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United Kingdom Country Report

Working hours and the opt-out clause

IDS

Incomes Data Services

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Executive summary

As part of the European Work-Life Web (WOLIWEB) project, the Trade Union Congress in the United Kingdom (TUC-UK) and the independent research organisation Incomes Data Services (IDS) have jointly undertaken the activities related to the United Kingdom (UK). An Internet-based survey for the UK, called PayWizard, was successfully set up and provided completed surveys of approximately 29,000 individual respondents between January 2005 and December 2006. This report analyses the data, with a specific focus on the UK opt-out from the European Working Time Directive (EWTD). Eight sets of conclusions can be drawn.

1. The demographic background of the PayWizard survey respondents is discussed in comparison with data derived from the Labour Force Survey (LFS), conducted by the Office for National Statistics (ONS). The demographic breakdown shows that on average, the PayWizard respondents are slightly younger and more highly educated than the LFS population. Both the LFS and PayWizard populations are predominantly born in the UK.
2. When looking at the breakdown of employment according to both ISCO-88(COM) occupational groups and the NACE industrial classification system, it becomes clear that professionals and clerks make up the majority of Paywizard respondents. Real estate, renting and business activities, together with manufacturing, are the industries most heavily represented in the PayWizard survey.
3. The results of the questions related to waged working hours per week show that around four-fifth of PayWizard respondents have a full-time contract – i.e. they work between 30-48 hours per week. Out of the total number of respondents, 4.5 per cent have signed an individual opt-out from the EWTD. A look at the NACE industry groups with regard to the working hours per week shows that hotels and restaurants, as well as the transport, storage and communication sectors, are the areas of work where the ‘long hours culture’ mostly prevails in the UK. Moreover, people in the private sector opt out 2.3 times more than workers in the public sector.

4. The gender gap in waged working hours per week is confirmed by the survey. Men are working on average more hours each week than women, and more men than women are likely to opt out from the EWTD.
5. A remarkable trend can be noted with regard to the opt-out and age profile. Interestingly, more people opt out when they are older, especially within the age groups 61-64 and over 64. Instead of people working fewer hours once they get closer to retirement age, the opposite seems to be occurring.
6. The opt-out and its correlation with attained levels of education points out that people with lower levels of education who work in manual or blue-collar occupations are more likely to opt out than professional or white-collar workers who have generally reached higher levels of education.
7. Collective agreements and trade union membership prove to have different levels of significance when it comes to signing the opt-out. It appears from the analysis that trade union membership hardly exercises influence over people's decision whether to opt out or not. Collective bargaining and collective agreements, however, do have an influence. People covered by such agreements are less likely to sign an individual opt-out of the EWTD.
8. The opt-out has, generally speaking, a negative effect on workers' work-life balance. Those who have opted out are more likely to undertake regular evening work. The fact that this group spends more time at work is shown to have an adverse effect on the balance between work and family life and on the combination work and leisure time. Respondents who have not opted out of the EWTD score higher on levels of satisfaction on these two variables than those who have opted out.

Introduction

The aim of the WOLIWEB project¹ is to investigate ‘the socio-economic determinants of citizens’ work-life attitudes, preferences and perceptions, using data from the continuous web-based European Wage Indicator Survey’². The United Kingdom (UK) is one of the participating countries in this European-wide cross-country comparative research project, which also involves Belgium, Denmark, Finland, Germany, Italy, Poland, Spain and The Netherlands. The project is funded by the European Community under the 6th Framework Programme, Priority 7 ‘Citizens and Governance in a Knowledge-Based Society’ (FP6-2004-506590).

The British partners in WOLIWEB are the UK Trade Union Congress (TUC) and Incomes Data Services (IDS). IDS is an independent research organisation providing information and analysis on pay, conditions, pensions, employment law and personnel policy and practice³.

The WOLIWEB methodology is based on volunteer surveys that are carried out through the Internet. The UK has developed a website for this purpose, called ‘PayWizard’⁴. Training for the British partners to conduct an Internet survey on this scale, as well as training on the analysis of the data, has been provided by the University of Amsterdam together with the Wage Indicator Foundation.

In this country report we will first look at the methodology used for the analysis of the UK data and subsequently describe the results of the survey. In this report we set out the demographics of the survey participants and provide an analysis of the sectoral breakdown of occupations, wages and working time. Moreover the study focuses specifically on the UK opt-out of the European Working Time Directive (EWTB) and the influence this has on respondents’ work-life balance.

¹ Work-Life Web, see <http://www.wageindicator.org/main/researchlab/Woliweb/>

² <http://www.wageindicator.org/main/projects/main/projects/WOLIWEB>

³ <http://www.incomesdata.co.uk>

⁴ <http://www.paywizard.co.uk/>

Methodology

The PayWizard project

The 'PayWizard.co.uk' website processed 29,118 completed surveys over the period January 2005-December 2006. It is estimated that approximately 1 in 4 visitors to the website has completed the survey. The results of the completed surveys have been automatically entered into an SPSS⁵ database, which has subsequently been used to analyse the provided data.

In order to check the reliability of the data and to establish whether the PayWizard responses are representative for the UK as a whole, they have been compared with the Labour Force Survey (LFS) as conducted by the UK Office for National Statistics (ONS). For analytical purposes we have taken the first quarter (Q1) of 2006 in the LFS database, which covers the middle of the PayWizard survey period.

The Labour Force Survey

The LFS is a large sample survey in which around 10,000 people aged 16 and over are interviewed each week. In order to produce estimates from the survey, the LFS sample data are scaled up (weighted) to ONS population estimates. The LFS is a quarterly sample survey of about 60,000 households living at private addresses in Great Britain.

The survey seeks information on respondents' personal circumstances and their labour market status during a specific reference period. Information is collected on the individuals' personal characteristics as well as information about their hours and earnings in their main and second job (if they have one). In the LFS, information about the whole household is provided by one member, the respondent, sometimes without any reference to documentation such as pay slips. Where the respondent answers questions about other members of the household this is known as proxy response. Proxy response affects earnings data as the earning householder is more likely to be out (at work) when the interviewer arrives or telephones, and the proxy response is likely to be less accurate.

⁵ Statistical Package for the Social Sciences; see <http://www.spss.com/spss/>

Demographics of survey respondents

Age profile

The LFS shows that, of the whole working age population in the UK, the 31 to 50 year old age group is the most populous. Some 24.76 per cent are aged between 31 and 40 and 24.26 per cent are aged between 41 and 50. Over three-quarters of employees (77.17 per cent) in the UK labour force are aged between 16 and 50, or of the 24,475,274 employees in the UK, some 18,886,811 are aged between 16 and 50 years old. See table 1A below.

Table 1: Age group as a percentage of the working age population

1A) Statistics LFS - Office for National Statistics

Frequency:

Age group	Numbers	Cumulative
16-21	2,207,066	2,207,066
22-30	4,682,697	6,889,763
31-40	6,059,921	12,949,684
41-50	5,937,127	18,886,811
51-60	4,455,378	23,342,189
61-64	772,262	24,114,451
65>	360,823	24,475,274
Total	24,475,274	24,475,274

Percentage:

Age group	Percentage	Cumulative
16-21	9.0	9.0
22-30	19.1	28.1
31-40	24.8	52.9
41-50	24.3	77.2
51-60	18.2	95.4
61-64	3.2	98.6
65>	1.4	100
Total	100	100

In comparison, respondents to WOLIWEB have a slightly younger profile than the working age population as a whole in the UK. The 22 to 40 year-old age group is the most populous in WOLIWEB, with some 32.1 per cent of respondents aged between 22 and 30 years old and 30.1 per cent aged between 31 and 40 years. Over four-fifths of WOLIWEB respondents are aged between 16 and 50, (see table 1B) compared to just over three-quarters of the UK workforce as a whole. The younger profile in WOLIWEB

may be due to the greater likelihood of younger people to use the Internet and therefore access the WOLIWEB survey. Younger people may also be more inclined to check their pay, or research career paths, as they start their careers or consider changing direction.

