

DRAFT Resolution Nr. 5

(Composite document based on motions submitted by GPA (Austria) and Affiliates from Area 3)

Unsocial working hours and free Sunday

For many years now, a large number of European countries have faced a large-scale offensive by neo liberal forces on worker rights and good working. The economic crisis and the austerity measures taken by national governments acting within the framework established by the Troika in the European Union are having a profound impact on the working and social security conditions of workers.

In this hostile political environment, work-free Sundays and Public Holidays, have come under attack in many countries, ~~despite existing laws or collective agreements that clearly regulate the working and established social dialogue structures where these issues should be discussed hours.~~ Widespread liberalisation policies, **in most countries in denial of the working and established social dialogue structures**, aspire to make work-free Sundays and Public Holidays an exception rather than the rule. Many Western and Southern European countries have seen shop opening laws change and in Eastern Europe existing regulations are under fierce attack.

Commerce workers and their unions in many European countries are opposed to long opening hours and, more importantly, to work on Sundays and Public holidays. Preserving free Sundays and Public Holidays as leisure time for commerce workers and their families is part of the struggle for better working conditions for many UNI Europa Commerce affiliates.

The “European Sunday Alliance”, a network uniting trade unions, NGO’s and religious organisations, is the European voice of all those promoting the value of synchronised free time for workers, their families and our societies in general. As a member of this Alliance, UNI Europa Commerce is demanding good working time regulations for commerce workers in order to allow them to achieve a good balance of work and private life.

Unions in a number of countries have been able to negotiate conditions for a good balance between longer shop opening hours and good working conditions. But there are many countries where extended shop opening hours have been forced upon workers without any prior negotiations. In those countries, more efforts are needed in order to strike a balance between companies’ and employees’ interests.

UNI Commerce Europa condemns those strategies and calls upon employers and governments to approve that liberalisation of Sunday Work and more generally, work on unsocial hours, since they have a fierce impact on the working conditions, the worker’s health and safety and on the work-life balance cannot be imposed unilaterally but have to be discussed and agreed via the established social dialogue.

The participation in a democratic and equal society is a right for every worker. Common free days and holidays play an important role to create the opportunity for everyone to participate in society and the daily life. People from different parts of society can meet up and mingle during their free time. This inclusion is also happening in organisations of the civil society.

The work free Sunday and leisure time on weekends plays an important role in this context in many countries. A common free time takes pressure from employees to sacrifice free days for business interests. Since mental illnesses like burnout and negative social developments are increasing through the missing connection of family and society, the importance of the work free Sunday for employees is growing. Enjoying work free days in a synchronised way with family and friends is a non-negotiable right!

What is more, Sunday work in the commerce sector creates many questions like the compatibility between the pressing family and work organisation and the opening times of childcare facilities. For example, a debate about the weekend opening for childcare facilities would be unavoidable though not useful in many countries, since the work-life balance of even more workers would be endangered. The total abolishment of the free Sunday in the commerce sector impacts many other sectors linked to the commerce sector, such as transport of goods and public transport, security & cleaning services etc.

The acceleration of a society limiting the rights of employees in commerce cannot be the interest of trade unions. It is part of the trade union mission to re-define, re-establish and preserve this historical freedom of the work free Sunday as a goal for the working class.

At the last UNI Europa Commerce Conference on 9 – 10 June 2011 in Madrid, a resolution was adopted in which UNI Europa Commerce called on the European institutions to respect their obligation to protect the health and safety of workers and to safeguard the principles underpinning good quality work. One of the demands in the resolution was that the European institutions should recognise the principle of work-free Sunday and rest days on official public holidays. UNI Europa Commerce affiliates agreed to collect and exchange information in order to develop a strategy aimed at opposing the extension of shop opening hours and gathering examples of good practices where by means of negotiations we have succeeded in offsetting the negatives consequences of longer shop opening hours.

Action points

UNI Commerce Europe defines the „Work-Free Sunday and free Public Holidays” and the fight against a culture of longer working hours in any form as one of its priorities.

UNI Europa Commerce and those affiliates who can and wish to participate will support campaigns and joint initiatives with a view to:

- Increase the efforts to implement the actions that were agreed in the 2011 UNI Europa Commerce conference resolution on working hours and work/life balance;
- Opposing European initiatives conflicting with the principle of the work-free Sunday and Public Holidays;
- Creating a trade union network within UNI Europa Commerce, in which all interested affiliates can exchange information on developments at the national level in order to develop coordinated actions at European level;
- Launching the debate of work –free Sunday and opening hours in attempt to sensibilise civil society, consumers and politicians about the true impact (social, economics, other sector..)of long opening hours and work on Sunday.
- Supporting trade union initiatives for the preservation or the re-establishment of the work-free Sunday and work-free public holidays for employees in the commerce sector;

- Requiring that for commerce employees, who have to work on Sundays and Public Holidays, special conditions, frameworks and income schemes shall be agreed through collective agreements or legislation;
- Exchanging and promoting best practices in meetings organised by or where UNI Europa Commerce is invited, and especially through the European Social Dialogue;
- Supporting UNI Europa involvement in the European Sunday Alliance through the active participation of UNI Europa Commerce affiliates that wish to participate.