



EU hotel and restaurant sector: Work and employment conditions



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Consolidated report:

John Klein Hesselink, Irene Houtman, Ruurt van den Berg, Seth van den Bossche, Floor van den Heuvel
TNO Work and Employment

National reports:

Austria:	Marion Vogt, FORBA, Vienna, Austria
Belgium:	Nele Roskams and Veerle Hermans, Prevent, Brussels, Belgium
Denmark:	Oxford Research A/S, Copenhagen, Denmark
Finland:	Seppo Olkkonen, Liisa Moilanen, Aira Ylä-Outinen & Riia-Liisa Pulkkinen, FIOH, Lappeenranta, Finland
France:	London Economics, UK
Germany:	Anni Weiler, Research and Consultation, Göttingen, Germany
Greece:	Ilias Banoutos, John Manos, Stavros Kallergis, Ergonomia Ltd, Athens, Greece
Ireland:	Noel Harvey, Galway-Mayo Institute of Technology, National University of Ireland, Galway, Ireland
Italy:	London Economics, UK
Luxembourg:	Veerle Hermans, Simon Hoare and Odette Wlodarski, Prevent, Brussels, Belgium
Netherlands:	Seth van den Bossche, Karin Jettinghoff and Irene Houtman, TNO Work and Employment, Hoofddorp, The Netherlands
Portugal:	Paula Ramada, London Economics, UK
Spain:	Inigo Isusi, IKEI, San Sebastian, Spain
Sweden:	London Economics, UK
United Kingdom:	Mark Smith and Marilyn Carroll, Manchester School of Management, Manchester, United Kingdom



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European Foundation for the Improvement of Living and Working Conditions
Wyattville Road
Loughlinstown
Dublin 18
Ireland
Telephone: (353 1) 204 31 00
Fax: (353 1) 282 64 56
Email: postmaster@eurofound.eu.int
www.eurofound.eu.int

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Foreword

Globalisation, developments in technology and an increasingly demanding consumer base have resulted in striking changes in the hotel and restaurant sector in the European Union. In response to these changes, the sector has continuously moved to adapt, innovate and improve on quality. Dynamic growth within the sector has given it increased weight in the EU economy, not least in terms of employment opportunities. However, many challenges have also arisen, specifically regarding working conditions in this demanding sector, as was revealed in findings from the third European working conditions survey in 2000.

This consolidated report maps the situation prevailing in the hotel and restaurant sector in the 15 Member States, highlighting the general characteristics, including the contribution to the economy and the labour market situation. It examines the working and employment conditions of the sector in different Member States, and reviews the strategies and instruments adopted to improve the quality of work in this domain. The report also presents several examples of good practice and successful work organisation initiatives, as well as providing a comprehensive picture of the views of the relevant employer and trade union organisations.

With the accession of 10 new Member States in May 2004, this report provides a very pertinent benchmark for this important sector as it enters a period of further change.

We trust it will provide a useful contribution for the key actors as they set about strengthening and consolidating this sector in a new, enlarged European Union.

Willy Buschak
Acting Director

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Introduction

In 2000, the European Foundation for the Improvement of Living and Working Conditions (henceforth referred to as the Foundation) carried out the third European Survey on Working Conditions. In that survey, information was collected on the working conditions, health and well-being of employed and self-employed persons in the 15 Member States of the European Union. The Foundation's three surveys from the years 1990, 1995 and 2000 provide a dynamic picture of the development of a number of main characteristics in working conditions (Houtman et al, 2002).

The general picture that emerged from the surveys is sufficient to set priorities, but not detailed enough to understand the reasons underlying the situation described, and the policies undertaken at various levels to deal with it. The Foundation therefore initiated research to look at the quality of work and employment in two sectors: 'hotels and restaurants' and 'road transport'.

The objective of these sectoral surveys was to provide a cross-sectional view of the work and employment conditions in each country. The research project also aimed to collect information on social dialogue in the sectors. The results of these sector surveys were reported in 30 national reports: two reports for each Member State, one for the hotel and restaurant sector and one for the road transport sector.

After reviewing the situation in the 15 Member States, two consolidated reports were drafted to summarise the general conclusions for the entire European Union in the hotel and restaurant and road transport sectors. This report presents the results of 15 country studies on working conditions and collective bargaining practices for the hotel and restaurant sector. The results for the road transport sector are outlined in a separate report.

The aim of this consolidated report is to identify and describe developments with a view to stimulate improvement in the quality of work and employment in the hotel and restaurant sector. It builds on the content of the national reports, which covered:

- the socio-economic context of the sector;
- the structural characteristics and patterns of the sector regarding labour market issues, working conditions and social dialogue;
- employment status, conditions of work and employment;
- risks, risk factors and risk groups;
- legislative and regulatory measures related to working conditions;
- other initiatives such as guidelines and codes of conduct;
- the social partners, their methods of operating and the content of relevant collective agreements;
- positive examples and good practices aimed at improving working conditions and social dialogue in the sector;
- possible solutions to improve working conditions and social dialogue in the sector;
- potential barriers to the implementation of legislative, regulatory and 'soft law' measures to improve working conditions and social dialogue.

NACE codes

Developments in the hotel and restaurant sector are outlined in this report. For the identification of the sector and relevant sub-sectors, the NACE coding system was used. It was agreed to present data for the sector as a whole, but also data on sub-sectors when available. The following listing sets out the sub-sectors for the hotel and restaurant sector:

- H.55 - Hotels and restaurants;
- H.55.10 - Hotels;
- H.55.11 - Hotels and motels, with restaurant;
- H.55.12 - Hotels and motels, without restaurant;
- H.55.20 - Camping sites and other provision of short-stay accommodation;
- H.55.21 - Youth hostels and mountain refuges;
- H.55.22 - Camping sites, including caravan sites;
- H.55.23 - Other provision of lodgings n.e.c.;
- H.55.30 - Restaurants;
- H.55.40 - Bars;
- H.55.50 - Canteens and catering;
- H.55.51 - Canteens;
- H.55.52 - Catering.

Developments in most of these sub-sectors are only mentioned when available in the different national reports. Wherever applicable and instrumental to an understanding of the European situation, country results on the sub-sectors will be mentioned. It should be noted that the hotels and restaurants sector is different from the tourism industry.

Methodology

Literature reviews as well as quantitative and qualitative analyses were carried out to prepare the national reports on the hotel and restaurant sector in the different countries. The literature reviews concentrated on national journals and literature databases, using search terms such as 'working conditions', 'employment status' and 'economic factors'. For the quantitative analyses, use has been made of databases available from the various national central bureaux of statistics or from Eurostat.

A problem with this kind of survey data is the limited amount of country specific information that is available on the hotel and restaurant sector concerning work, health and economic and labour market variables. Another problem encountered was the diversity of the categories used to describe the hotel and restaurant sector.

