

**Business and welfare:  
Employers' organisations and family policies in the EU<sup>1</sup>**  
*Policy paper*  
**BAWEU Project No. VS/2020/0141**

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**Key findings**

- **Core work-life balance policies, i.e., parental and maternity leave, childcare services and flexible work arrangements,** appear to be in the spotlight of employers' interests and bargaining actions in five studied EU Member States.
- **Work-life balance policies have gained importance in the agenda of the employers' organisations in Denmark, Germany, Italy, the Netherlands, and Slovakia.** Re-integrating people with caring responsibilities (mostly women) in the labour market more effectively and reducing workplace stress appear to present main goals of employers.
- Employers' organisations across all five countries utilise the traditional methods of policy impact on family policies, i.e., **tripartite or bipartite collective bargaining and commenting on the legislative proposals.**
- **Employers' organisations (EOs) remain mostly reactive, rather than proactive, in promoting and initiating legislative and policy changes** in family policies.
- **Influence of EU regulations, mainly the Work-life Balance Directive from 2019, and multinationals' headquarter priorities on family policies, are visible at the national level.** Nevertheless, some employers' organisations perceive the EU law as a mean to diminish the role of social actors in shaping leave and flexible work policies.

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## Introduction

Policy making occurs under influence of various policy actors, including the representatives of labour and business. **This policy brief reviews the attitudes of employers' organisations<sup>2</sup> in five EU Member States (Denmark, Germany, Italy, the Netherlands and Slovakia) towards family policies, their strategies to engage in the policy making process over the family policies, and the way they interact with other key stakeholders.** Three kinds of family policies are considered: **(1) leave policies; (2) child-care support and (3) flexible work arrangements.** A set of policy recommendations derive from this focus at the end of the policy paper.

The success of the European Social Model strongly depends on social dialogue, thus, interaction and cooperation between the representatives of the workforce, business companies, and the state apparatus. One of the policies that are pivotal for the inclusive and sustainable growth and present a crucial part of the social dialogue, are family policies that have a considerable impact on the quality of family lives and its reconciliation with working lives.

Family policies are characterised of multilevel dimensions that encompass a wide range of policy actions supporting and regulating family lives and work-life balance by providing cash transfers, educational and care services, employment arrangements, housing, and legal measures to ensure the rights of family members (Daly, 2020). Importantly, the volume of spending on family policies have increased significantly over the last decades and they constitute a core of the public policies a modern state adopts and implements (Nieuwenhuis and Van Lancker, 2020).

Findings presented in this policy brief are based on **(1) the desk research, (2) qualitative interviews<sup>3</sup>** (November 2021 – June 2022) with the representatives of social partners and (mainly employers and employers' organisations) in all five countries, and **(3) online survey** (May 2021 – February 2022) that was also carried out in all five countries among the representatives of business companies with a special focus on medium-sized and large companies with more than 250 employees across all the economic sectors. In total, we obtained 380 responses for the countries in the sample<sup>4</sup>.

All countries in the sample are characterised with the employers' organisation density above EU27-average, except for Slovakia (50.3%), while the highest employers' density can be observed in the Netherlands and Italy (see Table 1). The collective bargaining coverage in these selected countries is also above the EU27-average, except for the remarkably low figures for Slovakia (25%). In this regard, the union density is exceptionally low in Slovakia and Germany, while in Denmark (67.5%) the density is the highest one among these countries.

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<sup>2</sup> The term employers' organisation encompasses different organisational forms representing employers' interests, including employers' associations.

<sup>3</sup> Interviews in five EU Member States were concluded between November 2021 and June 2022. The number of interviewees are as follows: Denmark: 13; Germany: 9; Italy: 17; Netherlands: 19; Slovakia: 15. See Colombo and Califano (2022), Mailand (2022), Pokorná (2022), Peveling et al. (2022) and Tros (2022) for detailed country reports.

<sup>4</sup> The country structure of the dataset is as follows: Denmark (49 responses), Germany (116), Italy (110), Netherlands (29), Slovakia (76). As for the company size: 0-249 employees (105 responses); 250-499 (182); 500-999 (56); 1000+ (44).

Table 1: Foundations of collective bargaining in five EU Member States (2018) (%)

Country	Employer organisation density*	Trade union density**	Collective bargaining coverage
Denmark	68.3	67.5	82
Germany	67.9	16.6	54
Italy	78.3	32.6	100
Netherlands	85	16.5	76.7
Slovakia	50.3	11.3	25
EU27 average	54,1 <sup>5</sup>	25,4 <sup>6</sup>	53,5 <sup>7</sup>

\* Refers to employees in firms organized in employer organisations as a proportion of all employees.

