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<th><strong>Title</strong></th>
<th>Flexible working time arrangements in Ireland</th>
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<tr>
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Abstract

This paper shows that part-time employment and flexible working hours are the most common forms of flexible work arrangements on the Irish labour market. The growth of part-time work in Ireland follows a similar pattern as that of other European countries. In line with other EU countries, part-time work is more common among women than men, and much of the growth in part-time employment can be explained by women’s increased involvement in paid employment, mainly in the services sector. Within the public sector flexible work arrangements (based on sectoral agreements) are widely available and take-up is high, particularly of flexitime. Within the private sector flexible working arrangements, other than specific forms of statutory leave entitlements, are informal and most policies operate at the discretion of individual employers. Gender patterns are evident in flexible working practices reflected in the priority attached to time among women workers linked to their carrying of the primary responsibility for care.

Key words
Flexible work arrangements, labour market, gender inequality, Ireland

1. Introduction

The Irish economy was unique within the EU in recording particularly high levels of economic growth averaging at 7.2% per annum throughout the decade 1997-2007. However, over the last eighteen months the economic situation has changed quite dramatically and Ireland was the first EU member state to be officially defined as in recession in September 2008. According to many analysts, an over-reliance on construction and property-fuelled economic growth, combined with unregulated credit, accounts for the marked downturn in Ireland’s economic situation. Employment has declined sharply, unemployment is rising at a faster rate than anytime over the last twenty years and the rate of unemployment currently at 10.4% (March 2009) has doubled over the last year and is forecast to be 12% (or higher) for 2009. Recession initially had particularly negative effects on employment in construction (a significant male-dominated sector) accounting for a large share of job losses. However, rapid employment decline has now spread right across the economy to manufacturing and services affecting both women and men workers, including a high proportion of migrant workers. A deepening crisis in the public finances has developed as taxation revenues have collapsed and the banking system has failed to provide credit to the business sector creating a new situation in which successive emergency budgets have been introduced to cut public expenditure and increase taxes.

In the context of a decade of high growth gender trends on the Irish labour had undergone significant changes, reflected in a substantial increase in the proportion of women in paid employment and also in new immigrant labour. Between 1999 and 2007 women’s employment rate increased from 45% to 61% while men’s employment rate was relatively stable. However, as recession took hold and employment declined sharply over the single year 2007-08 men’s employment rate fell a full five percentage points from 78% to 73%. Women’s employment rate, which had surpassed the Lisbon target to reach a level of 61% by the end of 2007, slipped under that target to 59% by the end of 2008. One result of these changes has been a narrowing of the gender gap in the employment rate between women and men (among those aged 15-64) from 21 percentage points in 2001, to 16 at the end of 2007 and reaching 14 by the close of 2008 bringing Ireland into a position equal to EU average (CSO 2007; 2009).

This Paper shows that part-time employment and flexible working hours are the most common forms of flexible work arrangements on the Irish labour market. The growth of part-time work in Ireland follows a similar pattern as that of other European countries. In line with other EU countries, part-time work is more common among women than men, and much of the growth in part-time employment can be explained by women’s increased involvement in paid employment, mainly in the services sector. Within the public sector flexible work arrangements (based on sectoral agreements) are widely available and take-up is high, particularly of flexitime. Within the private sector flexible working arrangements, other than specific forms of statutory leave entitlements, are informal and most policies operate at the discretion of individual employers. Gender patterns are evident in flexible

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*a External report commissioned by and presented to the EU Directorate-General Employment and Social Affairs, Unit G1 ‘Equality between women and men’
working practices reflected in the priority attached to time among women workers linked to their carrying of the primary responsibility for care.

2. Regulatory framework

2.1 National regulations

Statutory provision for leave entitlements, other than maternity leave, are limited in Ireland and at the lower end of the EU spectrum. Only maternity leave is paid and while there is a statutory entitlement to parental leave, it is unpaid. Paternity leave is not recognised under Irish employment law and hence there is no statutory entitlement. There are few specific incentives to women returning to work after a period of leave or to facilitate a return to paid employment generally. Leave for family and other purposes is largely discretionary. Certain key employers of women, for example the civil and public sectors, provide for a range of flexible work and leave arrangements. Individual private sector companies have also implemented their own work-life balance initiatives. Development is slow however, and there is evidence that a growth in long-hours culture and excessive commuting time has been in practice undermining the quality of life for a large section of the Irish workforce. In the context of the deepening recession in the Irish economy it is unlikely that new initiatives will be introduced over the coming years and so recent progress in relation to, for example leave entitlements, is likely to be halted.

<table>
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<th>Table 1</th>
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<tr>
<td>Maternity, Paternity and Parental leave provisions in Ireland</td>
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</table>

- Current entitlement is for 26 consecutive weeks of paid leave and 16 consecutive weeks unpaid leave.
- At least two weeks leave must be taken before the birth and 4 weeks after.
- Provision for expectant mothers to attend one set of ante-natal classes without loss of pay and provision of a once-off right to fathers to paid time to attend the two ante-natal classes immediately prior to the birth.
- Breast feeding mothers who have given birth within the previous four months are entitled, without loss of pay, to either an adjustment of working hours or, where breast feeding facilities are provided by employer, breast feeding breaks.
- Provision for an employee to postpone the period of maternity leave/additional maternity leave in the event of hospitalisation of the child.
- Provision that an employee's absence from work on additional maternity leave will count for all employment rights associated with the employment, except remuneration and superannuation benefits such as seniority and annual leave.
Parental leave provisions

- Current provisions are for 14 weeks unpaid leave for each child which can be taken up until the child reaches seven and a half years of age (or 16 years for a child with a disability).
- Parental Leave is non-transferable between parents (except where parents work for the same employer and then only by agreement with the employer). Adoptive parents are also covered.
- Social welfare claims may not be made during a period of parental leave.
- Other rights, for example annual leave and pension entitlements, are unaffected.
- Those eligible have a statutory right to a six week block and ten weeks between block.
- In the case of illness while on parental leave, leave can by suspended.
- Those who are ‘in loco parentis’ also have entitlements to parental leave.
- ‘Force Majeure’ leave is also included under parental leave legislation providing for 3 days leave over a 12 month period (coverage includes persons in relationships of domestic dependency, including same sex couples).