1B) Statistics WOLIWEB

Frequency:

Age group	Frequency	Cumulative
16-21	1,644	1,644
22-30	9,256	10,900
31-40	8,680	19,580
41-50	5,789	25,369
51-60	3,106	28,475
61-64	312	28,787
65>	87	28,874
Total	28,874	28,874

Percentage:

Age group	Percentage	Cumulative
16-21	5.7	5.7
22-30	32.1	37.8
31-40	30.1	67.8
41-50	20.0	87.9
51-60	10.8	98.6
61-64	1.1	99.7
65>	.3	100.0
Total	100	100

Gender

The LFS shows that there are slightly more male employees in the UK labour force, with 50.5 per cent of the workforce being male and 49.5 per cent female (see table 2A below). The difference, however, is minimal and it would be accurate to state that the gender split in the UK labour market is fairly equal.

Table 2: Breakdown by gender of the working age population

2A) Statistics LFS - Office for National Statistics

Frequency:

	Numbers	Cumulative
Male	12,359,286	12,359,286
Female	12,115,988	24,475,286
Total	24,475,274	24,475,274

Percentage:

	Percentage	Cumulative
Male	50.5	50.5
Female	49.5	100.0
Total	100	100

Looking at the gender breakdown of the WOLIWEB respondents, the split between men and women answering the survey is very representative of the UK labour market as a whole. Some 50.3 per cent of participants are male and 49.7 per cent are female. See table 2B below.

2 B) Statistics WOLIWEB

Frequency:

	Frequency	Cumulative
Male	14,537	14,537
Female	14,342	28,879
Total	28,879	28,879

Percentage:

	Percentage	Cumulative
Male	50.3	50.5
Female	49.7	100.0
Total	100	100

Education

Among employees in the whole UK labour force, the majority (52.2 per cent) have been educated to upper secondary education level, which would be the equivalent of attaining an A Level or NVQ Level 3. Almost a third (30.2 per cent) has reached the first stage of tertiary education, which is Degree (Bachelor/Master) level. Some 0.9 per cent of UK employees have attained an education level beyond this, having reached the second

stage of tertiary education, equivalent to a PhD or beyond. In total almost a third of the whole workforce (31.1 per cent) has a university or equivalent level of education. Almost one-tenth (8.8 per cent) of employees in the labour force have no education. See table 3A below.

Table 3: Education level as a percentage of the total working age population

3A) Statistics LFS - Office for National Statistics

Frequency:

Educational level	Numbers	Cumulative
Second stage of tertiary education	225,180	225,180
First stage of tertiary education	7,340,610	7,565,790
Post-secondary non-tertiary education	20,931	7,586,721
Upper secondary education	12,690,800	20,277,521
Basic and lower secondary education	1,888,481	22,166,002
No education	2,144,168	24,310,170
Total	24,310,170	24,310,170

Percentage:

Educational level	Percentage	Cumulative
Second stage of tertiary education	0.9	0.9
First stage of tertiary education	30.2	31.1
Post-secondary non-tertiary education	0.1	31.2
Upper secondary education	52.2	83.4
Basic and lower secondary education	7.8	91.2
No education	8.8	100.0
Total	100	100

The WOLIWEB survey respondents have a higher level of education than is representative for all employees in the labour market, with just under half (49.2 per cent) having been educated to the equivalent of university level (see tables 3B below). The proportion reaching the second stage of tertiary education is also higher than that of the whole labour market, with 1.5 per cent (compared to 0.9 per cent in LFS) attaining this level. Among the WOLIWEB respondents the most populous levels of education are similar to the LFS, with some 37.8 per cent having an upper secondary education and

47.7 per cent reaching the first stage of tertiary education. The proportion with no education is also much lower than for all UK employees, at 0.2 per cent (compared to 8.8 per cent in the LFS). The higher level of education among WOLIWEB participants may be due to the higher educated being more likely to question their pay, or research the remuneration across the wider career options available to them.

3B) Statistics WOLIWEB

Frequency:

Educational level	Frequency	Cumulative
Second stage of tertiary education	426	426
First stage of tertiary education	13,739	14,165
Post-secondary non-tertiary education	755	14,920
Upper secondary education	10,899	25,819
Basic and lower secondary education	2,940	28,759
No education	62	28,821
Total	28,821	28,821

Percentage:

Educational level	Percentage	Cumulative
Second stage of tertiary education	1.5	1.5
First stage of tertiary education	47.7	49.2
Post-secondary non-tertiary education	2.6	51.8
Upper secondary education	37.8	89.6
Basic and lower secondary education	10.2	99.8
No education	0.2	100.0
Total	100	100

Ethnic group

The LFS shows that more than 9 in 10 of UK employees are White, at 92.2 per cent or 22,563,469 employees. The next largest represented group in the labour market is Asian or Asian British, at 3.6 per cent or 891,887 employees. This is followed by Black or Black British at 2 per cent, or 498,618 employees. See table 4A below.

Table 4: Ethnic group as a percentage of the total workforce

4A) Statistics LFS - Office for National Statistics

Frequency:

Ethnic group	Numbers	Cumulative
White	22,563,469	22,563,469
Mixed	158,836	22,722,305
Asian or Asian British	891,887	23,614,192
Black or Black British	498,618	24,112,810
Chinese	84,607	24,197,417
Other ethnic group	272,322	24,469,739
Total	24,469,739	24,469,739

Percentage:

Ethnic group	Percentage	Cumulative
White	92.2	92.2
Mixed	1.7	92.9
Asian or Asian British	3.6	96.5
Black or Black British	2.0	98.5
Chinese	0.4	98.9
Other ethnic group	1.1	100.0
Total	100	100

The WOLIWEB respondents are fairly representative of the UK labour force, with 9 in 10 employees (90.5 per cent) being of white ethnic origin. WOLIWEB has a slightly higher proportion of Asian workers at 4.1 per cent (compared to 3.6 per cent in LFS), and some 2.3 per cent are of Black or Black British ethnic origin. See table 4B.

4 B) Statistics WOLIWEB

Frequency:

Ethnic group	Frequency	Cumulative
White	25,955	25,955
Mixed	391	26,346
Asian or Asian British	1,172	27,518
Black or Black British	649	28,167
Chinese	170	28,337
Other ethnic group	358	28,695
Total	28,695	28,695

Percentage:

Ethnic group	Percentage	Cumulative
White	90.5	90.5
Mixed	1.4	91.8
Asian or Asian British	4.1	95.9
Black or Black British	2.3	98.2
Chinese	.6	98.8
Other ethnic group	1.2	100.0
Total	100	100

Country of birth

To analyse migration into the UK, we looked at country of birth. We separated the UK from all other countries, which we clustered together under the label 'Other'. This showed that almost nine-in-ten employees (89.6 per cent) in the UK labour force were also born in the UK, and 10.4 per cent were born in a country other than the UK. See table 5A below.

Table 5: Country of birth

5A) LFS-Office for National Statistics

Country of Birth	Numbers	Percentage
UK/GB	21,935,507	89.6
Other	2,537,895	10.4
Total	24,473,402	100

The profile of the WOLIWEB respondents is very similar to the population profile in the the LFS, again with almost 9 in 10 (88.3 per cent) employees responding to the survey

born in the UK, and 11.7 per cent reporting they were born somewhere other than the UK. See table 5B below.

5B) Statistics WOLIWEB

Country of Birth	Frequency	Percentage
UK/GB	25,325	88.3
Other	3,370	11.7
Total	28,695	100

Employment

Employment in ISCO groups

The LFS shows that the largest occupational group within the UK labour force, under the ISCO classification⁶, is managers and senior officials, making up 14.7 per cent of the workforce. This is followed by associate professional and technical staff at 14.3 per cent. Administrative and secretarial staff make up 13.5 per cent of the workforce, and those in professional occupations account for 12.8 per cent. Therefore, those in white-collar occupations account for over half (55.3 per cent) of the UK labour force. This illustrates the UK's shift away from manufacturing towards more growth in the knowledge economy, as the service and information sectors develop. Process, plant and machine operatives make up the smallest proportion of the workforce, at 7.4 per cent, which shows the decline in manufacturing and demand for blue-collar jobs in the UK labour market. See table 6A below.