\*\* Refers to the proportion of employees who are member of a trade union among all employees

Source: OECD/AIAS ICTWSS Database (<https://www.oecd.org/employment/ictwss-database.htm>).

### Family policies and social dialogue

Family policies follow diverse goals, including compensating the financial costs of having children, fostering the labour integration especially of people with caring responsibilities (mainly women), improving gender equality at and outside the workplace, or facilitating early childhood development (Thévenon, 2011). **Several of these policy types may be categorised as work-family balance policies that are adopted by governments or employers to enhance capacities and capabilities of workers to effectively manage work and family responsibilities** with the purpose to increase the quality of both work and personal life (Kossek and Ollier-Malaterre, 2013).

Family policies are currently implemented at diverse governance levels and by different types of institutions, e.g., central and local government, international organisations, and businesses. From a historical perspective, family policies were predominantly adopted and implemented by central governments (Nieuwenhuis and Van Lancker, 2020). **Employers (along with trade unions, public entities, etc.) also support their workers by providing them different benefits such as flexible working hours, child-care facilities or various telework options with a purpose to compensate for the absence of state policies to combine work and family-care responsibilities** (Den Dulk et al., 2012).

**Employers engage in the policy making process over family policies in multiple ways, both by unilateral and collective action that helps to establish bargaining power.** The latter occurs via employers' organisations, which facilitates greater bargaining power vis-à-vis other policy actors. The governments strongly rely on other social actors to reach their goals in policy making (van Berkel et al., 2017) and, at the same time, they also need family policies to support competitiveness due to the growing economic power of multinational corporations and large employers (Barry, 2011).

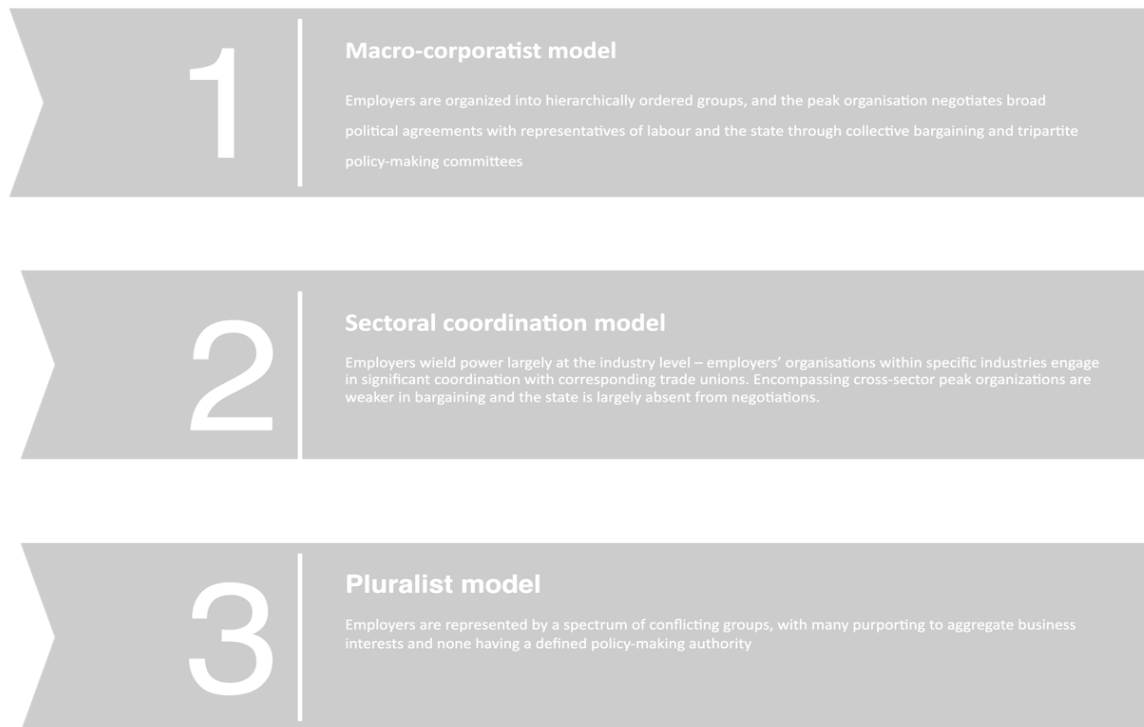
<sup>5</sup> For France, Greece and Romania the numbers from 2017 were used; for Bulgaria, Lithuania and Slovenia from 2016; for Belgium, Croatia and Portugal from 2014.