Paternity leave

- Paternity leave is not recognised in Irish employment law.
- There is no paid or unpaid system of paternity leave.
- Some employers do grant fathers discretionary leave of three/four days.

Both the Maternity and Parental Leave Acts state that the dismissal of an employee who exercises his/her right to maternity, parental leave or ‘force majeure’ leave is regarded as unfair under the Unfair Dismissals Acts 1977-2001 unless there are substantial grounds justifying the dismissal. Following an absence on parental leave, an employee has the right to return to work in the same employment and under the same terms and conditions of employment. If it is not reasonably practicable for an employee to return to the same job, suitable alternative employment may be offered.

The current framework in Ireland for ‘force majeure’ leave to care for dependents other than children allows for 3 days paid leave in any 12 consecutive months, up to a limit of 5 days in any 36 consecutive months. Employees with 12 months of consecutive service are also entitled to take a maximum of 65 weeks unpaid leave to provide full-time for a dependant (Drew 2007). In the Civil Service, the natural or adoptive parent of a child is entitled to 14 weeks unpaid parental leave (Government of Ireland 2009).
Table 2
Other types of leave in Ireland

<table>
<thead>
<tr>
<th>Type of leave</th>
<th>Entitlement and Provisions</th>
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<tbody>
<tr>
<td>Force Majeure Leave</td>
<td>Limited paid ‘force majeure’ leave may be taken for urgent family reasons owing to the injury or illness of an immediate family member, in circumstances where the presence of the employee, at the place where the family member is ill or injured, is indispensable. The employee may not be absent on ‘force majeure’ leave for more than 3 days in any period of 12 consecutive months or 5 days in any period of 36 consecutive months. During an absence on parental leave an employee is regarded as being in the employment of the employer and retains all of his/her employment rights (except the right to remuneration and superannuation benefits).</td>
</tr>
<tr>
<td>Adoptive Leave</td>
<td>The Civil Service entitles women who adopt and men who are sole male adopters to 14 weeks paid leave and 8 weeks unpaid leave. The leave commences on the day of placement of the child with the adopting parent 2004 saw the introduction of the Parental Leave (Amendment) Act. Duration of adoptive leave benefit was increased by 2 weeks from 14 weeks to 16 weeks (Government of Ireland 2009).</td>
</tr>
<tr>
<td>Eldercare Leave</td>
<td>There are three days for paid leave in Ireland for care of a dependent person in any 12 consecutive months, up to a limit of 5 days in any 36 consecutive months. Employees are allowed to work up to 10 hours per week while on carer’s leave, but subject to certain income limits. An employee on carer’s leave may be entitled to a means-tested carer’s leave (Dunne et al 2008).</td>
</tr>
<tr>
<td>Carer’s leave</td>
<td>Carer’s leave, which allows employees to take a break of up to 65 weeks to provide full-time care for an elderly or disabled person is unpaid, and some authors argue it is an attempt to encourage female family members to continue to provide care in the home of community (O’Hagan 2005 in Russell et al 2007). Irish public policy on caring is similar to liberal welfares states like the US and the UK with strong emphasis on market forces and relatively low level intervention by the State in the economic arrangements of the family (Russell et al 2007). In the Civil Service, a maximum of 65 weeks is allowed in respect of any one care recipient. The minimum statutory entitlement is 13 weeks (Government of Ireland 2009).</td>
</tr>
<tr>
<td>Statutory sabbatical leave</td>
<td>There is no statutory right in Ireland for sabbatical leave that allows a person to take paid leave to enhance their education/skills. Within the Civil and public sector there is an entitlement to a career break but arrangements must be on the agreement of management.</td>
</tr>
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Table 3
Other work policy regulations in Ireland

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<tr>
<th>National Regulations</th>
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<tr>
<td><strong>Working time</strong></td>
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<td>Ireland fulfils the goal of 48 maximum working hours per week set for the Council Common Position of the EU, which formally adopted in 2008 substantial changes in the legislation related to working hours. Working time arrangements in Ireland are set by individual companies in more than 60% of the cases, with minor possibilities from the employees to choose or adopt personal arrangements (EFILWC 2008).</td>
</tr>
<tr>
<td><strong>Breaks</strong></td>
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<tr>
<td>Employees are entitled to a daily rest period of 11 consecutive hours per 24 hours; a weekly rest period of 24 consecutive hours per seven days, following a daily rest period; a 15 minutes break if working 4.5 hours; a 30 minutes break if working six hours. Payment for breaks is not a statutory entitlement, some companies are covered by Registered Employment Agreement (REA’s) and Employment Regulation Orders (ERO’s), which may contain break regulations breaks (NERA 2008).</td>
</tr>
<tr>
<td><strong>Sundays</strong></td>
</tr>
<tr>
<td>Employees are generally entitled to a premium payment for Sunday working or paid time off ‘in lieu’. Some companies have REA’s that stipulates the regulations for Sunday working. Where there is no collective agreement in place, employers should look at the closest applicable collective agreement, which applies to same or similar work under similar circumstances, which is applicable for a Sunday premium (NERA 2008).</td>
</tr>
<tr>
<td><strong>National Minimum Wage</strong></td>
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<tr>
<td>The Irish National Minimum Wage (NMW) is € 8.65; €6.92 for the first year of employment for persons under 18 years of age; €6.06 for 18 and over; and 7.79 for those under 18 years in their second year of employment (NERA 2008).</td>
</tr>
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2.2 Collective agreements

Ireland has a strong tradition of social partnership that has been the basis of successive national agreements covering the core terms of a pay settlement but also a range of other social and economic policy issues (including for example welfare rates and pension entitlements) agreed by traditional social partners (employers, trade unions, farmers and government) as well as new social partners (non-governmental organisations (NGOs). Through the national agreement process Statutory Codes of Practice have been negotiated covering, for example, the manner in which parental leave and ‘force majeure’ leave may be taken and the manner in which an employer can terminate parental leave.