⁶ The International Standard Classification of Occupations, which is a structure set up by the International Labour Organisation (ILO) to classify jobs into occupational groups. The latest version of this system is known as ISCO-88. In this report we use the European Community-variant of this system, also known as ISCO-88 (COM). See also <http://www2.warwick.ac.uk/fac/soc/ier/research/isco88/isco88.pdf>

Table 6: Employment by ISCO - occupational group as a percentage of total employment

A) Statistics LFS - Office for National Statistics

Frequency:

Occupational group	Numbers	Cumulative
Managers and Senior Officials	3,587,637	3,587,637
Professional occupations	3,138,940	6,726,577
Associate Professional and Technical	3,490,315	10,216,892
Administrative and Secretarial	3,300,481	13,517,373
Skilled Trades Occupations	2,021,272	15,538,645
Personal service Occupations	2,019,361	17,558,006
Sales and Customer Service Occupations	2,109,491	19,667,497
Process Plant and Machine Operatives	1,808,726	21,476,223
Elementary Occupations	2,976,794	21,479,993
Total	21,479,993	21,479,993

Percentage:

Occupational group	Percentage	Cumulative
Managers and Senior Officials	14.7	14.7
Professional occupations	12.8	27.5
Associate Professional and Technical	14.3	41.8
Administrative and Secretarial	13.5	55.3
Skilled Trades Occupations	8.3	63.6
Personal Services Occupations	8.3	71.8
Sales and Customer Service Occupations	8.6	80.4
Process Plant and Machine Operatives	7.4	87.8
Elementary Occupations	12.2	100.0
Total	100	100

Within WOLIWEB, professionals are the most common ISCO occupational group accounting for a quarter (25.1 per cent) of respondents. This fits with the level of education reported by WOLIWEB with almost half of respondents (49.2 per cent- see page 11) having the university or equivalent level of education usually required for professional roles. Clerks account for one-fifth (20.3 per cent) of WOLIWEB respondents and this is comparable to the administrative and secretarial occupational group in the

LFS, which accounted for a slightly lower proportion of the labour force at 13.5 per cent. The proportion of respondents working in elementary occupations is lower than the representative proportion in the whole labour force, at 3.8 per cent against an LFS figure of 12.2 per cent. This may be explained by the nature of elementary jobs, in which there may be less access to a PC, particularly at work, in order to complete the WOLIWEB survey. The lower representation of plant and machine operators in WOLIWEB, at 4.4 per cent as opposed to 7.4 per cent in the LFS, could also be explained by the limited availability of a PC in these roles. See tables 6B below.

6B) Statistics WOLIWEB

Frequency:

Occupational group	Frequency	Cumulative
Legislators, senior officials and managers	3,862	3,862
Professionals	5,749	9,611
Technicians and associate professionals	3,530	13,141
Clerks	4,642	17,783
Craft and related trades Workers	1,189	18,972
Service workers and shop and market sales workers	2,029	21,001
Plant and machine operators and assemblers	997	21,998
Elementary occupations	875	22,873
Total	22,873	22,873

Percentage:

Occupational group	Percentage	Cumulative
Legislators, senior officials and managers	16.9	16.9
Professionals	25.1	42.0
Technicians and associate professionals	15.4	57.5
Clerks	20.3	77.7
Craft and related trades workers	5.2	82.9
Service workers and shop and market sales workers	8.9	91.8
Plant and machine operators and assemblers	4.4	96.2
Elementary occupations	3.8	100.0
Total	100	100

Employment in NACE groups

The NACE classification breaks down employment by industry group⁷. The LFS shows the industry employing the largest proportion of employees is the wholesale, retail and motor trade at 15.3 per cent. The manufacturing sector employs 13.8 per cent and health and social work, which will be made up of both the private and public sector, accounts for 13.4 per cent of employees. The education sector, which again contains both public and private workplaces, accounts for 10.2 per cent, and public administration and defence accounts for 8.3 per cent. The public sector accounts for 5.8 million workers in the UK or nearly a quarter of all employees.

Table 7: Employment by NACE-industry classification as % of total employment

7A) Statistics LFS - Office for National Statistics

Frequency:

Industry by section for main job	Numbers	Cumulative
Agriculture, hunting and forestry	163,699	163,699
Fishing	5,900	169,599
Mining and quarrying	97,055	266,654
Manufacturing	3,388,114	3,654,768
Electricity, gas and water supply	163,883	3,818,651
Construction	1,402,232	5,220,883
Wholesale retail and motor trade	3,755,173	8,976,056
Hotels and restaurants	1,072,504	10,048,560
Transport, storage and communication	1,634,396	11,682,956
Financial intermediation	1,187,445	12,870,401
Real estate, renting and business activity	2,522,109	15,392,510
Public administration and defence	2,021,000	17,413,510
Education	2,502,507	19,916,017
Health and social work	3,275,896	23,191,913
Other community, social and personal service activities	1,180,594	24,372,507
Private households with employed persons	53,187	24,425,694
Extra-territorial organisations and bodies	16,628	24,442,322
Workplace outside the UK	6,574	24,449,076
N/A	26,378	24,475,454
Total	24,475,454	24,475,454

⁷ Nomenclature générale des activités Économiques dans les Communautés européennes / Classification of Economic Activities in the European Community. This is the statistical classification system of economic activities as used by Eurostat.

See also http://ec.europa.eu/eurostat/ramon/index.cfm?TargetUrl=DSP_PUB_WELC

Percentage:

Industry by section for main job	Percentage	Cumulative
Agriculture, hunting and forestry	0.7	0.7
Fishing	0.0	0.7
Mining and quarrying	0.4	1.1
Manufacturing	13.8	14.9
Electricity, gas and water supply	0.7	15.6
Construction	5.7	21.3
Wholesale retail and motor trade	15.3	36.6
Hotels and restaurants	4.4	41.0
Transport, storage and communication	6.7	47.7
Financial intermediation	4.9	52.6
Real estate, renting and business activity	10.3	62.9
Public administration and defence	8.3	71.1
Education	10.2	81.3
Health and social work	13.4	94.7
Other community, social and personal service activities	4.8	99.5
Private households with employed persons	0.2	99.7
Extra-territorial organizations and bodies	0.1	99.8
Workplace outside UK	0.1	99.8
N/A	0.1	100.0
Total	100	100

Within WOLIWEB the most represented industry is real estate, renting and business activity at 22 per cent, compared to 10.3 per cent in the LFS. Manufacturing is the next most heavily represented industry at 14.6 per cent, followed by wholesale, retail trade and repair of motor vehicles at 10.8 per cent. The latter is lower than that found in the LFS. Health and social work accounts for 9.1 per cent of respondents and both the education sector and public administration, defence and the compulsory social sector account for 6.3 per cent respectively. Both of these categories are lower in the WOLIWEB survey compared to the LFS. See table 7B below.

7B) Statistics WOLIWEB

Frequency:

Industry by section for main job	Frequency	Cumulative
Agriculture, hunting and forestry	186	186
Fishing	15	201
Mining and quarrying	241	442
Manufacturing	4,193	4,635
Electricity, gas and water supply	298	4,933
Construction	1,793	6,726
Wholesale and retail trade, repair of motor vehicles	3,092	9,818
Hotels and restaurants	1,143	10,961
Transport, storage and communication	1,878	12,839
Financial intermediation	2,035	14,874
Real estate, renting & business activity	6,322	21,196
Public administration & defence, compulsory social sector	1,815	23,011
Education	1,797	24,808
Health and social work	2,607	27,415
Other community, social and personal service activities	1,220	28,635
Private households with employed persons	40	28,675
Extra-territorial organisations and bodies	22	28,697
Total	28,697	28,697

Percentage:

Industry by section for main job	Percentage	Cumulative
Agriculture, hunting and forestry	0.6	.6
Fishing	0.1	.7
Mining and quarrying	0.8	1.5
Manufacturing	14.6	16.2
Electricity, gas and water supply	1.0	17.2
Construction	6.2	23.4
Wholesale and retail trade, repair of motor vehicles	10.8	34.2
Hotels and restaurants	4.0	38.2
Transport, storage and communication	6.5	44.7
Financial intermediation	7.1	51.8
Real estate, renting and business activity	22.0	73.9
Public administration and defence, compulsory social sector	6.3	80.2
Education	6.3	86.4
Health and social work	9.1	95.5
Other community, social and personal service activities	4.3	99.8
Private households with employed persons	0.1	99.9
Extra-territorial organizations and bodies	0.1	100.0
Total	100.0	100.0

Employment in ISCO groups in the public and private sector

The LFS shows that, within the private sector, managers and senior officials make up the largest occupational group, accounting for 17.4 per cent or over 3 million employees. Elementary occupations account for 13.5 per cent, followed by administrative and secretarial occupations at 12.1 per cent (see table 8A below). In the public sector, the largest occupational group consists of professionals, making up almost a quarter of the workforce, while associate professionals and technical staff make up almost another quarter. Public sector managers and senior officials account for a much smaller proportion than in the private sector, at only 8 per cent of the workforce. The type of roles in the public sector, for example in health, education and the civil service, explain the greater proportion of professionals and associate professionals in the sector.