For the qualitative analyses, interviews were conducted with one or more representatives of: the employers' organisations in the sector; the trade unions active in the sector; other branch organisations in the sector; the ministries responsible for social affairs, economy or employment

organisation. These representatives had to be involved in the implementation of sector-specific measures and were mostly interviewed about:

- the national socio-economic context of the sector;
- structural characteristics and patterns of the sector regarding labour market issues, working conditions and social dialogue;
- risk factors, risk groups, and possible differences compared with the rest of Europe;
- legislative and other regulatory measures related to working conditions;
- other initiatives on health and safety at work;
- positive examples, good practices and solutions in the sector, aimed at improving working conditions and social dialogue;
- potential barriers to the implementation of legislative, regulatory and 'soft law' measures to improve working conditions and social dialogue in the sector.

The results of these research efforts are reported in the national reports. These reports were then used as the basic material for the consolidated report. To give a comparative picture of the different subjects, the results of the national reports have been summarised and described in each section. Because much of the data in the separate national reports do not allow a reliable quantitative comparison, most of the results at European Union level are described in a qualitative way. The content of this report has been further discussed with and reviewed by Marguerite Sequaris, Martin Couchman and Eric Drésin of the European employers' association HOTREC, and Kerstin Howald of the European trade union EFFAT.

Report structure

Chapter one of this report provides a picture of the characteristics of the sector. This is done by means of an overview of the economic and labour market situation, and the regulatory framework governing the sector. Chapter two describes the different aspects of the quality of work and outcomes in terms of occupational accidents, diseases, morbidity, absenteeism and access to social security. Chapter three reviews the policies and instruments towards the improvement of quality of work that currently apply in the sector. Chapter four gives an overview of the views of employers' organisations, trade unions, governments and other branch organisations regarding issues and challenges in the sector. Issues of consent and dissent between the parties are summarised. In chapter five, the new trends and changes in the sector are described, as far as they are visible in the national reports, followed by concluding remarks.

Overview of the sector

1

This chapter summarises some general characteristics of the hotel and restaurant sector. These include the contribution of the sector to the economy in general, and the way people are employed or, in other words, the labour market situation. These characteristics are described in the first two sections. The focus then moves to the regulatory framework, providing a brief overview of the trends and changes which the sector faces in the near future.

Economic characteristics

One of the primary questions regarding the general characteristics of a sector concerns its relative importance to the economy. In Table 1, sector turnover figures that were collected from the country reports are compared to national GDP rates.

Table 1 Sector turnover and national GDP figures (in € billions) of the 15 European Member States according to the national reports, and the % contribution to national GDP

Country	Year	Sector turnover	GDP*	Contribution in %
Austria	2000	9.9	207.0	4.8
Belgium	2000	9.1	247.5	3.6
Denmark	2000	4.3	173.9	2.5
Finland	2000	3.9	131.1	3.0
France	2000	49.9	1416.9	3.5
Germany	1999	51.6	1978.0	2.6
Greece	1995	3.4	89.9	3.8
Ireland	1998	2.7	77.7	3.5
Italy	1999	41.0	1068.9	3.8
Luxembourg	2000	0.7	20.8	3.4
Netherlands	2000	13.3	402.6	3.3
Portugal	2000	4.0	115.0	3.5
Spain	2000	39.6	609.3	6.5
Sweden	2000	7.4	248.5	3.0
United Kingdom	2000	41.4	1559.4	2.7
Total of all countries		282.3	8346.5	3.4

* Source: Eurostat Yearbook 2003

It can be seen from the last column that the percentages differ to an extent between countries, ranging from 2.5% in Denmark to 6.5% in Spain. Only limited systematic variation, for instance between the northern and southern countries, can be observed, though the Scandinavian countries all range below the average. The differences average to a weighted mean of 3.4% for all 15 Member States together.

Fourteen of the national reports provided figures about the number of companies in the sector, while 12 reports provided figures about the number of companies in the country overall. Hence, an estimate can be made of the percentage of companies in the sector, compared to the country in general. Table 2 gives an overview of these figures and percentages. Because turnover figures for the sector were reported in Table 1, it is interesting to calculate the turnover rate per company, based on the figures in Table 2. This is displayed in the last column of Table 2. The year of the turnover figure is not always the same as the year of the number of companies figure, so both years are displayed in the first and fifth column of the table.

Table 2 Number of companies in the hotel and restaurant sector and the country in general, the % of companies in the hotel and restaurant sector, and the turnover estimate per company in euros (some country figures are missing)

Country	Year	Number of companies in sector	Number of companies in country	Percentage of companies in sector	Year of turnover calculation	Turnover in euros per company
Austria	2000	38,133	205,462	18.6	2000	260,577
Belgium	2000	50,608	568,902	8.9	2000	180,499
Denmark	1999	17,446	422,914	4.1	2000	248,309
Finland	2000	10,054	222,817	4.5	2000	387,905
France	2000	179,905	1,584,340	11.4	2000	277,352
Germany	1999	254,881	2,886,268	8.8	1999	202,589
Greece	1995	65,802	543,839	12.1	1995	51,070
Ireland	2001	16,600	-	-	1998	162,866
Italy	1999	246,163	3,905,405	6.3	1999	166,364
Luxembourg	2000	2,486	21,512	11.6	2000	301,388
Netherlands	2001	38,385	701,795	5.5	2000	346,490
Portugal	1999	59,664	-	-	2000	66,556
Spain	2001	263,740	2,645,317	10.0	2000	150,006
Sweden	2000	22,508	526,816	4.3	2000	330,016
United Kingdom	2000	150,692	-	-	2000	274,819
Total all countries		1,417,067	14,235,387	10.0		199,198

There are many companies in the hotel and restaurant sector in the European Union. The estimate is nearly one and a half million (1,417,067), a figure that approximates to the 1,412,987 enterprises Hubertus (2000) calculated for 1996. Excluding the three countries that do not give country figures, the percentage of companies in the sector is estimated at 10% of the total number of companies. Hubertus (2000) calculated about 7.7% for 1996, but included the UK, a country with relatively few enterprises. Austria, Greece, Luxembourg, France and Spain have many companies in the hotel and restaurant sector, 10% or more compared to the total number of companies in the country. In Denmark, Sweden and Finland, less than 5% of the companies belong to the hotel and restaurant sector. Again, a northwest–southeast dimension can be seen.

The analysis of Sánchez (2001) confirms that a higher density of small and medium-sized enterprises is found in the southern regions of the European Union, while large enterprises are mainly found in the central regions of Europe. Sánchez also found that there is a relatively low employment rate in regions with low density of large enterprises, while regions with the highest research and development business expenditure show a high concentration of large units.

The last column of the table gives an estimation of the company turnover figures per company. The hotel and restaurant sector can typically be characterised as a sector with many small and medium-sized enterprises, because of the low average turnover rate per company. In these figures, the northwest–southeast dimension is again clear. In Greece, Portugal, Spain, Ireland and Italy, the turnover per company is the lowest. In Finland, the Netherlands, Sweden, Luxembourg and France, the turnover per company is highest.