**Sectoral agreements:** There are also a number of collective agreements in place setting down agreements for specific sectors. The most significant examples of this are in the civil and public sectors but they there are also agreements in certain private sectors, for example banking. Some sectoral agreements – for example in the public sector - do provide a period of paid leave from work for male employees following the birth or adoption of a child. Fathers employed in the public sector can also apply for a period of 3 day (paternity) leave with pay in respect of children born (or adopted) on or after 1st January, 2000.
An important development in relation to sectoral agreements on paternity leave emerged following a claim by the three main teachers unions which was negotiated through the Conciliation Council for Teachers in 2001. It was agreed with the Department of Education and Science that fathers will be allowed three days special leave with pay in respect of children born on or after 1st January 2001. This leave may be taken at the time of the birth or up to 4 weeks after the birth. In the case of adoption, where the date of placement is on or after 1st January 2001, the leave may be taken on or up to 4 weeks after the date of placement of the child. Paid substitution will be allowed in respect of such absences (Teachers Union of Ireland 2001).

### Table 4

#### Civil Service Agreement

<table>
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<th>The Irish Civil Service which employs approximately 32,600 people, the majority of whom are women (Walsh 2008) provides a number of flexible work arrangements that include:</th>
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<tr>
<td><strong>• Worksharing</strong> (includes: mornings only; afternoons only; three days per week; four days per week; 9am to 3pm each day; week on/weekoff; and three weeks out of four).</td>
</tr>
<tr>
<td><strong>• Term-time working:</strong> to be eligible, a member of staff must have a child or children (up to 18 years of age) or be acting in loco parentis or be the primary carer for a person with a disability who needs care on a continuous or frequent basis. Term-time working allows for either 10 or 13 weeks unpaid leave from June until the end of August allowing parents to match their children’s summer holidays.</td>
</tr>
<tr>
<td><strong>• Flexitime</strong> (each Department has its own detailed flexitime arrangements). Typically staff must be in work during the core times of 10am -12.30pm and 2.30pm to 4pm).</td>
</tr>
<tr>
<td><strong>• Career breaks</strong> (unpaid leave from work of between six months and five years).</td>
</tr>
<tr>
<td><strong>• Several types of leave:</strong> paternity leave; special leave for domestic circumstances; unpaid leave to deal with domestic difficulties; special leave without pay to care for ill spouses or for children (up to 6 months); special leave without pay to travel abroad to visit an ill relative (up to 2 months); and special leave without pay to deal with other urgent domestic problems (up to 2 months).</td>
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<tr>
<td><strong>• Teleworking/e-working</strong> (the employee maintains a presence in the office electronically via computer, telephone, fax and email for some or all of the week).</td>
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Source: Government of Ireland, Department of Finance 2009

### 2.3 Company level

Specific organisations or employers may provide leave in addition to that provided under statutory regulations (e.g. paralleling public sector provision under which fathers are entitled to 3 days leave on the birth of a child). Arrangements under which employers provide this type of leave following the birth or adoption of a child are, however, the result of negotiation and agreement reached between the employer and employee. The employee usually applies for this leave in writing before the birth (or adoption). These arrangements are not covered by employment law so if an employer agrees to provide time off to an employee as paternal leave for a specified
period (either with or without pay), it is entirely discretionary. Employers are not obliged to pay maternity leave. Payment is drawn from Maternity Benefit from Department of Social and Family Affairs if sufficient PRSI contributions have been made. Maternity Benefit is paid at a rate of 80% of wages or salary. In the absence of benefit entitlement a flat rate of Maternity Assistance is paid. In some areas of employment, including the majority of public sector and some private sector employment, employees on maternity leave receive full pay less the maternity benefit which is claimed separately.

In the absence of a funding system (except for maternity leave) individual employees incur the cost of parental (or discretionary paternity leave) in loss of salary. This lack of a funding structure means that individual organisations bear the organisational cost of parental leave: employers bear the cost where replacement cover is provided and employees where work cover is provided. While there is no national research on practices around parental leave there are small scale studies and informal reports that work cover by existing employees (rather than replacement cover) is the usual practice. As indicated above, these arrangements are usually more common in the public sector than in the private sector. Due to the lack of, or minimal state policies in Ireland regarding flexible work organisation, individual arrangements by firms constitute the main framework for work-life balance provision. Research findings show that the rate of flexi-time reported for employees in Ireland is 19% compared to an unweighted average for the EU15 of 25% (O’Connell and Russell 2005).

2.4 Recent policy debates

Policy provision on leave entitlements have focused primarily on strengthening paid maternity leave over recent years, provision for parental leave continues to be extremely weak and unpaid, and paternity leave is almost completely absent. Women’s access to the labour market has increased over recent years which may partially be as a result of these improved maternity leave entitlements. However, because of the lack of paternity leave, and the unpaid nature of parental leave, the gendered pattern of care provision has remained largely unchanged: women continue to do most of the caring and the policy system reinforces men’s lack of involvement in child rearing. Irish men who wish to avail of leave have to depend on their employers’ consideration for taking care of their children. The downside of prioritising maternity leave is that it contributes to the gender pay gap and the lack of male participation in caring activities, a situation which emphasises the need to adopt a more “gender neutral model” (Dunne et al 2008).

Ireland has traditionally fallen into the so-called “liberal model” for leave and childcare policies. This model emphasizes individual responsibility and agreements between employees and employers (it is largely up to the individual or the private market to provide caring facilities). Dunne et al (2008) assert that key factors that have impelled Ireland to reform current leave policies are: increased demand for labour during the boom years and the changing demographic profile towards an ageing population (it is estimated that those over 65 years will increase as a proportion of the population from the current 17.4% to 43.6 by 2050). This situates Ireland among those EU countries which face the challenge of covering pensions for an ageing population (Cullen et al 2004; Dunne et al 2008).
While rates of recorded unemployment are similar between Irish women and men, non-employment rates or so-called ‘inactivity rates’ are significantly higher among women reflecting women’s traditional roles as primary carers and their attachment to the labour market (Barry and Sherlock 2008). A study on ‘Gender Inequalities in Time Use’ (McGinnity and Russell 2008) reveals significant inequalities between women and men in the distribution of unpaid work in the household, particularly where there are children. Women, continue to experience disadvantage on the labour market linked to their unequal position within the household (Barry and Sherlock 2008). The Equality Authority recently launched its Strategic Plan for 2009-2011, stating its goals of increasing awareness among Irish people during this time of economic crisis, particularly in relation to their statutory leave entitlements under the Maternity Protection Acts, Parental Leave Acts and Adoptive Leave acts. The Plan also addresses the status of men as carers and their aim of attaining equal sharing of caring rights and responsibilities between women and men and continuing dialogue on issues of equality for men (EA 2009).