Table 8: Employment by ISCO-occupation group in the public or private sector as a percentage of total employment

8A) Statistics LFS - Office for National Statistics

Frequency:

Occupational group	Private	Public	Total
Managers and senior officials	3,024,753	559,996	3,584,749
Professional occupations	1,428,586	1,706,479	3,135,065
Associate professional and technical	1,840,575	1,646,646	3,487,221
Administrative and secretarial	2,112,934	1,180,981	3,293,915
Skilled trades occupations	1,868,524	150,057	2,018,571
Personal services occupations	1,042,917	972,211	2,015,128
Sales and customer service occupations	2,043,830	58,420	2,102,250
Process plant and machine operatives	1,700,577	98,112	1,798,689
Elementary occupations	2,349,860	612,290	2,962,150
Total	17,412,556	6,985,192	24,397,748

Percentage:

Occupational group	Private	Public	Total
Managers and senior officials	17.4	8.0	14.7
Professional occupations	8.2	24.4	12.9
Associate professional and technical	10.6	23.6	14.3
Administrative and secretarial	12.1	16.9	13.5
Skilled trades occupations	10.7	2.2	8.3
Personal service occupations	6.0	13.9	8.3
Sales and customer service occupations	11.7	0.8	8.6
Process plant and machine operatives	9.8	1.4	7.4
Elementary occupations	13.5	8.8	12.1
Total	100	100	100

In WOLIWEB, within the private sector professionals account for over a quarter (28 per cent) of the participants, which is much larger than the LFS estimate for the UK workforce. Legislators, senior officials and managers are the next most heavily represented group among the private sector respondents at 18.5 per cent. Technicians and associate professionals and clerks make up 31 per cent of respondents in the private sector, which again is higher than the corresponding figures for the LFS. Respondents in the public sector are mostly professionals, making up almost a quarter (24.3 per cent) of participants in the sector. This is similar to that found in the LFS, whereas clerks in the public sector account for about one-fifth (21.9 per cent) of participants in the WOLIWEB survey, which is higher than the LFS. See table 8B below.

8B) Statistics WOLIWEB

Frequency:

Occupational group	Private	Public	Total
Armed forces	14	19	33
Legislators, senior officials and managers	1,513	584	2,097
Professionals	2,290	902	3,192
Technicians and associate professionals	1,282	493	1,775
Clerks	1,249	815	2,064
Craft and related trades workers	435	115	550
Service workers and shop and market sales workers	587	491	1,078
Skilled agricultural and fishery workers	75	7	82
Plant and machine operators and assemblers	429	129	558
Elementary occupations	298	148	446
Total	8,172	3,703	11,875

Percentage:

Occupational group	Private	Public	Total
Armed forces	0.2	0.5	0.3
Legislators, senior officials and managers	18.5	15.7	17.7
Professionals	28.0	24.3	26.9
Technicians and associate professionals	15.7	13.3	15.0
Clerks	15.3	21.9	17.4
Craft and related trades workers	5.3	3.1	4.6
Service workers and shop and market sales workers	7.2	13.2	9.1
Skilled agricultural and fishery workers	0.9	0.5	0.7
Plant and machine operators and assemblers	5.3	3.5	4.7
Elementary occupations	3.7	4.0	3.8
Total	100	100	100

Type of contractual hours

Over three-quarters (76.1 per cent) of respondents to the WOLIWEB survey work full-time. Some 8.7 per cent work flexible hours. The UK Government has increasingly tried, via employment legislation, to redress the balance between work and family life. Encouraging employers to introduce flexible working patterns such as flexi-time, home working, term-time working and compressed hours (i.e. employees work more hours each day in return for a reduction in the number of working days in a week) has been a key part of this campaign.

Since April 2003, the right to request flexible working has been available to qualifying employees who care for a child or children under six or, in the case of a disabled child, under 18. Under the flexible working rules, employees have a statutory right to request a variation to terms and conditions of employment in respect of working hours, working time or working from home. This is not a statutory right to benefit from flexible working patterns, but rather a right to put into train a set of procedures with which the employer must comply. The legislative intention is to encourage employers to consider such requests seriously.

The Equal Opportunities Commission reported in September 2005 that people in senior jobs are less likely to make a request for flexible work than someone in a junior role and that there are very few part-time opportunities at a senior level, resulting in many women with children working in low-paid, part-time work⁸. Some 7.9 per cent of WOLIWEB respondents work part-time hours.

A very small proportion of the WOLIWEB participants work annualised hours (1.5 per cent). An annual hours system arranges working time flexibly across a 12-month period rather than simply on the basis of a standard working week. This allows employers to match their staffing levels more closely to the predicted demand for their products or services. The aim is to have employees at work when the business requires it and not at work when demand is slack. See table 9 below.

⁸ For more information on this topic, please see the IDS HR Studies Update, nr. 834, November 2006

Table 9: Types of working hours agreed**Statistics WOLIWEB**

Working hours agreed	Frequency	Percentage
Full-time hours per week	19,324	76.1
Part-time hours per week	2,006	7.9
Annualised hours	374	1.5
Flexible hours	2,198	8.7
I signed an individual opt out from the European Working Time Directive	1,130	4.5
I work on call	118	0.5
Other	241	0.9
Total	25,391	100

Overview of waged hours per week in occupation groups**Waged hours per week**

When comparing LFS and WOLIWEB data with regard to the respondents' waged working time per week, we see that the majority of people work between 36 and 48 hours per week (see table 10). Respectively, 54.7 per cent (LFS) and 61.2 per cent (WOLIWEB) of the survey population fall into this category. In the LFS, 8.6 per cent and 8.1 per cent of people work either less than 16 hours or more than 48 hours per week. The figures for these extremes are slightly different for WOLIWEB, with 14.3 per cent and 5.8 per cent respectively. The higher proportion working less than 16 hours a week is offset by a smaller proportion working between 16 and 29 hours a week. Both surveys show that around two-thirds of the workforce works up to 39 waged hours per week, and one third works more than 40 hours per week.

Table 10: Waged hours per week in six groups**A) Statistics LFS-ONS**

Waged hours per week	Numbers	Percentage	Cumulative Percentage
<16	2,072,869	8.6	8.6
16-29	3,689,916	15.4	24.0
30-35	3,175,163	13.2	37.3
36-39	6,633,739	27.7	64.9
40-48	6,470,577	27.0	91.9
>48	1,947,070	8.1	100.0
Total	23,989,334	100	100

B) Statistics WOLIWEB

Waged hours per week	Frequency	Percentage	Cumulative Percentage
<16	3,234	14.3	14.3
16-29	1,137	5.0	19.3
30-35	3,108	13.7	33.0
36-39	8,023	35.4	68.4
40-48	5,858	25.8	94.2
>48	1,317	5.8	100.0
Total	22,677	100	100

ISCO-88 (COM) major occupation groups

When comparing the waged working hours per week with the ISCO occupation in major groups (see table 11) we see that the greatest number of people with working hours at the extremes of the spectrum – less than 16 hours or more than 48 – can be mainly found in the armed forces and manual/elementary occupations. It is interesting to note that the percentage of people at the managerial and professional level working more than 48 hours per week is a lot smaller than at the level of the different categories of workers, plant and machine operators and assemblers, and among people covering the elementary occupations. The general pattern across major occupational groups nevertheless shows that the working week consists of between 36-39 and 40-48 waged hours per week, with 33.9 per cent and 26.0 per cent of occupations falling into these two groups.