<sup>6</sup> For Bulgaria, Cyprus, France, Greece, Poland and Portugal the union density numbers from 2016 were used; from Slovenia from 2015, for Hungary from 2012, Malta w/ data.

<sup>7</sup> For Finland, Greece, Ireland, Poland, Romania and Slovenia numbers from 2017 were used; for Cyprus, Malta, and Slovakia from 2016, for Poland from 2015, for Croatia from 2014.

In this respect, Martin and Swank (2008, 2013) presented a typology of employers based on their involvement in policy making. The typology distinguishes between organisations according to their position in policy making. This position in turn closely relates to interaction with other players. Each model's strength depends also on how many organisations join an employers' organisations (see Figure 1).

*Figure 1: Typology of employer involvement in policy making*



*Source: Martin and Swank (2008, 2013).*

Based on the above typology, Table 2 summarises the findings from five country studies, showing diversity between a macro-corporatist model, a sectoral coordination models and a pluralist model of employers' policy influence. In the latter, tripartite dialogue lacks real impact on policy making and is supplemented by other, more direct, forms of influence, often based on political bargaining and trade-offs.

*Table 2: Employer organisations' involvement in family policies at the national level*

Country	Model of employers' policy influence	Level of employers' involvement in family policies
Denmark	Macro-corporatist model with strong elements of sectoral coordination model	<b>The engagement of the social partners in the policy making mainly on the sectoral level.</b> Regarding the leave schemes and child-care services, <i>ad hoc</i> tripartite consultation led by the government takes place and EOs participate in policymaking via lobbying activities. In case of flexible working conditions, the EOs hold a strong position in the collective bargaining on the sectoral and company level.

<b>Germany</b>	Sectoral coordination model	<b>Collective agreements mainly on the sectoral level</b> (wage committees that are associated with the extension of sectoral agreements).
<b>Italy</b>	Sectoral coordination model	<b>Tripartite collective bargaining:</b> National Council for Economic Affairs and Labour and sector-level bipartite bodies.
<b>Netherlands</b>	Macro corporatist model with high sectoral coordination	<b>Social dialogue and negotiations</b> in Socio-Economic Council (tripartite) and Labour Foundation (bipartite) at the national level (with impact on governmental policies), together with stable collective bargaining at mostly sectoral level.
<b>Slovakia</b>	Façade corporatism	<b>Formal tripartite consultations and commenting on the proposed legislation, serving as an advisory board</b> without binding impact on legislation. Real impact occurs through decentralized lobbying and political bargaining.

*Source: Authors' interpretation based on Martin and Swank (2008, 2013) and national findings summarised in the BAWEU national reports.*

### **Employers' policy priorities and strategies in family policies**

Findings show that work-life balance policies present the core of family policies that appear to be in the spotlight of the employer organisations' interests in all studied EU Member States (Denmark, Germany, Italy, Netherlands, and Slovakia). They present mainly **(1) parental or maternity leave; (2) childcare services; and (3) flexible work arrangements**. Thus, these policies are associated with work-life balance and employment of people with caring responsibilities.