Gender differences are very marked in that men’s employment rates are largely unaffected by the presence of children in the household. The central issues in relation to women’s access to employment are the lack of a proper care infrastructure and poor provision for flexible employment. Broader policies to support women’s paid employment during childrearing years are critical (leave entitlements, family friendly and flexible workplace policies) which are framed within a legal and institutional system which provide for security of employment (Barry and Sherlock 2008).

3. Working time flexibility – general trends

There is very little national data on flexible working arrangements in Ireland, other than on part-time and temporary work. However, survey data provides a very useful picture of the provision and take-up of different kinds of working time arrangements. Research shows that flexibility in work arrangements is more a feature of women’s employment than men’s employment and of the public sector more than the private sector in Ireland. The first nationwide survey of flexible work arrangements was carried out in 2004 in Ireland (O’Connell et al 2004). Based on a representative survey of over 5,000 employees various “non-traditional” working arrangements were analysed in terms of availability and use by employees: working from home; flexible hours; job-sharing; and part time hours. Flexible hours and part-time work emerged as by far the most prevalent forms of flexibility availed of by employees, with part-time employment far more significant among women workers (35.1%) than among men (9.4%).
Figure 1
Employees’ Involvement in flexible working arrangements (%)

All four forms of flexible working arrangements which were examined in this survey were availed of to a greater extent by employees in the public sector rather than the private sector. The greatest difference between the public and private sectors was evident in the involvement of employees in job sharing, where the proportion in the public sector at 12.8% compares to a much lower level of 4.6% in the private sector. Both part-time work and flexible hours arrangements emerged as very significant for respondents in both the public and private sectors (O’Connell et al 2004).

Gender differences are also evident in the involvement of employees in working from home arrangements (primarily men) and job sharing (primarily women). In practice, women are more likely than men to be involved in the majority of flexible arrangements, those that entail flexibility in hours and reduced earnings (flexible hours, job sharing, and part time), while men (10.8%) are more likely than women (5.7%) to be involved in the small percentage of employees who are working from home.

Figure 2
Employees involvement by sector

Figure elaborated based on Russell & O’Connell 2007
**Part-time employment:** The growth of part-time work in Ireland follows a similar pattern as that of other European countries. Part-time work is more common among women than men, and much of the growth in part-time employment can be attributed to women’s increased labour market participation, mainly in the services sector. In terms of part-time employment, Ireland shows a rate of 32% for women and 7% for men compared to an EU average of 31% of employed women and 7% of employed men working part-time in 2007 (Eurostat 2008). Eurostat data shows that the gender gap in part-time employment in Ireland (25.4 percentage points) is significantly greater than that for the overall employment rate (16.8 percentage points).

O’Connell and Russell in their study reported that 53% of employees indicated that while part-time working arrangements were available in their employment, only 22% had availed of it. In their exploration of the occupational profile of those availing of different flexible work arrangements, they revealed that higher professionals and managers are significantly more likely to work from home (38.5%) compared to other occupations. Part-time employment for women mostly occurs in lower skilled occupations, such as personal services, sales, clerical/secretarial accounting for about 20% of female part-timers, together with other unskilled occupations which accounted for a further 15%. Only 23% of part-timers are in higher skilled occupations compared to almost twice that proportion among women working fulltime (O’Connell & Russell 2007).

Several studies have reported that only a small proportion of companies in the private sector offer job-sharing opportunities to their employees and larger firms report much more interest than small firms in extending job-sharing arrangements. Within the public sector, women account for the majority of employees who avail of job sharing, usually during a particular phase in their working lives, particularly when they are looking after young children or other family member (Drew et al 2003; Daverth 2005; Department of Social Family Affairs 2008).

Part-time work as well as job-sharing, flexitime and teleworking arrangements are at the discretion of individual employers. For male workers part-time employment
usually reflects the unavailability of a full time job, rather than the choice of flexible work arrangements. In contrast, female workers are more likely to engage in part-time jobs due to their family commitments that may impede them from taking a permanent job. Most research on job sharing indicates that it is predominantly women who take up this form of flexible working arrangements (Fine Davis et al 2006; Russell et al 2007).

O’Connell’s research revealed quite different patterns in the availability of flexible working arrangements across different economic sectors. The hotels and restaurants sector showed the highest level of availability part-time employment, followed by the health and retail sectors. Availability of part-time employment is also important in the public sector as are also flexible hours and job sharing arrangements. Flexible hours are also widely available across a range of sectors as can be seen in the following figure:

![Figure 4](image)

Source: Based on O’Connell et al 2004

In a detailed survey conducted during 2006 of medium and large companies in the manufacturing and services industry, the Equality Authority also found a significant variation between companies in relation to the use of flexible working arrangements depending on the sector in which they operate. Companies in the personal services sector reported the highest use of flexible working practices (41.7%), while those working in the manufacturing sector were least likely to use these arrangements (Equality Authority 2008).

The same survey also showed that 20.8% of companies reported that their employees are provided the opportunity to reduce working hours and 25.1% to increase working hours. Additionally, 11.0% are afforded the opportunity to enter job sharing schemes, 14.6% flexitime arrangements and 20.5% to change shift patterns (Equality Authority 2008).
Trends in the provision, and particularly the take-up of flexible work arrangements, reflect the continuation of women's traditional role as primary carers in Ireland and, in the context of a lack of social infrastructure and support systems, a role that continues to shape women's disadvantage on the labour market. In addition, a new study on gender inequalities in time use (McGinnity and Russell 2008) reveals continued significant inequalities between women and men in the distribution of unpaid work in the household, particularly where there are children. Marked gender differences in the take-up of different kinds of working arrangements indicate that women prioritise time, and specifically time that can be made available for their family and other care responsibilities (Barry et al 2005).

4. Working time flexibility: national research

There is some evidence of increasing interest in flexible work organisation issues among employers organisations and employers generally in Ireland over recent years. However, the extent of work-life balance initiatives in practice remains very limited in individual companies and private organisations but are much more common in public sector organisations. The lack of a strong system of public support (in relation to childcare, paid parental and paternity leave) means that individual companies are operating in a situation in which pressures of care responsibilities are intense on many employees, particularly women. In the context of a large gap in the public support system, workplace initiatives play only a small, but nonetheless important, role.