The NACE industry classification system

When the NACE industry classification system is used instead of the ISCO-occupational division, it shows that quite a large proportion of respondents (14.4 per cent) has a contract for 16 waged hours per week or less, whereas only 5.8 per cent of respondents work more than 48 waged hours per week. The latter category is mainly made up of people working in the agricultural, fishing, mining and quarrying, construction, hotels and restaurants and transport sectors. Interestingly, these are also the industries that have many people working 16 hours or less. The 'long hours culture' specifically features in the hotels and restaurants and transport, storage and communication sectors, with approximately half of the workforce working more than 40 hours per week. See table 12.

Furthermore, the table shows that the sector of financial intermediation involves a large number of people (40.5 per cent) working 30-35 waged hours per week. It also illustrates that people providing paid domestic work (activities of households) mostly work part-time with 13 per cent working less than 16 hours and 30.4 per cent working between 16-29 hours per week. This level of part-time working occurs on a much smaller scale in other industries. However it also has to be mentioned that more than a quarter of those carrying out paid domestic work have a full-time job (26.1 per cent).

Table 11: Waged hours per week in six groups grouped by ISCO-88 (COM) major occupation groups
Statistics WOLIWEB

Waged hours per week in six groups		ISCO88(COM) 1-digit major occupation groups										Total
		Armed forces	Legislators, sr. officials and managers	Professionals	Technicians and associate professionals	Clerks	Service workers and market sales workers	Skilled agricultural and fisheries workers	Craft and trade related workers	Plant and machine operators and assemblers	Elementary occupations	
<16	Count	13	468	635	404	641	317	26	123	85	102	2,814
	% within ISCO88	30.2	15.4	14.3	14.7	17.3	19.5	23.9	14.6	10.9	15.0	15.6
16-29	Count	0	90	132	134	241	237	3	11	15	36	899
	% within ISCO88	0.0	3.0	3.0	4.9	6.5	14.6	2.8	1.3	1.9	5.3	5.0
30-35	Count	2	314	686	360	654	228	7	31	31	50	2,363
	% within ISCO88	4.7	10.3	15.4	13.1	17.7	14.0	6.4	3.7	4.0	7.4	13.1
36-39	Count	3	1,046	1,828	1,024	1,362	282	18	257	170	123	6,113
	% within ISCO88	7.0	34.5	41.1	37.3	36.8	17.3	16.5	30.5	21.8	18.1	33.9
40-48	Count	18	931	1,012	684	707	396	38	320	331	247	4,684
	% within ISCO88	41.9	30.7	22.8	24.9	19.1	24.3	34.9	38.0	42.4	36.4	26.0
>48	Count	7	185	151	139	98	167	17	100	149	120	1,133
	% within ISCO88	16.3	6.1	3.4	5.1	2.6	10.3	15.6	11.9	19.1	17.7	6.3
Total	Count	43	3,034	4,444	2,745	3,703	1,627	109	842	781	678	18,006
	% within ISCO88	100	100	100	100	100	100	100	100	100	100	100

**Table 12: Waged hours per week in six groups grouped by NACE industry classification codification
Statistics WOLIWEB**

NACE industry classification sectors		Waged hours per week in six groups						Total
		<16	16-29	30-35	36-39	40-48	>48	
Agriculture, Hunting and Forestry	Count	33	2	10	27	47	13	132
	% within NACE industry groups	25.0	1.5	7.6	20.5	35.6	9.8	100
Fishing	Count	2	0	1	2	2	1	8
	% within NACE industry groups	25.0	.0	12.5	25.0	25.0	12.5	100
Mining and Quarrying	Count	36	2	9	53	54	21	175
	% within NACE industry groups	20.6	1.1	5.1	30.3	30.9	12.0	100
Manufacturing	Count	411	52	258	1395	968	161	3,245
	% within NACE industry groups	12.7	1.6	8.0	43.0	29.8	5.0	100
Electricity, Gas and Water Supply	Count	33	9	9	138	43	7	239
	% within NACE industry groups	13.8	3.8	3.8	57.7	18.0	2.9	100
Construction	Count	215	32	86	400	429	116	1,278
	% within NACE industry groups	16.8	2.5	6.7	31.3	33.6	9.1	100
Wholesale and retail trade, repair of motor vehicles	Count	386	219	217	701	757	155	2,435
	% within NACE industry groups	15.9	9.0	8.9	28.8	31.1	6.4	100
Hotels and Restaurants	Count	137	59	68	140	362	125	891
	% within NACE industry groups	15.4	6.6	7.6	15.7	40.6	14.0	100
Transport, Storage and Communication	Count	179	46	106	413	554	191	1,489
	% within NACE industry groups	12.0	3.1	7.1	27.7	37.2	12.8	100
Financial Intermediation	Count	233	64	632	314	262	57	1,562
	% within NACE industry groups	14.9	4.1	40.5	20.1	16.8	3.6	100

NACE industry classification sectors (cont'd)		Waged hours per week in six groups (cont'd)						Total (cont'd)
		<16	16-29	30-35	36-39	40-48	48>	
Real estate, renting and business activities	Count	744	162	719	1,810	1299	234	4,968
	% within NACE industry groups	15.0	3.3	14.5	36.4	26.1	4.7	100
Public Administration and defence, compulsory social sector	Count	161	59	150	866	236	24	1,496
	% within NACE industry groups	10.8	3.9	10.0	57.9	15.8	1.6	100
Education	Count	231	139	326	504	191	46	1,437
	% within NACE industry groups	16.1	9.7	22.7	35.1	13.3	3.2	100
Health and Social Work	Count	262	195	299	860	273	107	1,996
	% within NACE industry groups	13.1	9.8	15.0	43.1	13.7	5.4	100
Other Community, Social and Personal Service Activities	Count	152	64	148	274	270	39	947
	% within NACE industry groups	16.1	6.8	15.6	28.9	28.5	4.1	100
Activities of Households	Count	3	7	5	1	6	1	23
	% within NACE industry groups	13.0	30.4	21.7	4.3	26.1	4.3	100
Extra-Territorial Organisations and Bodies	Count	3	0	4	7	3	1	18
	% within NACE industry groups	16.7	.0	22.2	38.9	16.7	5.6	100
Total	Count	3,221	1,111	3,047	7,905	5,756	1,229	22,339
	% within NACE industry groups	14.4	5.0	13.6	35.4	25.8	5.8	100

Full-time/part-time work and gender

The gender gap in terms of waged hours per week, and full-time versus part-time work, is shown clearly in tables 13 and 14. On average, women work fewer hours per week than their male counterparts and this is reflected in the breakdown between full-time and part-time jobs. Note that the LFS survey shows a percentage of women working 16 hours per week or less that is almost double the figure of the male population (26.8 versus 14.7 per cent), while in the WOLIWEB survey the figure is more or less the same between the two groups (15.1 versus 13.4 per cent). At the other end of the scale, males are in the majority group. In both the LFS and WOLIWEB surveys, around 40 per cent of male respondents work 40 hours or more. For women this figure is 14.3 per cent (LFS) and 23.2 per cent (WOLIWEB) respectively. Table 13 demonstrates that the tipping point is around the 36 waged hours per week-limit. Below this threshold, women are mainly in the majority, whereas men make up most of the workforce working more than 36 hours.