Turnover figures

In the national reports, there is some commentary on the turnover figures. These will be reviewed below. Many reports indicate that the hotel and restaurant sector makes an important contribution to the economy, not only because of the financial earnings, but also because the sector is an important employer in the countries (see figures in the next section).

In most countries, the hotels sub-sector and the restaurants sub-sector contribute most to the turnover of the sector in general. In France and Sweden, however, the restaurants sub-sector is the largest, followed by pubs and hotels. The hotels sub-sector tends to decline in importance in most countries but, in big cities and capitals, this sub-sector is growing, due to the increase of short break holidays outside the main season. The restaurants sub-sector faces a new phenomenon, with the rapid increase of restaurant chains. This development started earlier in the hotels sub-sector. The canteens and catering sub-sector is growing strongly in importance. In this sub-sector, the companies are relatively large, often with 1,000 employees or more. This may reflect the effect of restaurants and canteens in large organisations outsourcing to contract catering companies.

Most of the national reports stress the large number of small companies in the sector, but the proportion of small companies often does not exceed the percentage of small companies in these countries in general. Most small companies are family owned, employing a few employees, as well as the owner and one or more family members.

Most reports state that economic prosperity contributed much to the growth of the sector in the last decade of the twentieth century. However dependency on economic prosperity also has a downside. Some national reports (Belgium, Ireland, United Kingdom) indicate the negative influences of the September 11, 2001 terrorist attacks, the recent economic downturn, the Iraqi war, epidemics among cattle (foot and mouth disease), and food scandals as serious threats to the sector (see also Belau, 2003).

The impact on the sector may be that people are spending less money on holidays, dining in restaurants and nights out. However, the real effect is not known, because of the counterbalancing effects of people reducing their budgets and spending their money on less expensive destinations and restaurants. Far destinations may be exchanged for European holidays, and people who always went abroad may plan their holiday in their own country (Belau, 2003). Allegro (2001) characterises the sector as a growth sector, with all projections in his study indicating a prosperous future for the global tourism industry.

It has already been noted that the hotel and restaurant sector consists of many small enterprises (see also Vigliarolo, 1999). In the national reports, this is confirmed by figures on the number of companies classified by means of categories of employees working there. Table 3 gives an overview of the different percentages per country.

Table 3 Percentage of companies in the hotel and restaurant sector classified by the number of employees, in 13 European Member States

Country	Year	Number of companies	0-9 employees	10-49 employees	50-99 employees	100+ employees
Austria	2000	38,133	87.6%	11.5%	0.6%	0.2%
Belgium	2000	48,192	94.8%	4.8%	0.2%	0.1%
Denmark	2000	12,132	78.7%	19.4%	1.6%	0.4%
Finland	2000	10,054	92.9%	6.3%	0.6%	0.1%
France	2000	178,183	93.5%	6.1%	0.4%	0.0%
Germany	1993	222,746	89.8%	9.5%	0.5%	0.2%
Greece	1995	62,178	98.1%	1.6%	0.2%	0.1%
Ireland	-	-	-	-	-	-
Italy	1997	219,526	96.0%	4.0%	0.0%	0.0%
Luxembourg	2001	2,487	90.8%	8.4%	0.4%	0.4%
Netherlands	2001	38,380	93.4%	6.0%	0.4%	0.2%
Portugal	1999	27,031	90.2%	8.8%	0.6%	0.3%
Spain	2001	263,740	96.9%	2.6%	0.4%	0.1%
Sweden	2000	22,523	90.1%	8.6%	1.1%	0.1%
United Kingdom	-	-	-	-	-	-
Total all countries		1,145,305	93.8%	5.7%	0.4%	0.1%

The number of companies in column 2 differs from the number of companies in Table 2 as the percentage breakdown on number of employees was not available from every company. Also, the figures are not always taken from the same year in both instances.

In 93.8% of the companies, fewer than 10 employees are employed. Only Denmark, Austria and Germany stand out with less than 90% of companies in the smallest category. Greece, Spain and Italy have the most small and medium-sized companies, with more than 95% of the companies having fewer than 10 employees.

Small enterprises start up and close again frequently in this sector. Considering the life course of enterprises, Hult (2003) indicates that, in 2000, a total of 8.7% new enterprises emerged in the hotel and restaurant sector. However, Hult notes that the least chance of survival was also recorded in this sector.

Labour market

Employment in the hotel and restaurant sector contributes much to the total employment in the countries as a whole. Schmidt (2003) indicated that hotels and restaurants accounted for a share or sector-service employment of 6% in the EU in 2001, with high shares in Greece, Ireland and Spain. Hubertus (2000) calculated 5.8% employment for 1996, representing about 6.5 million people. No figures on total employment were given in the national reports. For that reason, Eurostat figures are used from Schmidt (2003) to describe employment in the hotel and restaurant sector from the years 1999 to 2001, and employment growth rates of the sector and the economy as a whole for the 15 Member States. Table 4 gives an overview.

Table 4 Employment in the hotel and restaurant sector ('000s) and the employment growth rate (%) in the hotel and restaurant sector and in the country in general, in 15 EU Member States (source: Schmidt, 2003)

	Employment in hotels and restaurants			Employment growth rate %	
	1999	2000	2001	Sector	Country
Austria	205.9	212.4	197.4	-4.1%	0.5%
Belgium	125.6	134.2	126.8	1.0%	1.5%
Denmark	64.3	68.0	64.8	0.8%	-0.5%
Finland	78.0	77.7	81.6	4.6%	2.9%
France	747.0	777.0	793.1	6.2%	5.2%
Germany	1,143.9	1,189.0	1,184.2	3.5%	1.1%
Greece	248.6	248.0	250.1	0.6%	-0.5%
Ireland	101.2	107.9	103.3	2.1%	8.0%
Italy	724.5	759.3	831.3	14.7%	3.7%
Luxembourg	6.3	9.1	8.8	39.7%	5.4%
Netherlands	253.5	286.6	286.8	13.1%	5.9%
Portugal	246.3	248.6	250.9	1.9%	2.7%
Spain	895.5	981.5	972.4	8.6%	9.5%
Sweden	110.3	113.9	121.3	10.0%	6.7%
United Kingdom	1,131.9	1,119.3	1,147.1	1.3%	2.5%
Total all countries	6,082.6	6,332.4	6,419.9	5.5%	3.5%

About six and a half million people were employed in the hotel and restaurant sector in 2001. The employment growth rate between 1999 and 2001 was 5.5% for the hotel and restaurant sector, compared with 3.5% in the EU as a whole. Three countries recorded a growth rate in the sector of more than 10%: Luxembourg, Italy and the Netherlands. Only for Austria was a decline observed. The increase of employment in the sector is not of recent years only. The employment growth rate over the years 1993 to 1996, calculated by Hubertus (2000), was 7.6%.