National research has highlighted a range of different factors that impact on patterns of use of flexible working arrangements.
Work pressure: Work pressure, the intensity of work demands, both physical and mental, is reported by a significant proportion of employees in Ireland: 82% report that their job requires them to work very hard; 51% that they work under great deal of pressure (Russell et al 2007). More than half of the parents surveyed, particularly fathers, worked longer than standard hours (Drew and Daverth 2007).

In a national survey carried out by the Economic and Social Research Institute for the Equality Authority O’Connell et al explored the experiences of stress and work pressure among women and men and the way in which the availability of flexible working arrangements impacts on these experiences. They concluded that increasing hours of work are associated with greater stress and increased work pressure (even when a range of other job characteristics were controlled for). Their study revealed distinct gender differences in relation to stress: women experience higher levels of work-related stress than men and this stress has a directly negative impact on job satisfaction. Part-time working is associated with lower stress and less work pressure but also lower earnings, a common feature of the sectors in which part-time employment is concentrated (O Connell et al 2005).

The survey also showed that offering employees the opportunity of flexitime reduces stress but not work pressure. However, working from home is linked to higher earnings but has the opposite impact, significantly increasing stress and also resulting in higher levels of work pressure. Giving workers greater control and discretion over their jobs, and involving them in decision making can also reduce stress. Job sharing was found to increase stress among male workers and to create some increased work pressure on other workers, particularly in circumstances in which there was little or no replacement strategy by the organisation thus increasing the work load of co-workers (O Connell et al 2005).

Equality Policies : Workplace equality policies in place in an organisation are associated with higher levels of job satisfaction, lower levels of work stress and greater organisational commitment – these are some important conclusions of the O’Connell et al study. Organisations with a formal equality policy are also more likely to make available flexible working arrangements to its employees.

Gender gap: mothers and fathers A survey conducted with 4300 employees in 5 major Irish organisations (Drew and Daverth 2007) found marked gender differences between the working time arrangements of mother and fathers. Fathers worked predominantly full-time (99%), compared with 56% of mothers. Fathers worked more hours than mothers (41.6 and 30.9 respectively). Among parents with dependent children, 66% of mothers modified their working time arrangements to reconcile with their families needs, in contrast with 30% of fathers who did the same. Gender differences were also evident in the preferences expressed for working time hours: 92% of fathers expressed a preference to work full time in contrast with 31% of mothers, who mainly would choose part time work (69%). This study suggests that there is evidence of a strong adherence to the traditional male role as breadwinner. However, only 42% of mothers and 55% of fathers considered that they were able to balance home and work, which suggest that a significant proportion of all parents, including a higher proportion of mothers than fathers, find it difficult to balance home/work without impeding their career.
Dual income couples in Ireland are facing new challenges that the current provision for work flexibility is not taking into consideration. The lack of financial compensation for parental leave limits the support for parents and consequently is only taken up by a minority of parents and is not an affordable option in many low income households (Barry et al 2004, 2005).

**Tensions among employees:** Conflicts and resentments have been identified in some of the research with workers who do not have care responsibilities, are not included in certain benefits, and sometimes have to do extra work to “compensate” for working parents. It is where there is a lack of an adequate replacement strategy by employers, these tensions are likely to arise. The mostly informal framework for flexible working arrangements can impact negatively on employees engaged in flexi-work, resulting in isolation, lack of motivation, stress and pressure at work (Drew et al 2008; Walsh 2008) In an interesting finding from a qualitative study of employees and managers in Ireland, Drew and Daverth found that managers living outside of the Dublin region feel under less pressure; experience less conflict; are less likely to be less stressed at work; and are more likely to have access to flexible work arrangement opportunities, particularly informal arrangements, than those within Dublin, even when they work for the same organisation (Drew and Daverth 2008).

### 4.1 Flexibility in Length of working time

**Longer hours:** Data on managers, who usually have higher educational levels and higher salaries, report the longest hours and highest stress levels in the workplace. There is a gender aspect also to this situation – managers are predominantly men and research indicates that there is the belief that being a manager requires ‘total commitment and sacrifice to the organization’ - not fulfilling this social expectation is feared may potentially hamper their careers. This situation can be even more problematic for female employees. Like in most countries, in Ireland motherhood is often seen as a barrier to women’s career development and may limit or impede women from taking managerial positions (Drew and Daverth 2008; Drew and Murtagh 2005).

Various different surveys over recent years have shown the extent of part-time working among companies in different sectors of the economy, and in some cases the extent to which those companies have formal or informal policies towards part-time working. The following graphic shows the patterns of work arrangements, including shift work, evenings, nighttime, Saturdays and Sundays work (Drew et al 2003). Saturdays and part-time jobs are the most common work practices. If we disaggregate the information by gender, men are far more likely to work on weekends (Saturdays and Sundays) or do shift and evening work, while women are the vast majority of part-timers as well as a significant portion of Saturdays workers:
This paper still provides the most complete picture of work arrangements in Ireland to date. Unfortunately, more recent data on shiftwork, evening, nighttime and weekend working is not available for Ireland and Eurostat comparable data does not include data for Ireland, except in relation to part-time employment.

4.2 Flexibility in organisation of working time

Flexitme is the most widely available/used form of flexible work arrangement by employees and part-time work has become a very significant form of employment particularly among women. The survey carried out by the National Framework Committee for Family-Friendly Working Arrangements (cited above) explored attitudes among employers towards both the benefits of, and the constraints to, the implementation of work-life balance initiatives. Employers identified the key benefits as improved employee satisfaction and greater capacity to attract and retain key employees. Linked to these were higher productivity, reduced labour turnover, improved reputation and lower absenteeism. The three key constraints identified by employers were the complexity of implementation, lack of demand by employees and competing organisational priorities (National Framework Committee for Family-Friendly Working Arrangements 2003).