Table 13: Waged hours per week in six groups by gender

A) Statistics LFS – Office for National Statistics

Waged hours per week in six groups		Gender		Total
		Male	Female	
<16	Count	1,781,343	3,219,586	5,000,929
	% within gender group	14.7	26.8	20.7
16-29	Count	1,030,032	2,881,701	3,911,733
	% within gender group	8.5	24.0	16.2
30-35	Count	1,389,084	1,827,869	3,216,953
	% within gender group	11.5	15.2	13.3
36-39	Count	2,850,334	2,358,175	5,208,509
	% within gender group	23.5	19.6	21.6
40-48	Count	3,718,826	1,443,505	5,162,331
	% within gender group	30.7	12.0	21.4
>48	Count	1,349,468	276,573	1,626,041
	% within gender group	11.1	2.3	6.7
Total	Count	12,119,087	12,007,409	24,126,496
	% within gender group	100	100	100

B) Statistics WOLIWEB

Waged hours per week in six groups		Gender		Total
		Male	Female	
<16	Count	1,506	1,727	3,233
	% within gender group	13.4	15.1	14.3
16-29	Count	188	946	1,134
	% within gender group	1.7	8.3	5.0
30-35	Count	1,076	2,030	3,106
	% within gender group	9.6	17.7	13.7
36-39	Count	3,922	4,096	8,018
	% within gender group	35.0	35.8	35.4
40-48	Count	952	362	5,851
	% within gender group	31.8	20.0	25.8
>48	Count	952	362	1,314
	% within gender group	8.5	3.2	5.8
Total	Count	11,206	11,450	22,656
	% within gender group	100	100	100

Table 14: waged hours per week in six groups by full-time and part-time working week

A) Statistics LFS-Office for National Statistics

Waged hours per week in six groups		Full-time	Part-time	Total
<16	Count	2,129,323	2,870,690	5,000,013
	% full-time or part-time	11.9	46.1	20.7
16-29	Count	1,146,856	2,764,400	3,911,256
	% full-time or part-time	6.4	44.4	16.2
30-35	Count	2,736,916	479,363	3,216,279
	% full-time or part-time	15.3	7.7	13.3
36-39	Count	5,140,026	68,483	5,208,509
	% full-time or part-time	28.7	1.1	21.6
40-48	Count	5,129,171	33,160	5,162,331
	% full-time or part-time	28.7	0.5	21.4
>48	Count	1,616,865	9,176	1,626,041
	% full-time or part-time	9.0	0.2	6.7
Total	Count	17,899,157	6,225,272	24,124,429
	% within has fulltime hours	100	100	100

B) Statistics WOLIWEB

Waged hours per week in six groups		Has full-time hours		Total
		No	Yes	
<16	Count	395	2,736	3131
	% within has full-time hours	21.7	13.3	14.0
16-29	Count	912	167	1,079
	% within has full-time hours	50.2	0.8	4.8
30-35	Count	309	2,774	3,083
	% within has full-time hours	17.0	13.5	13.7
36-39	Count	59	7,947	8,006
	% within has full-time hours	3.2	38.5	35.7
40-48	Count	52	5,791	5,843
	% within has full-time hours	2.9	28.1	26.0
>48	Count	91	1,209	1,300
	% within has full-time hours	5.0	5.9	5.8
Total	Count	1,818	20,624	22,442
	% within has full-time hours	100	100	100

The European Working Time Directive (EWTD) and the UK opt-out

The European Working Time Directive (93/104/EC)⁹ sets clear rules for rest and leave periods and working conditions (such as health and safety provisions) in the European community. The Directive states that a working week should have a maximum of 48 hours on average, including overtime, with at least four weeks of paid annual leave. Furthermore provisions are laid down for rest breaks and night work. This Directive was amended in 2000 (2000/34/EC) in order to include non-mobile workers in areas of work such as the maritime and road sectors as well as those in civil aviation who were not covered by the previous Directive. Since 2002, mobile workers in the road transport industry have been protected by a new set of regulations, which have also applied to junior doctors since 1 August 2004¹⁰.

The original (1993) European Working Time Directive (EWTD) includes a derogation that allows European Union (EU) Member States not to take part in the agreement for a maximum working week of maximum of 48 hours. This is called the 'opt-out' clause (Article 18 of the 1993 EWTD) and is frequently applied in the UK. In order to use the opt-out,

⁹ The official title of the Directive is 'Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organization of working time' and can be found in Official Journal (OJ) L307, 13/12/1993, pp. 0018-0024. The full text of the 1993 Directive in sections can also be found on <http://www.incomesdata.co.uk/information/worktimedirective.htm>.

¹⁰ For more information on the Working Time Directive and the UK opt-out, please see the European Trade Union Confederation Website on this topic: <http://www.etuc.org/a/504>

workers have to sign an individual opt-out agreement with their employer, and can not be penalised in any way if they decline to do so. Moreover, employers are under an obligation to have written proof of staff that work more than 48 hours per week and grant the authorities access to these records¹¹.

The opt-out has had fierce opponents and allies alike, mainly from employer representations and trade unions. Opponents primarily argue that the opt-out leads to a 'no choice' policy that pressurising workers to sign the opt-out, therefore leading to a culture of long hours that negatively influences the work-life balance of workers and their families. The defendants, on the other hand, would argue that the opt-out clause is necessary for industry to remain flexible and hence stay ahead of the competition in an increasingly globalised economy. As a consequence, they argue, UK unemployment rates remain low¹².

The European Commission proposed to revise the EWTD in May 2004, which has renewed the debate on the inclusion of this clause in the Directive. Political agreement among EU Member States has not yet been reached at this point in time. Because of the relevance of this topic for the current debate among the industrial partners, politicians and policy-makers, the next section will analyse the WOLIWEB survey participants' responses to questions on the EWTD. The section will set out the demographic make-up of those respondents that have opted out and those that haven't. The effect either decision has had on their work-life balance will then be explored. The report will look at two categories: those that have signed an individual agreement to opt out from the EWTD and 'all others'. The latter category of employees consists of people that have 'opted in' to the EWTD but can also include employees working more than 48 waged hours per week, without having signed an official opt-out agreement. They may, for example, have made an 'informal' or 'verbal' agreement with their employer.

¹¹ For the sake of completeness, it has to be mentioned that some groups of workers are excluded from the Directive. These are jobs where you can choose freely how long you will work such as at director's level, armed forces, emergency services and police in some circumstances, and domestic servants in private houses. See also http://www.direct.gov.uk/en/Employment/Employees/WorkingHoursAndTimeOff/DG_10029426

¹² For more information on this debate in general and on the British opt-out specifically, see also <http://www.etuc.org/a/504> and <http://www.dti.gov.uk/employment/employment-legislation/working-time-regs/index.htm> and <http://www.hse.gov.uk/contact/faqs/workingtimedirective.htm>

The opt-out by demographic characteristics: age, gender and education

Opt-out

Despite the Government's attempts to improve work life balance, employees in the UK can still sign an individual opt-out from the EWTD that allows them to work more than 48 hours each week. Some 4.5 per cent of WOLIWEB respondents reported having signed this opt-out. Of the 25,261 people that participated in the WOLIWEB survey during the period January 2005 to December 2006, some 4.5 per cent or 1,130 people chose to opt out of the EWTD. See table 17.

Table 17: Opt-out from European Working Time Directive

Statistics WOLIWEB

	Frequency	Percentage
Opt-out	1,130	4.5
No-opt out	24,261	95.5
Total	25,391	100

Opt-out by age

Older workers are more likely to have opted-out of the EWTD, compared to respondents aged under 40 years. Some 8.2 per cent of respondents aged between 61 and 64 reported having opted-out, and among respondents aged over 64 years, some 6 per cent have opted out. Around 5.4 per cent of those aged 41 to 50 years have opted-out and 5.3 per cent aged 51 to 60 years have done so. Very few respondents (0.6 per cent) aged between 16 and 21 years have opted-out. This may be due to respondents combining employment with study, indicating that they would not want a working week in excess of 48 hours.