Gender

In this section, a number of employment characteristics are considered to provide an overall picture of the sector's labour market. Only for gender differences was sufficient quantitative material presented in the different national reports. The other characteristics reported were too inconsistent to allow for quantitative tables. For these characteristics, qualitative comparisons have been made.

Table 5 gives an overview of all reported percentages and the years of registration. Historic figures could only be obtained from the reports of 11 countries.

In most countries, more women than men are employed in the hotel and restaurant sector. Schmidt (2003) calculated comparable figures from the Eurostat databases and found a percentage of 53.4% for the entire European Union. The workforce in the hotel and restaurant sector consists of more men than women in only four countries (Greece, France, Italy, Spain). In these countries, participation of women in the labour market is also lower than the average, however. In all

countries, more women are employed in the hotel and restaurant sector (column 2), compared with the employment of women in the country in general (column 3).

Table 5 Percentage of women working in the hotel and restaurant sector and in the country in general, in 15 European Member States, as indicated by the most recent figures and historic figures

	Most recent year			Year in the past		
	Year	% women in sector	% women in country	Year	% women in sector	% women in country
Austria	2000	65%	43%	1990	62%	41%
Belgium	2000	53%	43%	1990	54%	40%
Denmark	2001	57%	46%	1993	60%	45%
Finland	1999	70%	48%	1995	72%	49%
France	2000	48%	42%	-	-	-
Germany	2000	58%	44%	1993	58%	42%
Greece	2002	46%	38%	1993	41%	35%
Ireland	2001	59%	41%	1992	52%	-
Italy	2001	48%	38%	1996	46%	36%
Luxembourg	2000	51%	37%	-	-	-
Netherlands	2001	52%	45%	1991	52%	40%
Portugal	1999	61%	43%	-	-	-
Spain	2001	48%	37%	1991	39%	32%
Sweden	2001	53%	48%	1996	57%	48%
United Kingdom	2002	61%	47%	1992	64%	44%

When compared to previous years, it can be seen that the percentage of women in the overall labour market of the countries grew in nine of the 11 countries that provided figures (compare column 3 with column 6). In five countries (Austria, Greece, Ireland, Italy and Spain) the percentage of women in the hotel and restaurant sector also grew (column 2 versus column 5). In five countries also, (Belgium, Denmark, Finland, Sweden and the UK) the share of women in the hotel and restaurant sector declined. Schmidt (2003) computed that the increase in employment was slightly more pronounced among women (+5.9%) than for men (+5.2%).

Qualitative comments in the reports indicate that women are more often employed in high season, often on the basis of temporary employment arrangements. This is the case not only for women who primarily work in the home, but also for single mothers who work in the sector despite the long and unfavourable working hours. Many of these can more easily find a job here, compared with the job possibilities in other sectors.

Considering sub-sectors, both the hotels and the restaurants are more female dominated therefore. Men work more often in the bars sub-sector, and in jobs such as being a porter or a chef. More women tend to be employed in the canteens and catering sub-sector. This female dominance may reflect the type of occupations within this sub-sector, such as women working in school and company canteens. In spite of their large weighting in the total labour market of the sector, women have considerably lower participation in the highest professional categories (management and

senior professionals). This is the rule for practically all the sub-sectors with the possible exception of the catering sub-sector.

Age: young people

The general picture of the age distribution is that many young people are employed in the hotel and restaurant sector. Schmidt (2003) indicated that, in all but two Member States, the largest categories are either the 15-24 year-old or the 25-34 year-old age groups. (In Belgium and Germany, the 35-44 year-olds are the largest age group.) The 15-24 age group prevails in Denmark, Finland, the Netherlands, Sweden and the United Kingdom. In the Netherlands, the share accounted for by this age group is particularly high (43.7%). Over 50% of the labour force in the hotel and restaurant sector are under 35 years old in Denmark, Finland, Ireland, the Netherlands, Sweden and the United Kingdom.

There are at least four reasons for this one-sided age distribution, as mentioned in the country reports:

- the demand for unskilled and low-paid employees, which makes it possible for many young people with low educational qualifications to enter the labour market through this sector;
- the large demand for temporary seasonal work. This makes it possible for school youths and students to earn money temporarily. They work during unsocial hours and with long working times, because of the extra pay, and they often like the dynamic social environment of cafés, bars, restaurants and discotheques;
- the relatively poor employment conditions (low wages, unsocial and long working hours) make older people hesitate to work in the sector, because they have to rely on a more stable environment and a higher income level to fulfil their family responsibilities;
- the high share of physically demanding work.

Additionally, the hotel and restaurant sector does not offer all employees life-long career prospects, though this is undoubtedly available for some. Low educated people can reach the top, on the basis of hard work and enthusiasm. The sector prefers to retain its motivated and promising employees, rather than lose them. Young people, however, often combine study with flexible work in hotels and restaurants, which often means low commitment to the sector. It is considered as a good starting place for work, that is left after some years, because of the amount of work stress and long working hours.

Some sub-sectors stand out in particular as having a young age structure. For example, restaurants and bars tend to employ many younger workers. Canteens and camping sites and short stay accommodation sub-sectors tend to have higher proportions of workers in older age categories (45 to 64 years). In southern European countries, young workers are more likely to be found in restaurants and canteens, compared to hotels.

Age: senior employees

The under representation of senior employees is a matter of concern in some countries. Many cooks, for instance, are young and only work in the sector for a short time. They have limited professional cooking experience. The proportion of cooks with less than one year experience is

increasing in hotels and restaurants. This may have a negative effect on the quality of the meals they prepare. The report from the United Kingdom illustrates how the age selection works in this country, in particular in sub-sectors (Box 1).

Box 1 An example from the United Kingdom

The tenure or seniority of workers in the sector also reflects the youthful labour supply and the transient nature of many of the jobs. More than a third of workers in 2002 had been with their current employer for less than 12 months compared with 18.7% in the whole labour market. This threshold of one year of service is also a qualification period for some of the limited employment rights in the UK. Over the 1990s the proportion of workers with very short tenure has also risen, possibly reflecting the increasing reliance on the youth labour market. Again this is particularly evident in bars.

In some countries, shortage of labour in the young age categories may lead the sector to attempt to recruit older employees. This not only reflects the fact that the sector has trouble retaining its workforce. It is also related to the demographic developments in the countries. ‘Who pays the pensions and who cooks the meals in the future?’ becomes the question. This question may be solved by employing people for a longer time in the sector. Most work in the sector, however, is looked upon as temporary, rather than as a career path. Reducing the high share of physically demanding work, for which older employees gradually become less able, will certainly be one of the challenges of the future.