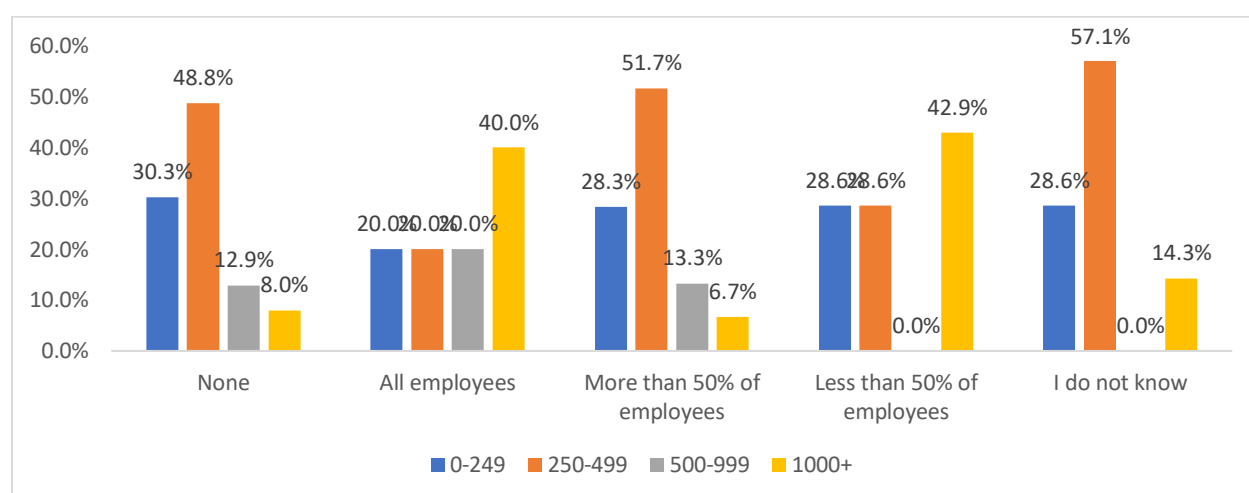
Regarding **parental and maternity leave**, certain policy convergence among the countries in the sample can be identified. The parental and maternity leave were extended in recent years in Denmark, Germany, Italy, and the Netherlands. While in Germany the eligibility criteria for maternity leave were extended for those workers who were not eligible before (interns, apprentices, etc.), in 2017, in the Netherlands, Denmark and Germany, the level of leave allowance was increased in the latest reforms. In 2014, Germany also introduced a new parental allowance scheme to incentivise parents to share childcare more equally; while mothers are incentivised to go back to work sooner (including part-time employment), fathers are encouraged to reduce working hours with a purpose to participate in caring responsibilities more evenly. The interview findings showed that the employers' organisations in all five countries were rather supportive in relation to strengthening the parental leaves, particularly in terms of incentivising fathers to participate in sharing family responsibilities more equally which may result in the higher employment rate of women.

For the five studied EU Member States, **childcare services** refer mainly to provision of early childhood and preschool education and care. In Denmark, the reform of the childcare system in 2019 (minimal staff-child- ratio in Danish childcare, which guarantees one adult per three children in the ages 0-3 years) was a result of the joint actions of parents' groups, political parties, and trade unions, while employers' organisations played rather a passive role in shaping this policy. In Germany and Slovakia, the employers' organisations promoted the expansion of child-care facilities to increase their capacities and fulfil needs of families for childcare. At the same time, the Slovak employers' organisations proposed to re-evaluate the length of maternity and parental leave, which is one of the longest in the EU (up to 3 years of age of the child) arguing that a relatively long absence of parents from work creates barriers to re-integrate them in the labour market after the parental leave ends. In the Netherlands, the provision of childcare services is

arranged based on a combination of government and market involvement, when the child care is provided by the private entities, although the parents are compensated with tax reductions.

Employers that provide all employees with on-site or off-site childcare are mainly large companies with over 1000 employees (40%) followed by other types of companies (20% per each type size) (see Figure 2). Similarly, those companies that provide this benefit to more than a half of employees are large companies with over 1000 employees followed by companies with 250-499 employees and small companies (<250). On the contrary, of those companies that do not provide these services at all are mainly companies with up to 500 employees (about 79%). The same applies for the group of companies that provide this benefit to less than a half of their employees when 51.7% of them present companies with 250-499 employees and 28.3% small companies.

*Figure 2: Proportion of employees benefiting from employer-subsidized childcare (on-site or off-site) by company size (N=285)*



*Source: BAWEU employers' survey 2021-2022. Question: Does your company provide to employees one or more of the following benefits? (One of the benefits presented the employer subsidized childcare (on-site or off-site))*

**Flexible work arrangements** present another form of work-life balance policies. Discussion over flexible work arrangements, especially remote work, telework and the so-called hybrid work, gained importance during the COVID-19 pandemic, more specifically, because of an emerged need to protect workers against the exposure to the virus at the workplace. That accelerated the trends of regulating flexible work arrangements, either via collective agreements or legislative and regulatory frameworks at the national level. In Slovakia, the right to telework was introduced in 2020 as a response to the COVID-19 pandemic. However, employers' organisations point to the vagueness of the definition in the Labour Code, arguing that it leads to the claims for incapacity for work (employee illness), childcare, and medical visits. In the Netherlands, further provisions and details about flexible work arrangements are subject to regulation via collective agreements, individual company policies or personal arrangements between the employer and the employee. The Dutch legislation ensures the right to working time reduction and working time flexibility.