Table 18: The opt-out from the European Working Time Directive by age group
Statistics WOLIWEB

Age groups in seven bands		Opt-out	No opt-out	Total
16-21	Count	9	1,418	1,427
	% within age group	0.6	99.4	100.0
22-30	Count	319	7,960	8,279
	% within age group	3.9	96.1	100.0
31-40	Count	364	7,232	7,596
	% within age group	4.8	95.2	100.0
41-50	Count	271	4,793	5,064
	% within age group	5.4	94.6	100.0
51-60	Count	143	2,547	2690
	% within age group	5.3	94.7	100.0
61-64	Count	21	234	255
	% within age group	8.2	91.8	100.0
>64	Count	3	47	50
	% within age group	6.0	94.0	100.0
Total	Count	1,130	24,231	25,361
	% within age group	4.5	95.5	100

Opt-out by gender

The majority of respondents that have opted-out of the Directive are male. Some 7.1 per cent of male respondents have opted out compared to only 2 per cent of female participants. The lower proportion of opted-out women could be attributed to their greater caring responsibilities in the home, which means they are less likely to be able to work a week in excess of 48 hours.

Table 19: The opt-out from the EWTD by gender

Statistics WOLIWEB

		Gender		Total
		Male	Female	
Opt-out	Count	866	262	1,128
	% within gender	7.1	2.0	4.4
No opt-out	Count	11,312	12,924	24,236
	% within gender	92.9	98.0	95.6
Total	Count	12,178	13,186	25,364
	% within gender	100.0	100.0	100

Opt-out by education level

Greater proportions of respondents with lower levels of education have opted-out of the EWTD. Some 6.4 per cent of those with a lower secondary education or a second stage of basic education have opted-out, and 6.3 per cent of those with only a basic level of education have done so. This may be due to the fact that respondents with little education are more likely to have lower-paid roles paid by the hour. They therefore may need to work longer hours in order to supplement their pay. See table 20 below.

Table 20: The opt-out from the EWTD by education level

Statistics WOLIWEB

Level of education in 6 categories		Opt-out	No opt-out	Total
No education	Count	0	45	45
	% within level of education	0.0	100.0	100.0
Basic education	Count	9	134	143
	% within level of education	6.3	93.7	100.0
Lower secondary or 2 nd stage of basic education	Count	154	2,269	2,423
	% within level of education	6.4	93.6	100.0
Upper secondary education	Count	367	9,362	9,729
	% within level of education	3.8	96.2	100.0
Post-secondary non-tertiary education	Count	17	645	662
	% within level of education	2.6	97.4	100.0
First stage of tertiary education	Count	568	11,430	11,998
	% within level of education	4.7	95.3	100.0
Second stage of tertiary education	Count	11	298	309
	% within level of education	3.6	96.4	100.0
Total	Count	1,126	24,183	25,309
	% within level of education	4.4	95.6	100

The opt-out by ISCO and NACE breakdowns

Opt-out by ISCO-occupation groups

Within the ISCO-occupation groups, 4.7 per cent of workers have signed an opt-out agreement (see Table 21). When looking more into detail at the occupation groups, there are certain groups that stand out at either end of the spectrum. Clerks and skilled agricultural and fishery workers have very low percentages (1.8 per cent in each group) of workers that have signed the EWTD opt-out. The figures show quite the opposite among craft and related trades workers (8.5 per cent), plant and machine operators and assemblers (10.9 per cent), and among the elementary occupations (12.9 per cent). This can be explained by the 'round the clock' nature of these occupations: factories where they may be required to work shifts covering 24-hour / 7-day working.

Table 21: The opt-out from the EWTD by ISCO 88 (COM) 1-digit major occupation groups

Statistics WOLIWEB

ISCO88 (COM) 1-digit major occupation group		Opt-out	No opt-out	Total
Armed forces	Count	1	18	19
	% within ISCO88	5.3	94.7	100.0
Legislators, senior officials and managers	Count	196	3,034	3,230
	% within ISCO88	6.1	93.9	100.0
Professionals	Count	227	4,647	4,874
	% within ISCO88	4.7	95.3	100.0
Technicians and associate professionals	Count	100	2,968	3,068
	% within ISCO88	3.3	96.7	100.0
Clerks	Count	78	4,209	4,287
	% within ISCO88	1.8	98.2	100.0
Service workers and shop and market sales workers	Count	68	1,739	1,807
	% within ISCO88	3.8	96.2	100.0
Skilled agricultural and fishery workers	Count	2	109	111
	% within ISCO88	1.8	98.2	100.0
Craft and related trades workers	Count	82	851	933
	% within ISCO88	8.8	91.2	100.0
Plant and machine operators and assemblers	Count	95	775	870
	% within ISCO88	10.9	89.1	100.0
Elementary occupations	Count	96	648	744
	% within ISCO88	12.9	87.1	100.0
Total	Count	945	18,998	19,943
	% within ISCO88	4.7	95.3	100

Opt-out by NACE-industry group

Analysis by the NACE-classification system reveals a similar picture to that provided by ISCO, with the agricultural sector being the exception (see table 22). With an average of 4.4 per cent, the industry groups that stand out at the top end of the range are

- Agriculture, hunting and forestry: 7.4 per cent
- Mining and quarrying: 10.5 per cent
- Construction: 7.2 per cent
- Transport, storage and communication: 8.7 per cent

At the lower end we find the following areas:

- Fishing: 0.0 per cent
- Public administration and defence, compulsory social sector: 1.3 per cent
- Education: 0.6 per cent
- Health and social work: 1.8 per cent
- Activities of households/paid domestic work: 0.0 per cent

It should be noted, however, that the sample sizes are not always large and this may have skewed the results (e.g. fishing with 11 respondents, activities of households with 25 respondents and extra-territorial organisations and bodies with 18 respondents). Nevertheless there is a clear distinction between the more service-oriented sectors, where opt-outs only occur sporadically, and more traditional/blue collar industries.

Table 22: The opt-out from the EWTD by NACE- industry group

Statistics WOLIWEB

NACE – industry group		Opt-out	No opt-out	Total
Agriculture, hunting and forestry	Count	10	126	136
	% within NACE-industry groups	7.4	92.6%	100.0
Fishing	Count	0	11	11
	% within NACE-industry groups	0.0	100.0	100.0
Mining and quarrying	Count	20	171	191
	% within NACE-industry groups	10.5	89.5	100.0
Manufacturing	Count	207	3,540	3,747
	% within NACE-industry groups	5.5	94.5	100.0
Electricity, gas and water supply	Count	15	244	259
	% within NACE-industry groups	5.8	94.2	100.0
Construction	Count	103	1,323	1,426
	% within NACE-industry groups	7.2	92.8	100.0
Wholesale retail and trade, repair of motor vehicles	Count	83	2,618	2,701
	% within NACE-industry groups	3.1	96.9	100.0
Hotels and restaurants	Count	62	854	916
	% within NACE-industry groups	6.8	93.2	100.0
Transport, storage and communication	Count	143	1,503	1,646
	% within NACE-industry groups	8.7	91.3	100.0
Financial intermediation	Count	82	1,728	1,810
	% within NACE-industry groups	4.5	95.5	100.0
Real estate, renting and business activity	Count	270	5,293	5,563
	% within NACE-industry groups	4.9	95.1	100.0
Public administration and defence, compulsory social sector	Count	21	1,629	1,650
	% within NACE-industry groups	1.3	98.7	100.0
Education	Count	10	1,551	1,561
	% within NACE-industry groups	0.6	99.4	100.0
Health and social work	Count	42	2,300	2,342
	% within NACE-industry groups	1.8	98.2	100.0
Other community, social and personal service activities	Count	44	1,015	1,059
	% within NACE-industry groups	4.2	95.8	100.0
Activities of households	Count	0	25	25
	% within NACE-industry groups	0.0	100.0	100.0
Extra-territorial organisations and bodies	Count	1	17	18
	% within NACE-industry groups	5.6	94.4	100.0
Total	Count	1,113	23,948	25,061
	% within NACE-industry groups	4.4	95.6	100

The opt-out by public-private sector split

As shown by the WOLIWEB results in table 21, the private sector has 2.3 times more people opting out of the EWTD than the public sector. The table also shows that the overwhelming majority of people in the public sector have not opted out of the EWTD: 97.7 per cent against 94.7 per cent in the private sector.