EU and non-EU workers

The hotel and restaurant sector attracts a significant proportion of workers from other countries. The reason for this is that the sector offers many jobs that do not require a high level of qualification. Foreign workers tend to be less qualified, or their qualifications are not recognised. They often are more motivated to enter the labour market. The participation of these workers in the sector includes a diverse group of people, consisting of:

- commuting employees or ‘frontier workers’, coming daily from neighbouring EU countries;
- permanent or seasonal workers from other, more distant, EU Member States;
- employees from other European countries, that are not yet Member States,
- employees from outside the European Union: from western industrialised countries;
- employees from outside the European Union: from other countries.

This complex situation makes it impossible to give a reliable comparative picture from the 15 national reports. Another complicating factor is that countries prefer certain types of foreign workers. Only qualitative trends are discernible.

All the country reports indicate that more immigrants are employed in the hotel and restaurant sector, compared with the national average, and/or indicate that the number of immigrants is increasing. Immigrants may work more often in high seasons, compared to low season periods. Some reports (Austria, Luxembourg) mention border work in particular. Some sub-sectors may have a higher proportion of non-EU employees, for example restaurants. This reflects both the job opportunities and the characteristics of particular firms in the sector which offer country

specialities. Employees from the acceding countries, that will join the EU in 2004, are valued in particular in Austria and Spain, because of their service and work oriented attitude. An example of the recruitment of non-EU employees is given in the Irish report (Box 2).

Box 2 An example from Ireland

It is worth noting that the industry representative bodies, the Irish Hotels' Federation (IHF) and the Restaurants' Association of Ireland (RAI), have an active policy of recruiting overseas personnel. CERT, in conjunction with the IHF and the RAI, recently established a programme of recruiting and training Russian and Polish nationals in the southwest region. Governmental agencies also participate in various recruitment fairs abroad in a programme referred to as Jobs Ireland. The sector has found that recruitment agencies are expensive and provide poor service; instead hotel personnel from Ireland have travelled abroad to recruit staff. Generally non-national employees fall into two categories: those who are selected by prospective employers, and those who self-select themselves, favouring Ireland for other reasons.

The IHF recruits personnel from outside the EU and places them in QEP (Quality Employer Programme) member hotels. The IHF also facilitates links between Irish hotels and overseas hotel and catering colleges. The RAI has a similar programme referred to as the Restaurant and Customer Charter. Members who are accredited with the latter or the QEP can avail of the placement programmes run by the two associations. The national training body, FÁS, has established a strong working relationship with its European counterpart, Eures, which has enabled the IHF to reach many potential employees throughout the European Union. CERT research (2001) indicates that employers like to keep a balance between Irish and non-national employees and that the number of non-nationals has reached an optimum level. Thus the authors of this CERT report, Drury Research, conclude that 'there is a consensus that the numbers of non-nationals working here will stabilise rather than continue to rise. There is also a consensus that non-nationals will continue to be a feature of the industry.' The authors also note that research work for this report was concluded prior to the events of September 11, 2001. Further, racism in Ireland continues to grow and is acknowledged as a problem in the country.

Seasonal work

Working on a seasonal basis is fundamental to a number of sub-sectors in the hotel and restaurant sector. Vacations and climatic circumstances contribute to this. Sometimes, the high season of one sector may be a period of rest for another one. The catering sector, for instance, has much less work to do when employees and schools take their vacation. In this period, the sector can allow its own employees to go on holiday.

Yet seasonal work counts for much of the problems related to the permanency of work in the sector. In the high seasons, many temporary employees have to be attracted, who then have to be let go during the quieter periods. Creative strategies, such as the spread of holidays, prolonging seasons and the promotion of short stay holidays outside the traditional peak seasons, are often applied. These can significantly alleviate the problem, but the basic situation still remains.

It is expected that, with the increasing number of healthy and wealthy seniors, the spread of holidays will become more pronounced in the future, thus flattening the steep effects of seasonality (Allegro, 2001). Nonetheless, the sector, or at least a large part of it, has to live with the reality of seasonal peak and off-peak periods, with the consequent problem of offering less secure labour contracts.

Seasonal work is related to many other labour market characteristics (Box 3). Women and students, for instance, more often than men, are employed on a seasonal basis, because of the possibilities to combine care and study obligations with temporary earnings. Foreigners are attracted as seasonal workers more often, because the indigenous population often leaves the sector, due to the poor working and employment conditions, creating a scarcity of unskilled and skilled employees in the labour market. Seasonal work varies within sub-sectors. In the holiday sub-sectors, such as camping and short stay accommodation, seasonal work is high. Canteens, catering, pubs, restaurants and the fast food sector have a lower than average proportion of seasonal work.

Box 3 An example from Austria

The labour market for the hotel and restaurant sector can be described by two main characteristics. Firstly, tourism in large parts of Austria is determined by seasons. This results in high personnel turnover and a high unemployment rate, especially between seasons. Low income and poor working conditions can also be responsible for this. The second characteristic is that skilled employees tend to leave the sector. This opens the sector for other groups of employees and other forms of employment status. Today, more employees than before in the hotel and restaurant sector work part time, are marginally employed or are employed by an employment agency. Some are not registered for social insurance or not registered according to their real income. But these forms of employment status are accepted by certain groups, such as students, single mothers and seasonal workers. Statistically, more women than men, a number of immigrants and more young than old people work in the hotel and restaurant sector. Additionally, the level of education is rather low and more blue collar workers than white collar workers are employed in the hotel and restaurant sector.

Self-employed

The self-employed are traditionally an important group in the hotel and restaurant sector. In former days, many hotels and restaurants were run by families. Nowadays, these types of companies tend to expand and become more professionalised, so that the relative share of the self-employed is decreasing in proportion to the number of employees. To a large degree, this trend is due to the growth of large hotels and restaurant chains. Also, catering companies are rapidly growing, because of the outsourcing trend within host organisations.

The self-employed are located in different sub-sectors, depending on the traditions within countries for starting a business. The share of both self-employed and family workers, however, is considerably higher in the hotel and restaurant sector, compared with most other sectors of industry. Particularly high also are the proportions of males as self-employed workers and of females as family workers. The proportions of self-employed and family workers are lower in bars and hotels, reflecting the typical company organised structure of these sectors, and higher in the restaurants and camping sites, where family businesses are more likely to be found.

Labour contracts

Based on the national reports, it is not possible to present a reliable and consistent picture of the number and types of labour contracts in the hotel and restaurant sector. This is due to the relatively large amount of seasonal work, and the occurrence of illegal or unofficial work. The overall picture from the reports is that there is a considerable percentage of non-permanent labour contracts in the sector.