Parental leave and Paternity leave: Ireland has a low take-up of parental leave availed of by only 5% of eligible men and 14% of eligible women (EC 2006). Ireland rates among the worst in Europe with a system of unpaid parental leave and lack of any statutory entitlement to paternity leave (Kinahan 2007). From a labour market perspective, the OECD states that the optimal period for parental leave should be between 4 to 6 months. International evidence on parental leave indicates that only by providing paid parental leave can it be made appealing to men. Additionally it is argued that paternity leave, like maternity leave, needs to be non-transferable between parents. Dunne et al (2008) propose an economic model for parental leave, by which employees who have not availed of maternity/paternity leave should be
entitled to take paid leave from work for a 6-month period without forfeiting their wages or pensions entitlements (OECD 2007; Drew 2005).

**Employment continuity:** A Report by the European Foundation for the Improvement of Living and Working Conditions (EFILWC 2006) which estimated employment continuity and interruptions over a five period for the working age population, reveals a very significant gender gap in Ireland. Only 21% of women were continuously in paid employment in comparison with 53% of their male counterparts, and the overwhelming majority of women were outside paid employment (defined as ‘inactive’) during some years of their working life (75%) including a significant proportion of women (40%) who had never been in paid employment:

![Figure 7](image)

**Take-up of leave:** An earlier national survey of 912 public and private sectors organisations (stratified by size and sector, using a mail questionnaire) which explored patterns of work and working time, and issues of family-friendly policies, was carried out in 2001 by the National Framework Committee for Family Friendly Policies (National Framework Committee for Family Friendly Policies 2002). This report still represents the most comprehensive survey of both the availability and take-up of leave to address work-life balance in Ireland. Five “case study” organisations were selected for a follow-up survey of managers and employees. The following table presents this survey’s findings on the availability and take-up of various forms of leave. The most striking feature of this data is the low take-up of parental leave (although higher among women than men) an indication how much the lack of payment discourages most parents. The data also reveals that men are more likely to take study leave than women while women are more likely to take career breaks for family and care reasons, confirming that care issues and lack of care supports tend to shape women’s leave decisions.
Table 5  Forms of leave available to, and availed of, by respondents

<table>
<thead>
<tr>
<th>Form of Leave</th>
<th>Available to</th>
<th>Availed of</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men (#)</td>
<td>Women (#)</td>
</tr>
<tr>
<td>Compassionate</td>
<td>244</td>
<td>217</td>
</tr>
<tr>
<td>Study</td>
<td>248</td>
<td>209</td>
</tr>
<tr>
<td>Force Majeure</td>
<td>266</td>
<td>227</td>
</tr>
<tr>
<td>Maternity</td>
<td>n.a.</td>
<td>273</td>
</tr>
<tr>
<td>Career break/ Sabbatical/leave of Absence</td>
<td>252</td>
<td>207</td>
</tr>
<tr>
<td>Parental (unpaid)</td>
<td>278</td>
<td>258</td>
</tr>
<tr>
<td>Paternity</td>
<td>234</td>
<td>n.a.</td>
</tr>
<tr>
<td>Carer Leave (unpaid)</td>
<td>182</td>
<td>188</td>
</tr>
<tr>
<td>Adoptive</td>
<td>145</td>
<td>227</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
<td>10</td>
</tr>
</tbody>
</table>


Uptake of parental leave: Another report published in 2002 reviewing the Parental Leave Act 1998 provided details of a survey carried out on the uptake of parental leave and ‘force majeure’ leave and further reinforces the inadequacy of provision in Ireland (Irish Congress of Trades Unions 2002). 517 private-sector employers and 138 public sector employers participated. The data showed that less than 7% of the labour force was eligible for parental leave. Of those eligible employees in the labour force, it was estimated that only one-fifth had taken parental leave, with women accounting for the majority of these. Overall, 2% of employees took ‘force majeure’ leave, amounting to an uptake of 34,330 employees for the entire labour force. As with parental leave, the uptake was higher amongst women and also those employed full-time. In relation to the take-up of parental and ‘force majeure’ leave the research revealed that the largest barrier to employees is concern over their finances (42%) (Barry et al 2005). The National Women’s Council has been critical of current parental leave provisions for the lack of supports to women at a time when they need it most and argue that it particularly discriminates against low paid workers, who are predominantly women (NWCI 2007).

4.3 Innovative work arrangements

Evidence from case studies published on the website on the Framework Committee for Work-Life Balance indicates how “successful” cases of flexible arrangements are more likely to take place in companies that have the support and agreement of the trade unions. Additionally, immediate supervisors and managers play a pivotal role in the outcomes of flexible arrangements. In this sense, it is necessary that there is not only a legal framework that protects employees, but also the development of a culture of respect and recognition of the value and productive nature of flexible working arrangements. In cases where flexible arrangements are being implemented for the first time, a pilot program can provide benefits for both employers and employees. Employees and employers can learn how to adapt the arrangements to
their needs, but also create and organise the formalisation of arrangements for other employees who may also want to use those work arrangements in the future. The major benefit from the companies is the motivation and commitment to the company that employees may develop after availing of flexible arrangements. They can then retain valuable employees who otherwise may leave the company or possibly experience deterioration in their mental health due to emotional pressure and stress negatively affecting their productivity in the company.

5. Working time flexibility - evidence from a life course perspective

The most common concern among employees in deciding to avail of flexible working arrangements is the uncertainty of keeping their place in their companies.

5.1 Flexibility in organisation of working time

In an ethnographic study in an Irish public institution, Walsh (2008) shows the limitations and constraints that organisations can face implementing policies in a context of traditional gender stereotypes in relation to roles of men and women at work. As an “insider” for more than 20 years in a public institution, Walsh’s research demonstrated that 40% of respondents either did not know or were not sure about the procedures for applying for work-sharing arrangements. Confirming the findings of other surveys, the majority of work-sharers in this public company are women. Employees are divided in their opinions as to whether work-sharing affects promotional opportunities; 45% believe it does, 18% have no opinion, and 37% consider it affect promotion opportunities. Poor communication between full-time staff and work-sharers was found to impede the creation of bonds between colleagues. Job-sharers feel that they are “out of the loop” in terms of communications, and full-time colleagues feel that their workload is being increased by the presence of job-sharers. Interestingly, more men than women believe that negative promotional opportunities are a barrier to taking up work-sharing. Reductions in salary and pension payments are also important factors that discourage employees from taking job-sharing. Walsh also documents the absence of a culture of job-sharing at management level.