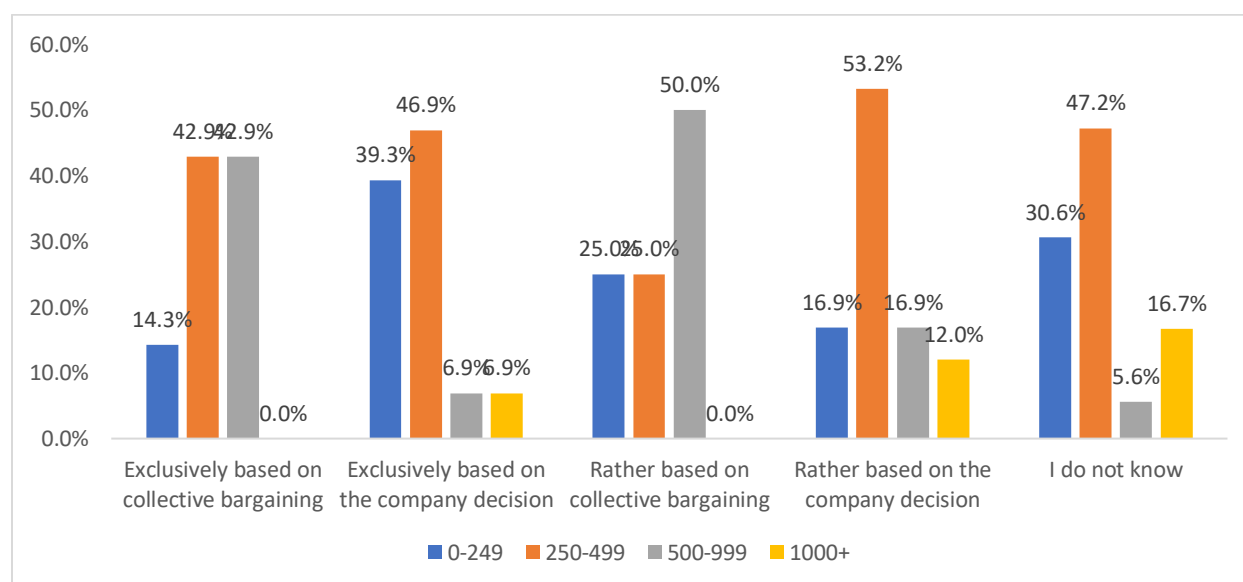
To facilitate improvements in work-life balance, recent years saw the emergence of a **public debate regarding telework** ('hybrid work' combining the work at the workplace and at home). After

acknowledging telework as a legal right for individual workers in the Netherlands, in 2022 this debate has led to guidelines from the Dutch Social-Economic Council (tripartite body) in assessing workers' requests for telework. Also, German employers' organisations call for further revision of working time regulations to further improve work from home and encourage parents to share childcare responsibilities more equally.

**Employers' organisations across all five studied EU Member States utilise the traditional methods of engaging in policy-making: (1) tripartite negotiations and consultations at the national or sectoral level and (2) direct unilateral involvement in legislative processes (commenting on the legislative proposals).** Despite engagement in traditional methods of influence, certain cross-country differences are identified. Dutch employers prefer solutions based on collective agreements and arrangements between workers and employers over national legislation to make tailored leave policies. In Denmark, the Childbirth Social Insurance is in most collective agreements upgraded with so-called 'wage during parental leave' while the regulation varies across sectors. Sectoral collective agreements increase the wage compensation during parental leave, especially in private manufacturing and general service, the financial sector, public sector and municipalities, with variations in regard to the length of the leave, eligibility criteria and the level of compensation.

When exploring the decision-making over the employer subsidised childcare, the BAWEU survey findings showed that medium-sized and large companies with over 250 employees were more likely to make decision over family policies based collective bargaining (see Figure 3). Almost 86% of the companies that make the decision *exclusively* based on collective agreement were companies with over 250 employees, and merely 14% of them were small companies. The same applies for the companies that make their decision *rather* based on the collective bargaining, when 75% of them present companies with more than 250 employees, while the rest of them are small companies. On the other hand, in smaller companies with less than 500 employees the family policy is more likely a result of a unilateral company decision.