Different types of alternative regulations are found in the national reports, although it is difficult to estimate how widespread these may be. Apprenticeships are used by employers to provide for education and to cut labour costs. In some sectors, there are many apprentices and the number of apprenticeships is rising in some countries. Temporary or fixed-term contracts are often found in the sector, due to the high demand for seasonal labour. There has been a significant increase in this form of employment since the 1990s in most countries; it has become much more accepted in legislative terms. The hotel and restaurant sector employs many students and women working part-time outside the home on vacation contracts and on-call work. In some countries, this has become normal practice though, in others, legislation prohibits this form of contract.

Box 4 An example from Sweden

‘Employed when required’ types of contracts continue to cause concern. In the first place, this is the most insecure form of employment. Further, women of non-Scandinavian origin who have immigrated to Sweden over the past decade tend to be over-represented in this group, suggesting gender and ethnic segmentation, and a less than successful integration into the Swedish labour market. It is also the case that the vast majority of employees on fixed-term contract would prefer to have permanent contracts.

Employees in the sector tend to have more precarious work contracts than employees throughout the economy. Precarious work is defined as fixed-term, interim and/or subsidised employment. It may even affect the employment of professional groups such as cooks. Marginal work alternates with seasonal work in some countries. When seasonal workers leave the companies, they are replaced by marginally paid workers. Many students work as waiters, in bars, and in event gastronomy, often on a not (fully) registered social insurance basis. Marginal workers may even come from neighbouring countries in the evening, and leave the country again the following morning. Many of the marginally paid employees in the sector are female. The high share of foreign employees among marginally paid employees in the sector is noteworthy.

It is possible to hire employees temporarily through the services of temporary employment agencies. These agencies employ workers and hire them to third party companies for a fixed amount of time. Once back in the agency, the workers can be hired to other organisations, in the same sector or in other sectors. This method of employment service can be made more secure for employees, when they are hired by the agencies on the basis of permanent labour contracts. Although temporary employment agencies are a means of tackling temporary fluctuations in the volume of work, not many organisations in the European Union make use of this option. Only five countries (Austria, Finland, the Netherlands, Portugal, Spain) mention the use of temporary agency workers in the hotel and restaurant sector.

Part-time work

Part-time work is generally defined as working fewer hours per week compared with the agreed number of hours for the full-time working week. In most European Member States the share of part-timers in the hotel and restaurant sector is high, compared with the country in general. Only in some Member States is the proportion of part-time work lower.

Part-time work relates to many other characteristics. Most of the national reports indicate that women in the sector work more often in part-time jobs, when compared with men. In some countries, however, the number of women working full-time is also high. Part-time work is also

related to professional status, but this relationship is complex. Female white collar workers, for instance, work less often in part-time jobs when compared with female blue collar workers, but work more often in part-time jobs, when compared with white collar male workers.

Canteens and catering and fast food are sub-sectors where many women work part-time. The bar sector stands out with a high rate of part-time work for men. Full-time employment is much more prevalent among cooks. Part-time work is also related to working irregular hours and has a high share of young people.

Some countries indicate that the number of part-timers is rising (Austria, Denmark, Spain, Sweden), but other countries report that this is not the case (Finland, France, Greece, the Netherlands, United Kingdom). In the United Kingdom, patterns within sub-sectors show increases (hotels and camping) and decreases (canteens and catering) in part-time work. In France, the split between full-time and part-time work by gender has remained stable over the past few years.

Two or more jobs

Only a few countries mention figures on employees having two or more jobs. Schmidt (2003), however, presents a figure of 13.3% as the percentage of workers in the sector with second jobs. This is higher than for the EU economy as a whole (11.8%). More men than women have second jobs, in the economy in general as well as in the hotel and restaurant sector. The occurrence of two or more jobs reflects the part-time and casual nature of some of the work in the sector, but also the low pay levels.

Camping sites and other short stay accommodation are reported to have high proportions of second jobs, mostly related to the seasonal character of the business, which makes temporarily combining two jobs attractive. Second jobs are also concentrated in pubs, discotheques, canteens, clubs and bars, because this work can be easily done for one or two days a week, alongside a full-time job elsewhere. A job in the hotel and restaurant sector may be the primary job, or it may be the second job. The second job may be in the same sector, or it may be in other sectors, depending on the employment situation in countries. In Austria, work in the hotel and restaurant sector is often combined with working as a farmer in the agricultural sector, for instance.

Black and grey labour

By black labour is meant the use of illegal and non-registered jobs. Grey labour means the use of additional non-registered work within a legal job (non-declared overtime, for instance). This lack of registration surrounding unofficial and illegal employment creates problems in assessing many labour market characteristics of the sector. It is suggested that the official figures underestimate the total employment and turnover rates by almost half, which means that the actual contribution of the hotel and restaurant sector to the economy and labour market is much higher. The widespread use of black and grey labour causes annual discrepancies in the official registration within the countries, and makes unreliable any interpretation based on official statistics between countries. The conclusion drawn from most reports is that black and grey work exists among citizens as well as foreign nationals, but exact figures are not known. The Finnish report gives an example of a study on the impact, the amount and the location of the grey economy in Finland (Box 5).

Box 5 An example from Finland

Hotels and restaurants in Finland are among the sectors where the negative effects of the grey economy have been exceptionally clear. From an economic point of view, the most serious consequence of the grey economy is the distortion of local competition. Hotel and catering businesses that are engaged in illegal operations offer services at a much lower prices than their competitors. This prompts even legal operators in the sector to adopt unhealthy ways of doing business in order to stay competitive.

The grey economy also weakens the position of employees; skilled labour becomes more cost prohibitive; and study opportunities become less attractive among young applicants.

The grey economy is most pronounced in fast food (pizzas and kebab restaurants) and the sale of medium-strength beer. Approximately 30% of the value of fast food sales can be ascribed to the grey economy; the corresponding percentage of the sales of beer is 20%. Illegal sales account for 10% of the sales of other alcoholic drinks.

Matching the data on working hours derived from the income distribution survey and the payroll register across the data on worked hours from the labour force survey, gives an estimate of 14,000-18,000 working years of shadow employment in the hotel and restaurant sector. This amounts to 6-8% of the output in the sector.

Vacancies

In many countries, the sector has had to deal with a shortage of personnel during the last 10 years. Since the middle of the 1990s, the number of unfilled vacancies has increased. Many companies deal with long-term vacancies. There is a lack of trained and experienced personnel, due to the enormous growth of the sector. It is especially difficult to find qualified cooks and supervisory staff (middle management).

Normally, the number of vacancies correlates negatively with the unemployment figures. In countries where unemployment is low, the number of vacancies is high. The number of vacancies in the hotel and restaurant sector, however, is more than a correlation of the employment figures alone. It is also related to the working and employment conditions. The stereotypical image of the sector (low wages, undeclared work, weekend work, late night work, seasonal work) does not encourage the filling of vacancies.