For those working at home, not to have to travel to and from work gives them the opportunity to capitalise their time. Many employees recognise additional benefits such as career specialisation, gaining new professional skills, and healthier personal life that they were “neglecting” before the flexible arrangements. It is also seen as an opportunity for those involved to use information technology in a greater and more diverse manner. However, companies still face the challenge of creating comprehensive arrangements for employees working in areas other than information technology.

5.2 Flexibility in the organization of working time

Young persons: Young persons are protected in the workforce by the Young Person Employment Act of 1996. The law sets 16 as the minimum age for employment, sets rest intervals and maximum working hours; and prohibits the
employment of under 18 years of age on late night work. The law seeks to ensure that work during school years does not interfere with education (NERA 2008). Those between 14 and 15 years of age can be employed during school holidays; part time during the school term, and as a part of an approved work experience or education programme. In regards to young students, for most of them working while studying is not a desirable situation. School tutors usually advise their students not to work while at college and take financial loans or apply for Grants if needed. However, for many students part-time work is a necessity option in order to support the cost of their studies. The Work Life Balance produces information and guidelines for employees interested in taking some kind of flexible arrangement. In terms of young students, this institutions shows that they usually work in the evenings and at the weekends, which impacts in their personal and academic life (WLB 2007).

**Older people** The Employment Equality Acts 1998 and 2004 protect against discrimination on the grounds of age in relation to access to employment. The effective retirement age in Ireland is relatively high (64.1) compared with the OECD or EU average (60.9). The current employment rate for older workers (aged 55-64) is over 53%. Large proportion of older workers are self-employed as farmers, who tend to retire later on than other workers, and at the same time, the overall participation rate of older people in Ireland remains below the OECD average due to factors such as older women never entered the labour market. Additionally, a great number of workers are leaving the labour market well before 66, the official age of retirement, using benefits such as disability and through occupations pensions (OECD 2006). The compulsory retirement age for most new entrants to the public service has also been removed since 2004 (EOCD 2006). In 2006, the Labour Relations Commission set up a Code of Practice on access to pat-time working as a mean to increase the participation of older people in the workforce.

The majority of employees take some kind of flexible arrangement at the beginning of early middle stages in their career (e.g. younger employees taking time out to travel the world or young adult employees taking time to look after their younger children). Older employees, who often fear turning out of date in terms of their career development, report the concern that younger employers with new competences (particularly related to technology) can result more attractive to their employees, which many times stop older employees from taking leaves at late stages of their career (WLB 2007).

### 5.3 Innovative arrangements

IBM-Ireland offer a series of flexible work arrangements such as part time, flexitime, e-working, and diverse types of leave. IBM also provides high-quality childcare for 12 hours per day thanks to a global fund of $50 million launched in 2000 that aims to develop and support work-life programmes, particularly in relation to child and elder care. Another private company in Ireland Eircom has incorporated a work-life-balance strategy into their organization after conducting a staff survey and a work-life needs assessment. Eircom brought in their policies with the support of the Trade Unions. Bank of Ireland has also a range of flexible working options that includes job-sharing; part-time work; career breaks; a week paid paternity leave, etc. The Work-Life Balance website (2007) reports a case of a male employer and his wife
who took turns to take care of their children using job sharing options in their respective companies. Interestingly, only the male partner’s concerns about his future promotion prospects were addressed, arising from the lack of promotional prospects for him during the time he was working part-time. In the case of the female partner, her managers and supervisors were not concerned about this situation. Cases like this call attention to the need to create a policy of promotion for people who are working part-time. It is also highlights the necessity to change attitudes in companies, creating a culture of respect for people working under flexible arrangements so that they are also seen as committed and attached to the companies in the same way as full time employees are viewed.

**Temporary Agency Workers (TAW):** SIPTU, Ireland’s largest union, has produced a number of reports on workers’ rights and entitlements. One of the issues SIPTU has highlighted is the increasing use of Temporary Agency Workers (TAW) and its concern that directly employed staff are being displaced and standards of employment are being undermined. This reflects a concern among trade unions generally in Ireland that employers are using TAWs as a source of cheap and flexible labour which can result in the exploitation of those workers, but can also undermine standards of employment achieved by the directly employed workforce (Dobbins 2008). The author also states that employers have a different view about TAWs, and while unions are seeking equal treatment rights for agency workers with permanent comparators, in line with the stalled EU Directive, employers are opposed to agency regulations with the argument that this would “place an undue burden on business” (Dobbins 2008).

6. **Summary and Conclusions**

Exploring the effects of flexible work organisation from the standpoint of women and men involves considering the way in which different policies at national level and at the level of the firm interact.

6.1 **Flexible working time arrangements and gender equality**

Ireland operates largely under an informal system of flexible work organization initiatives. Statutory systems are weak. For individual women and men this weakness means that certain key entitlements (e.g. parental leave) have not been established on a paid basis or not at all (e.g. paternity leave) undermining attempts to create greater work-life balance and reinforcing gender inequalities in the household as well as on the labour market.

The positions of women and men in relation to work-life balance issues in Ireland are different. Women are the primary carers and their position on the labour market is directly affected by their caring responsibilities. In this context, the level and quality of flexible working arrangements has a particular significance for women, reflected in the gendered pattern of take-up of flexible working arrangements. In her study of the civil service in 1998 Eileen Drew described the gendered patterns that emerged:
This study reinforces the findings of previous research in demonstrating that the take-up of work-life balance is highly gendered. The options that imply no loss of pay (flexitime and working from home) or overtime tend to be sought equally, if not predominantly, by men. In contrast to this, women who seek flexibility have opted for reduced hours (mainly in part-time working/job-sharing and to a lesser degree term-time working) and many more seek such arrangements in preference to working from home. (Drew 1998).

Despite the economic transformations that have taken place over recent decades, existing policies still reflect a prevailing “breadwinner” model with a working husband and dependent “housewife” as Drew and Daverth concluded in their recent study. (Drew and Daverth 2008). Most policies at the work place aim for only a limited flexible work environment and weak system of protection of employment security. Analysing the findings from various different studies of work-life balance in Ireland, it is evident that there is an unfulfilled need for a diverse range of policies and initiatives which can meet the needs of different sectors of the population and different household situations.