*Figure 3: How the Employer subsidised child- care (on-site or off-site) have been decided by the company size (N=279)*

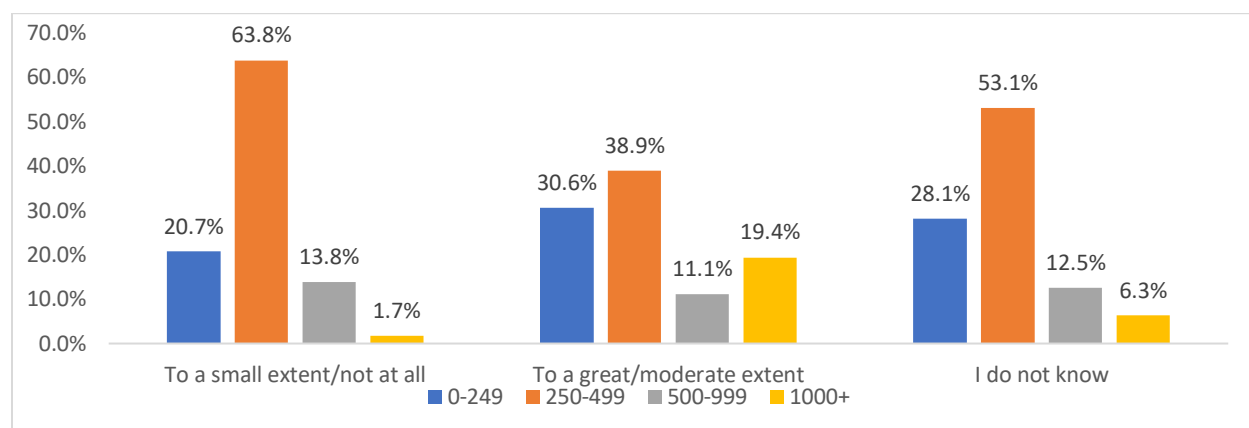


Source: BAWEU employers' survey 2021-2022. Question: How was each policy listed below decided?



In case of multinational companies, those companies that declared that their policies are influenced by multinational corporation (MNC) headquarters to moderate and great extent are more likely larger companies with more than 250 employees (69.4%) in comparison with 30.6% of small companies (<250) (see Figure 4). Companies whose family policies are influenced by MNC headquarters to a small extent or not at all are mostly companies with 250-499 (63.8%) employees and small companies (20.7%).

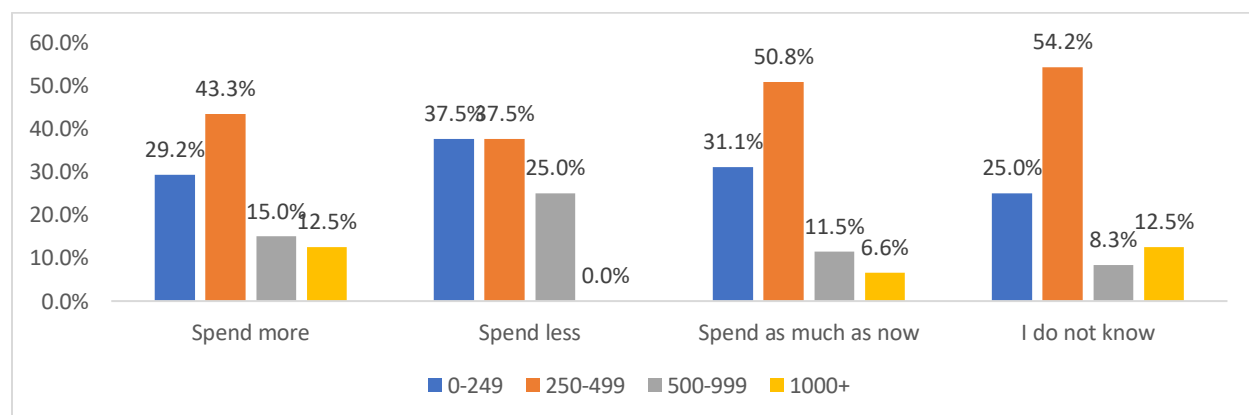
*Figure 4: How much Multinationals' Headquarters influence the company's family policy by the company size (N= 126)*



*Source: BAWEU employers' survey 2021-2022. Question: If your company is a multinational (otherwise, skip the question), please evaluate to what extent the company headquarters/parent company influences the company policies in four policy areas.*

According to the survey results (Figure 5), 70.8% of those that stated that the government should spend more on pre-school and early childhood education presented medium sized and large companies with over 250 employees while 29.2% of the same answer was provided by small companies. More than one third of those that declared that the government should spend less on pre-primary education and care services presented both small companies and companies with 250-499 employees, while one fourth of them presented companies with over 500 employees. About 69% of those respondents that declared that the government should spend as much as now presented medium sized and large companies with over 250 employees.