Vacancies are a real problem when it involves the more skilled occupations, for example chefs, because this interferes with the core business of organisations. One of the reasons for shortages in these occupational categories is the strong competition between employers in the sector for the best quality. Another reason for the many unfulfilled vacancies is the demanding working conditions in the sector, that make higher educated people decide to take less demanding jobs. In some countries, hotels and restaurants recruit from the ranks of unemployment agencies but, in this case, problems may arise with quality levels, because of the lack of experience of these employees.

Staff turnover

Many countries report a high staff turnover level. Seasonal changes and company closures play an important part in the turnover figures, with three problematic effects: a large inflow, a short stay and a large outflow. It appears that, due to the seasonal nature of the work, employees easily enter and leave the sector, without staying long. The proportion of employees leaving their jobs is

particularly high for bar staff, waiting staff, kitchen personnel, porters and catering assistants. This outflow is often related to the many students and part-time working women who are employed temporarily in the sector. It may be substantially lower in the contract catering sub-sector. Hiring a chef remains one of the most difficult occupations to fill.

Educational and occupational status

A portion of the jobs in the hotel and restaurant sector require no education and only a low level of training and experience. For that reason, the sector attracts many employees with a low educational level. Waiters, reception personnel, and personnel in the catering sector and casinos, for instance, only receive basic training in the skills they need for the job, and are selected on their daily output and performance. Only a few jobs are occupied by trained professionals, including cooks, sommeliers and hotel managers.

The hotel sector has the highest occupational level, because most of these professionals are employed here. Education and employee development opportunities in the tourism sector are scarce. The lack of experience and training generally means lower pay levels, which is particularly the case in times of recession. This causes a downward spiral. Only some of the countries report indications of an increase in educational level of the regular personnel in the sector. Figures on the occupational groups are given by only some countries. These are summarised in Box 6.

Box 6 Examples of the distribution of occupational groups

Austria: about 20% of the workers are owners or managers of the company. Cooks and kitchen helps represent 35%; the other 46% are waiters, chambermaids, receptionists, porters, governesses and so on.

Belgium: the main occupational group is the services and sales group (51%), followed by management (37%) and unskilled labourers (6%).

Denmark: most staff are kitchen personnel (29%), followed by waiters (23%), cleaning (19%), reception personnel (18%) and administration (11%).

Finland: the most common occupations are washers (46%), cooks and waitresses (25%), management and administrative personnel (15%), cleaners and laundry workers (14%). The high proportion of washers relates to the fact that the majority of employers own small enterprises, where the utilisation of modern technology is more difficult than in large companies.

France: in 2000, about one third of employees (34.7%) worked as waiters/waitresses and a fourth of employees (23.3%) worked as cooks. The third largest occupational group is hotel cleaner (about 15% of all occupations).

Netherlands: in 2000, the majority of the employees work as waiter or bartender (44%). Except for the overall growth in the number of people being employed in the sector, no real changes have taken place regarding the distribution of occupational groups since 1992.

UK: the overall occupational breakdown is dominated by food and drink handling or serving occupations: kitchen assistants (18%), waiters and waitresses (15%), chefs (13%) and bar staff (12%), each accounting for at least a tenth of the sector.

The educational level of the sector is often enhanced by the many students working in the sector to earn money during their study years, and their availability for work in the evenings, weekends and holidays. In many cases, these jobs are of a part-time or temporary nature. The large-scale

employment of temporarily working students may coincide with the assessment of educational levels of the sector, and in fact boosts the educational level of the sector.

Regulations and representation

There is a myriad of legislation concerning the hotel and restaurant sector and its sub-sectors. Sequaris et al (2002) counted 250 measures. For the most part, this legislation affects employers and deals with the organisation of establishments in general, such as rules for founding and running a company, earning and taxation, and building and maintaining property. Examples of legislation dealing particularly with the organisation of the hotel and restaurant sector are laws on opening and closing times of establishments, legislation related to alcohol consumption, smoking habits, hygiene and food quality, and building rules for kitchens and establishments. There is also a large body of legislation directed at labour and employment questions in the different countries, such as social security and labour law, legislation on occupational safety and health, and legislation on working times.

Box 7 An example from Sweden

Two factors explain the decline in the proportion of fixed-term employment witnessed in 2000 and 2001 in the hotel and restaurant sector. First, the general improvement in the labour market situation led to a substantial increase in the number of permanent employment. Second, an amendment to the Employment Protection Act came into force in April 2001, making the provision that an employee who has been employed with an employer for substitute (replacement) work for more than three years in total during the previous five years must be offered permanent employment at his/her place of work. As a result of this amendment, many fixed-term employees became permanent employees.

A new trend in countries, which emerged since the middle of the last decade, is to regulate flexibility of work and employment (Box 7). This legislation is often general and directed at securing the position of all employees in the economy. Legislation may affect flexibility of work and employment in the hotel and restaurant sector in an unexpected way therefore. In that case, it may have to be amended in collective agreements, which mostly build further on the general country laws. In some cases, governments wait for sector initiatives. When collective bargaining fails, however, the government may intervene, such as has occurred in Luxembourg with the bill regulating the weekly number of working hours in the hotels and catering sector (Box 8).

Box 8 Example from Luxembourg

In July 2001, the Luxembourg Government presented a bill regulating working time in the hotels and catering sector. The social partners failed to reach an agreement on the issue. The bill aims to transpose the 1991 International Labour Organisation Convention no. 172 on working conditions in hotels and restaurants into national law. The bill seeks to bring working time in hotels and catering as close as possible to a statutory working week of 40 hours, while taking into account the sector's specific characteristics and constraints.

There is not scope within this report to summarise and compare all general legislation in the different countries. Nonetheless, this mandatory legislation cannot be neglected. It sets the fundamental rules for the protection of companies, employers, employees and the population in general. More interesting for this report, however, is the way social partners in the hotel and

restaurant sector are dealing with the mandatory regulations at national level, and how they negotiate certain advantages for the typical situation of the sector or sub-sector they represent. This section concentrates, therefore, on the structure of the bargaining process within the sector, beginning with an overview of the representative organisations. Chapter four will summarise further the issues and problems related to this bargaining process.

Sector organisations

Classically, two types of organisations represent the sectors in the 15 EU countries: employers' associations and trade unions. However, a new trend towards a tripartite structure is emerging in this traditionally dual bargaining situation. Employers' associations and trade unions increasingly work together with the government as a third party. Governments (for instance, in the Netherlands) have learned that it is useful to work together with the representing bodies at sector level in order to achieve or support specific, and often voluntary, regulation. This section, however, summarises only the structure of the employers' associations and trade unions, insofar as this concerns the hotel and restaurant sector. The role of the government is considered in chapters four and five.

Employers' associations

These institutions care for the interests of employers in the sectors they represent. Employers' associations, therefore, by nature, do more than act as a party in the collective agreement negotiations alone (Box 9).