Statutory entitlements to leave in Ireland are set at a lowest end of the EU spectrum, both in terms of time and pay. As a result, the take-up of leave arrangements, which play a significant role in other EU countries, is particularly low in Ireland. Research clearly indicates that only a small proportion of workers avail of parental leave and most of those who do are women. Lack of payment is the primary reason for this low take-up. In the public sector non-statutory leave entitlements and flexible working arrangements (which are mostly discretionary although supported by practice) are much more common than in the private sector. Definite gender lines are evident in the proportions of women and men availing of different types of leave arrangements and also in the reasons for taking leave. Women are far more likely to take leave for care reasons whereas men are more likely to take leave for career, education or travel reasons. There has been a growth in part-time and other forms of atypical work in Ireland and here again research data indicates marked gender differences in the pattern of atypical employment – for example, women make up the large majority of those working part-time, job sharing, on reduced hours and term-time working.

6.2 Different gender-gaps in different phases of the life course?

Working time, limited leave entitlements, lack of public childcare support and extensive commuting time are all key factors which affect the quality of working life for women and men in different ways and at different stages of the life cycle in Ireland. Without improved access to, and affordability of childcare services, other initiatives will have limited impact on gender gaps. There are indications from research that improved leave entitlements, if provided, would be positively availed of and that flexible working hours are being sought by increasing numbers of women and men, particularly in the context of long commuting hours linked to traffic congestion. There is also evidence of a significant level of fear that opting into certain kinds of flexible work arrangements will have a detrimental effect on career development. For most households the key issues in relation to work-life balance are childcare supports and time – issues which operate differently for, and impact
differently on, women and men. To address these issues requires an integrated approach across the different policy arenas at national and firm level. Without such an approach flexible work arrangements will remain marginal within the Iris economic system and individual households (particularly women) will continue to experience the double burdens of care and paid employment without support structures and effective policies at national or firm level.

Over two-thirds of Irish women in the 25-34 age group - the key childbearing age group - are currently in the labour force. Parenting - particularly motherhood - puts significant negative pressure on labour market attachment in Ireland. In a comparison of four EU countries (France, Ireland, Italy and Denmark) Irish women emerged as the most likely (46%) to interrupt work on the birth of the youngest child, compared to 38% of Italian women and 21% of French women. (Fine-Davis et al 2004). Childcare costs in Ireland are among the highest in Europe and are keeping large numbers of women out of the workforce:

Irish parents spend almost twice the EU average on childcare and the problem is getting worse. There is a serious under utilisation of women's high standards of education and skills. A critical factor in this is the lack of affordable childcare. The cost of childcare is just one of a number of barriers to women's participation in the workforce. They also receive on average lower pay than men and are very much underrepresented in managerial positions" (NCPP 2005)

Research evidence shows clearly that childcare responsibilities are the overwhelming reason why family-friendly initiatives have been taken up by Irish workers - particularly women. In their survey of members in 2002, the Irish Congress of Trade Unions questioned respondents in relation to their take up of family friendly work arrangements for childcare reasons. Just over 66% of respondents felt that their childminding responsibilities had a bearing on their decision to avail of the flexible work arrangements. However this was twice as likely to be the case for women (76%) as men (37%) (ICTU 2002).

Because of the lack of available and affordable childcare, employment trends show a sharp decline in women's labour force participation over the life cycle, particularly dependent on factors such as the number and age of their children. Gender differences are very marked in that men's employment rates are largely unaffected by the presence of children in the household. The central issues in relation to women's access to employment are the lack of a proper care infrastructure and poor provision for flexible employment. Broader policies to support women's paid employment during childrearing years are critical, (particularly leave entitlements, family friendly and flexible workplace policies) policies which are framed within a legal and institutional system which provide for security of employment.

Differences between income groups (as well as between women and men) are also evident in different kinds of participation in flexible working arrangements. For example, low paid, predominantly women workers in clerical and lower administrative jobs in the public sector are those most likely to engage in job sharing whereas men and women at medium and higher levels are more likely to avail of career breaks. It is also job sharing which is the family friendly work arrangement
most associated with a perceived negative career impact (see section 2.3). This can mean that low paid women workers in the public sector, who avail of certain work-life balance initiatives, are likely to find themselves trapped in the lower end of the jobs hierarchy over the long-term.

6.3. Policy developments to solve gender gaps? If not, what are the obstacles?

Ireland had reached the Lisbon target for women’s employment rate by 2007, although the impact of recession and rising unemployment has already seen the rate of employment slipping back from this position to 59%. Public policy currently provides little support in Ireland to women and men aiming to reconcile work and family life. Leave entitlements are extremely limited and financial supports are inadequate. On the central question of childcare, successive reports have highlighted a persistent crisis in childcare provision and affordability. Pressure to make substantial cuts in public expenditure and increasing levels of unemployment across the private sector are not the conditions in which positive work flexibility linked to job security are likely to increase.

This situation seriously disadvantages those on low incomes, and particularly women, in relation to employment, education and training. Reconciling work and family is on the social and political agenda in Ireland but the response from the system is slow and weak. Government, employer's organisations, trade unions and others all express support for work-life balance initiatives but there is little evidence that the necessary resources are being put in place to achieve a greater level of availability of quality working arrangements.

While rates of recorded unemployment are similar between Irish women and men, non-employment rates or ‘inactivity’ rates are significantly higher among women reflecting women’s traditional roles as primary carers, a role which continues to shape women’s attachment to the labour market. A new study on Gender Inequalities in Time Use (McGinnity and Russell 2008) reveals significant inequalities between women and men in the distribution of unpaid work in the household, particularly where there are children. Women continue to experience disadvantage on the labour market linked to their unequal position within the household. The only specific measure aimed at encouraging men play a greater role in parental responsibilities is the parental leave principle of non-transferability between partners. In practice, the lack of payment discourages both women and men from taking up parental leave entitlements, and is thought to contribute particularly to the small percentage of men among claimants. In a study carried out in 2004, the Irish Congress of Trade Unions estimated that only 20% of eligible parents had taken up parental leave and 84% of those were women. Pre-conditions for good quality parental (and paternity) leave are that the leave is statutory based, adequately paid, universally accessible (including same sex parents and adoptive parents) and protective of the employment rights of those availing of leave.
References


—. 2009. "Irish Civil Service."