*Figure 5: Opinion on the Government's level of spending in pre-school and early childhood education by the company size (N =213)*





*Source: BAWEU employers' survey 2021-2022. Question: Looking at the system of social protection and education in your country, do you think that the government should spend more or less in the following policy areas?*

An interest in work-life balance policies on the side of employers' organisations manifested differently across the studied EU Member States. In Denmark, the gender equality has moved up in the agenda and while there can be identified the intensive competition between some key Danish employers' organisations also in regards to leave policies, there can be found no significant difficulties in reaching agreements within these two *federations* in relation to family policies (except for the earmarked leave issue).

Employers are motivated to support family policies by various factors. For instance, the Dutch employers highlight that work-life balance policies serve to alleviate the stress associated with a combination of paid work and caring responsibilities. Since the stress at work is strongly related to the productivity, it is in the interest of employers to pay attention to it and to come up with tailored solutions.

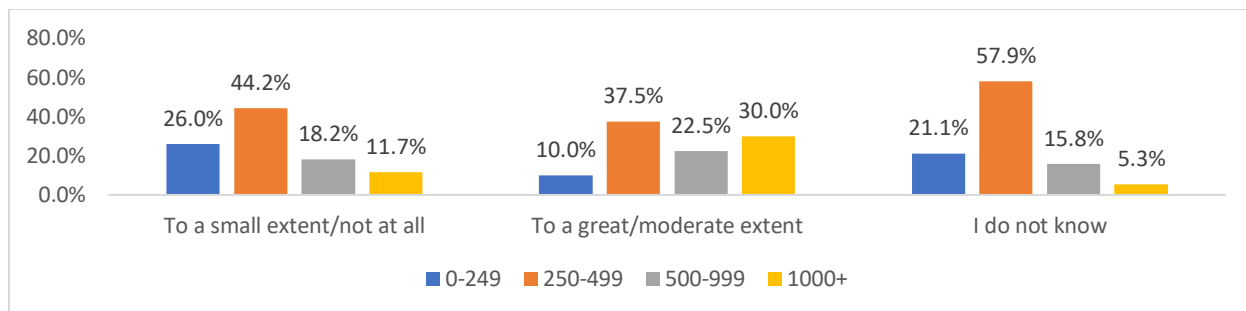
On the contrary, certain restrictions of the existing family policies have been proposed as well; for example, the Italian Confindustria demanded a stricter regulation of parental leaves and also opposed its concern with respect to an extension of maternity allowance. The major Italian organisation Confindustria expressed its concern with respect to an extension of maternity allowance (to workers who did not have this right recognized and in terms of duration of the leave), as this could worsen the situation of public finance and increase labour costs. In Slovakia, employers articulate opinions about the length of the maternity leave, however, they do not pursue this agenda far in the policy making process.

In the Netherlands, the tripartite Socio-economic Council agreed on a reform of the child-care in efforts to make it more universal with higher public investments. The agreement was backed also by employers that have more conservative ideas about the role of mother in child-development function at early age.

### **Interaction and coordination of policy priorities between employers' organisations and other stakeholders**

The BAWEU survey showed that 74.1% of those that stated that they are involved in discussion and consultation on family policies to small extent or not at all within the employers' organisations present the medium-sized and large companies with over 250 employees (among which the most of them present the companies with 250-499 employees) in comparison with 26% of small companies (see Figure 6). In contrast, 90% of those that responded that they are involved in discussion are medium-sized and large companies (with over 250 employees). Among these responses, most of them were reported by companies with 250-499 employees (37.5%) followed by large companies (30%).

*Figure 6: Involvement in discussion and consultation on Family Policy within the employers' organisations by the size of company (N=136)*



Source: BAWEU employers' survey 2021-2022. Question: If you are a member of employers' organisation, could you please tell us to what extent your company is involved in discussion and consultation within the employer organisation in relation to the decisions that are taken in following five policy areas?

The BAWEU survey findings also show that almost 91% of those that declared that they are involved in discussion over family policies with the national government to moderate and the great extent are medium-sized and large companies with over 250 employees (compared to approx. 9% of small companies). Of those who responded that they are involved in discussion with the national government to small extent or not at all over family policies, 67.4% were medium-sized and large companies compared to 32.6% that were small companies.

As for the involvement in discussion with the legislators, among those that stated that they are involved to moderate and great extent, 92% presented medium-sized and large companies, mainly companies with 250-499 employees (50%), followed by large companies with over 1000 employees (25%). On the other hand, small companies make up merely 12.5% of those that declared that they are substantially involved. At the same time, about 68% of those that answered that they are involved to small extent or not at all presented medium-sized and large companies (most of them companies with 250-499 employees with 47.4%).

