work (e.g. cleaning, housing and home care services or trade) can be motivated by the physical difficulties in performing these activities on a full-time basis. In other words, the legal duration of 35 hours is relatively unsustainable. A fairer distribution of labour thus requires not only a reduction in the legal duration but also a consideration of work-related penalties in order to establish what a "full-time" duration should be. In France, the enactment of the "*compte pénibilité*", which allows workers to benefit from periods of part-time work but paid on a full-time basis, is a timid, but interesting, step in this direction.

- 4) However, the debate never seems to take into account economic externalities, for example the impact of working time on the workers' commuting, sustainable development and environmental issues. Do you think working time regulation should consider its societal impacts?

This question is fundamental and probably too little studied. Yet more and more studies, both at the macroeconomic and microeconomic levels, underline the important role that the reduction of working time could play in reducing externalities and environmental degradation. It is certain that the reduction of working time can help to decrease and transform consumption habits. The regulation of schedules and rhythms of work can also play a part in this: we could think to the environmental cost of making Sunday a day like any other in terms of work, travel and pollution.

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