Table 21: The opt-out from the EWTD by public-private sector split

Statistics WOLIWEB

		Private sector	Public sector	Total
Opt-out	Count	564	1110	672
	% within private/public sector	5.3	2.3	4.4
No opt-out	Count	10,022	4,591	14,613
	% within private/public sector	94.7	97.7	95.6
Total	Count	10,586	4,699	15,285
	% within private/public sector	100.0	100.0	100

The opt-out by waged hours per week

In table 10 (waged hours per week in six groups) it was noted that between 5.8 per cent (WOLIWEB data) and 8.1 per cent (LFS data) of respondents worked more than 48 hours per week. One would perhaps expect that the vast majority of these people would have signed an individual opt-out agreement. As stated before, however, not all survey respondents that work more than the maximum number of 48 waged working hours per week have signed such an official agreement with their employer. Table 22 shows the contrary: 82.4 per cent of participants in the WOLIWEB study who work more than 48 hours per week have not signed the opt-out. Explanations for this can be that: they have not individually signed an opt-out clause, but instead have made verbal, informal agreements on working time; they simply have not ticked the box in the online questionnaire; or they belong to one of the professional groups that are excluded from the EWTD (see footnote 12).

Table 22: The opt-out by number of waged hours per week
Statistics WOLIWEB

		Waged hours per week in six groups						Total
		<16	16-29	30-35	36-39	40-48	>48	
Opt-out	Count	106	5	49	244	346	189	939
	% within waged hours group	3.6	0.5	1.7	3.2	6.5	17.6	4.4
No Opt-out	Count	2,863	1,084	2,909	7,460	4,973	887	20,176
	% within waged hours group	96.4	99.5	98.3	96.8	93.5	82.4	95.6
Total	Count	2,969	1,089	2,958	7,704	5,319	1,076	21,115
	% within waged hours group	100.0	100.0	100.0	100.0	100.0	100.0	100

The opt out by trade union membership and collective agreement

Trade union membership

Trade union membership and collective agreement seem to influence the decision to sign an opt-out agreement only to a very minor extent. Trade Unions appear to have hardly any influence at all when it comes to decision-making on working hours (see table 23). The difference between being a member of a trade union or not is only 0.4 per cent when looking at individuals that may or may not have signed the opt-out. One of the factors that may have played a role in this outcome is the steadily declining number of people who become a member of a trade union in the UK¹³ or the fact that '(...) unions no longer have much power in the UK, so even when they attain [firm] recognition they have little effect on firm behaviour (...)'¹⁴.

Collective agreements

There appears to be a more significant difference when looking at the number of workers that are part of a collective agreement, as demonstrated by table 24. Those who are covered by collective bargaining and a collective agreement are less likely to have signed an opt-out than those not covered by a collective agreement. The data illustrate that individuals who

¹³ For an overview of trade union membership in the UK, see <http://www.statistics.gov.uk/cci/nugget.asp?id=4> and the article by A. Bryson and R. Gomez: 'Why Have Workers Stopped Joining Unions? The Rise in Never-Membership in Britain', in: *British Journal of Industrial Relations*, Vol. 43, nr. 1, March 2005, pp. 67-92.

¹⁴ Blanden, J., Machin, S. and Van Reenen, J. (2006), 'Have Unions Turned the Corner? New Evidence on Recent Trends in Union Recognition in UK Firms', p. 185. In: *British Journal of Industrial Relations*, Vol. 44, nr. 2, June 2006, pp. 169-190.

are not covered by collective bargaining are 1.6 times more likely to individually sign an agreement to opt-out of the EWTD.

Table 23: The influence of trade union membership on the signing of an individual opt-out agreement

Statistics WOLIWEB

		Member of a trade union		Total
		No	Yes	
Opt-out	Count	652	302	954
	% within trade union membership	4.5	4.1	4.4
No opt-out	Count	13,695	7,066	20,761
	% within trade union membership	95.5	95.9	95.6
Total	Count	14,347	7,368	21,715
	% within trade union membership	100.0	100.0	100

Table 24: The extent to which the adoption of a collective agreement has an impact on people's decision to sign an individual opt-out agreement with the employer

Statistics WOLIWEB

		Is in organisation collective agreement Y/N		Total
		No	Yes	
Opt-out	Count	804	210	1014
	% within collective agreement	5.3	3.3	4.7
No opt-out	Count	14,354	6,071	20,425
	% within collective agreement	94.7	96.7	95.3
Total	Count	15,158	6,281	21,439
	% within collective agreement	100.0	100.0	100

The opt out and its effect on workers' work-life balance

The opt-out has been regarded by its opponents as a catalyst of the British 'long hours culture' which leads to 'low productivity, squeezes out education and training, plays a big part in excluding women from certain jobs, and puts pressure on family life and parenting. Long hours workers have no chance of achieving a decent work life balance'¹⁵.

¹⁵ See http://www.tuc.org.uk/work_life/tuc-11005-f0.cfm

Regular evening work

When looking at the people that regularly work in the evening, there appears to be a correlation between those that have opted out and those who have not (table 25). Of the workers that have opted out of the EWTD, 8.6 per cent regularly work in the evening compared to 2.7 per cent of people who say they do not do a lot of evening work. It is assumed that regular evening work and longer working hours influence people's work-life balance and their satisfaction with the combination work and family life.

Table 25: The relationship between the opt-out agreement and regular evening work

Statistics WOLIWEB

		Works regular in the evening		Total
		No	Yes	
Opt-out	Count	392	581	973
	% within works regular in the evening	2.7	8.6	4.6
No opt-out	Count	14,105	6,200	20,305
	% within works regular in the evening	97.3	91.4	95.4
Total	Count	14,497	6,781	21,278
	% within works regular in the evening	100.0	100.0	100

Family life and leisure time

Tables 26 and 27 illustrate the above assumptions. Overall, people that have opted out of the EWTD are more likely to be dissatisfied to highly dissatisfied with the combination 'work-family life' and with the combination 'work-leisure time'. For 36.9 per cent of those that have adopted the opt-out clause, the level of satisfaction with the combination 'work-family life' is negative while 26.4 per cent of people that have not opted out are unhappy with the amount of time they can spend with their family. In this latter group, 42.5 per cent of people are satisfied to highly satisfied with their work-family pattern. The same can be said for 32.4 per cent of the opt-out category.

As table 27 shows, more than half of respondents (50.1 per cent) were dissatisfied to highly dissatisfied with the balance between work and leisure time, whereas the figure is 38.1 per cent for those that have not opted out. On the other hand, 31.9 per cent of survey participants are satisfied to highly satisfied with the amount of free time they have outside work, whereas this is 23.1 per cent among those that have opted out of the EWTD. Both tables 26 and 27 indicate that between 26.9 and 32 per cent are neither dissatisfied nor satisfied with their work-life balance.

Table 26: The opt-out measured by satisfaction with the work-family balance

Statistics WOLIWEB

		Level of satisfaction with the combination work-family					
		Highly dissatisfied	Dissatisfied	Neither dissatisfied nor satisfied	Satisfied	Highly satisfied	
Opt-out	Count	146	253	332	249	100	1,080
	% within satisfaction with combination work-family	13.5	23.4	30.7	23.1	9.3	100.0
No opt-out	Count	1,828	4,193	7,287	6,662	2,773	22,743
	% within satisfaction with combination work-family	8.0	18.4	32.0	29.3	12.2	100.0
Total	Count	1,974	4,446	7,619	6,911	2,873	23,823
	% within satisfaction with combination work-family	8.3	18.7	32.0	29.0	12.1	100

Table 27: The opt-out and its influence on the combination between work and leisure time

Statistics WOLIWEB

		Level of satisfaction with the combination work - leisure time					
		Highly dissatisfied	Dissatisfied	Neither dissatisfied nor satisfied	Satisfied	Highly satisfied	
Opt-out	Count	217	329	293	190	62	1,091
	% within opt-out	19.9	30.2	26.9	17.4	5.7	100.0
No opt-out	Count	2,990	5,856	6,958	5,346	2,043	23,193
	% within opt-out	12.9	25.2	30.0	23.1	8.8	100.0
Total	Count	3,207	6,185	7,251	5,536	2,105	24,284
	% within opt-out	13.2	25.5	29.9	22.8	8.7	100