The qualitative research also showed some approaches to the implementation of *the European Work-Life Balance Directive 2019*<sup>8</sup>. In Denmark, social partners were sceptical towards the Directive, arguing that it undermines the principle of subsidiarity and the role of collective bargaining. Nevertheless, employers' organisations changed their position; and this change was reflected also in collective agreements in major industries. Agreements introduced extended earmarked paid parental leave for fathers in order to minimize foreseen state intervention.

In sum, **work-life balance policies have become a more important agenda for employers' organisations as they are closely associated with labour integration of people with caring responsibilities**. Nevertheless, employers' organisations are less likely to invent own policy proposals or initiatives related to different domains of work-life balance. Exceptions to this rule can be however identified. The German employers' organisations became promoters of expansion of childcare facilities and earning-related parental leave. In Denmark, the reform of the childcare system in 2019 was a result of the joint actions of parents' groups, political parties, and trade unions, while employers' organisations played

<sup>8</sup> The Directive introduces the following provisions: 10 days paternity leave with pay at the minimum rate of sickness benefit level, 2 months of earmarked maternity leave for paid fathers and mothers at the rate to be determined by each Member State. 2 months' parental leave for each parent. 5 care days per year for parents and relatives of carers without pay. Right to request flexible working hours (including telework, flexible working hours or reduced working hours).

rather a passive role in shaping this policy. Such a support of employment-oriented family policies seems to be universal across employers' organisations representing different sectors and types of business.

## Conclusions

- The research showed that **parental and maternity leave, childcare services, flexible work arrangements as core work-life balance policies appear to be in the spotlight of the employers' interests and bargaining actions.**
- **In the recent years, the work-life balance policies have moved up in the agenda of the employers' organisations.** It is perceived by the employers as a policy tool to re-integrate women in the labour market by incentivising fathers to conduct care responsibilities more equally as well as to reduce the stress at the workplace which assumably is a result of the accumulation of paid work and care responsibilities.
- **Mostly, employers' organisations across all five countries utilise the traditional institutes of engaging in policy making: mainly (1) tripartite negotiations and consultation on the national or sectoral level and (2) the direct unilateral involvement in the legislative processes (commenting on the legislative proposals).** As for the flexible work arrangements, besides using the tripartite collective bargaining, the **collective agreements at the industrial and company levels are utilised as well to elaborate further details about working conditions for teleworking employees.**
- **Nevertheless, the employers' organisations across all five countries do not pro-actively promote or initiate the legislative and policy changes** relating to the family policies but rather respond to the existing proposals by engaging in the social dialogue and collective bargaining or comment on the proposed legislation. At the same time, they are not in the strong opposition to any policy stakeholders towards any family policy and there are no particular policies regarding which of the agreements would be difficult to reach.
- **At the national level, there seems to be a strong influence of the EU law on the family policies, mainly and recently the Work-life Balance Directive from 2019.** Nevertheless, some employers' organisations perceive the Directive as a mean to diminish the role of social actors in shaping leave and flexible work policies. On the company level, **the impact of multinationals' is also viewed as substantial on the company-level family policies.**

## Recommendations for EU-level employers' organisations

- **Facilitate exchange of information and expand the knowledge of employers' organisations** in the EU Member States about the need of people with caring responsibilities and different dimensions of work-life balance policies.
- **Produce regular surveys on employers' priorities in family policies and methods of policy influence** across all EU Member States.

- **Provide trainings for member organisations on how to effectively use the flexible work conditions beyond the national legislative and regulatory framework.** Such a knowledge may be then forwarded to the member organisations by formulating the sector-specific or occupation-specific guidelines on using the flexible work arrangements (remote work, telework, hybrid work, and associated issues such as the right to disconnect) effectively in terms of improving working conditions (equipment, compensating utilities, etc.), or adjusting the management styles to novel forms of work organisation. Such a step would improve implementation of the existing legislation and embedding further details in the collective agreements on the company level. In this respect, the needs of women and people with caring responsibilities should be considered in policy priorities.
- **Consider EU-level priorities based on the diverse inputs on Member States' evidence on employer preferences and the modes of their policy influence.** Be aware of the varieties between companies of different sizes and the specific positions of multinationals (besides varieties between countries and sectors).
- **Facilitate peer review sessions for national employers' federations from peers in other EU Member States** to develop high-quality family policies and articulate their interests vis-à-vis national legislative bodies, trade unions and other stakeholders.

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