Box 9 Example from the Irish report

The Irish Hotels' Federation launched a 'Blueprint for the Future' in 2001. It advocates a more aggressive marketing strategy for the industry, including the promotion of Ireland as an overseas visiting location, and supports the growing use of information technology in the sector. The use of central online reservation systems and of the Internet as a booking mechanism has increased substantially in recent years. The IHF has also campaigned for a reduction in VAT rates on hotel services.

A large part of the activities of these organisations includes lobbying and negotiating with governments, provinces, departments and communities on improving the infrastructure of the sector, the rules and legislation on building establishments, and the promotion of the sector to the general public. Negotiation on the collective agreements of the sector may also be one of their activities.

Membership of the employers' associations may be mandatory or voluntary. In the hotel and restaurant sector, voluntary membership may imply that sector coverage is decreasing (see also Spineux et al, 2001). Explanations for this decrease of membership coverage are:

- a general reservation towards associations;
- a tendency towards greater consolidation in the sector;
- reducing costs by cutting membership;
- a high degree of fluctuation in the sector, where many companies change owners annually;
- the many small companies in the sector.

All of these reasons make it difficult for the employers' associations to reach all employers. It requires considerable administration and constant attempts to gain and convince (new) members. It also happens that two or more employers' associations cover slightly different sub-sectors. Employers with activities in both sub-sectors hesitate to join more than one association as membership may be costly.

Trade unions

These organisations traditionally represent the interests of employees. Trade union membership is always voluntary. Many trade unions have low levels of unionisation (Spineux et al, 2001). This is particularly the case in the hotel and restaurant sector, because of the typical structure and organisation of this sector (see Box 10). Trade union membership in hotels and restaurants is difficult to organise, because of the many part-timers and temporarily working employees (students, etc), who have only minimal interests in a protection system. Also, trade union membership is often low among young employees, of whom many are employed in the sector. Further, companies are often small and mostly family businesses, which prevents the trade unions from performing large scale recruitment and organising consultation meetings. Lastly, most of the work in the sector is of a seasonal nature, meaning that employees often enter and leave the sectors.

Box 10 Example from the UK report

The low level of unionisation in the sector is an 'indictment' of trade union recruitment efforts. However, the high turnover and short tenure of many employees in the sector make recruitment and representation for trade unions particularly difficult. Young employees are among the least likely to join trade unions and a sector with a high proportion of young people exacerbates recruitment problems. Furthermore, the fragmented nature of establishments in the sector either as small single employers or a chain of disparate establishments makes recruitment and representation difficult. The Employment Relations Act provides unions with the opportunity to gain recognition through workplaces votes. However, the ambiguous definition of the workplace means that it can include a whole chain of small establishments, thus making campaigning for and winning a vote difficult. Nevertheless, there are some recognition procedures underway in the sector, including one at the Dorchester in London. Macaulay and Wood (1992) suggest a number of factors that may explain the low take up of trade union membership in the hotel and catering industry that still seem to be salient 10 years after their initial study. The factors that they identify included individualism among employees, employer hostility and the low profile of trade unions in the sector.

Trade union coverage in the hotel and restaurant sector is often low. An overview of trade union coverage, ranging from 22.1% to 0.1% unionised members per union at national level, is given in Spineux et al (2001). In countries where trade union membership is low, it is expected that this will continue to decline, partly because of the continuing pattern of growing individualisation, which encourages the individual citizen to opt for personalised choices (Allegro, 2001). EU residents are moving away from the strict social structures that characterised them for many years.

When trade union coverage is low, collective agreements may be effectuated for the whole sector or sub-sector by law or governmental regulations. The sector collective agreements may still cover all employees working in the sector, whether they are trade union members or not. Sometimes, collective agreements only apply to trade union members, who are then in a more protected

situation. Collective agreements may also be negotiated at company level, protecting only the interests of the employees of that particular company. Benefits provided in these companies often are more favourable than those provided in the sector agreement.

Trade unions are organised in several different ways, for instance by sector, sub-sector, region, professional group or at national level. Trade unions also care for the wider interests of the groups of employees they represent and are powerful lobbying organisations. In the case of national level representation, trade unions may be organised in umbrella organisations. These umbrella groups care for the wider questions related to general labour and employment quality.

Collective agreements

Collective agreements are negotiated arrangements by the social partners, in which they agree on pay levels and other work related questions that might otherwise be a source of conflict. Once agreed, the situation is regulated for a specified period of time, often for one or two years. In the same manner as in other sectors, the collective agreements in the hotel and restaurant sector address issues such as wage and payment systems, working time limits, resting periods, breaks, employment of young people, holidays, leave and dismissal. For the hotel and restaurant sector, additional regulations may be negotiated on board and lodging, meals, dress code, and surcharges and tips.

Five types of collective agreements are mentioned in the 15 national reports (see also Spineux et al, 2001): national level, sector or sub-sector level, company level, regional level, and professional group level (blue collar and white collar workers, for instance). Collective agreements at national level contain provisions for employment that apply nationwide. These agreements are often negotiated by umbrella organisations, from both the employers' associations and the trade unions. Umbrella organisations may also be involved in setting or suggesting the rules for sector negotiations. At sectoral level, these guidelines are then used when applicable to the specific situations of the sector. Agreements at regional level are found in Spain, agreements at the professional category level in Austria and Portugal.

Compliance

It is difficult to determine a coherent view at EU level of the implementation of legislation and compliance with the collective agreements in the sector. It is thought that non-compliance is more common in small companies.

Organisations at European level

Three social partners operate in the hotel and restaurant sector at European level: HOTREC, FERCO and EFFAT. A systematic description of these three organisations and the organisations they represent is given in Spineux et al (2001). In this section, a brief overview is given of the three organisations and their activities concerning social dialogue at EU level. It is based on interviews with two of the organisations, material collected by Spineux et al (2001) and information from the Internet sites of these organisations.

HOTREC, the confederation of National Associations of hotels, restaurants, cafés and similar establishments in the European Union and European Economic Area, represents the interests of the hotel and restaurant sector at EU level. The organisation is represented by employers in all 15

European Member States. Most national employers' associations which HOTREC represents are involved in collective bargaining at national level. HOTREC calls for a reinforcement of the sector's social partners' role in the structures of the social dialogue, particularly when these social partners have an especially strong interest or concern in a given area. It promotes this role mainly at national level. At European level, the role of HOTREC is primarily one of informing the national members and promoting their views.

With regard to social affairs, HOTREC is concerned about the plethora of new union measures developing in the social field. The hotel, restaurant and café industry is already governed by strict social laws at national level which effectively guarantee the protection of employees' rights, in the opinion of this organisation. There are already 50 measures on social affairs, which have or will have an impact on the hotel, restaurant and café sector (Sequaris et al, 2002). In an industry where the labour factor is crucial, any additional social measures may lead to increased costs and consequently hinder growth and employment, is the leading opinion.

FERCO, the European Federation of Contract Catering Organisations, protects the interests of contract catering organisations in Europe. The aim of the Federation is:

- to represent the interests of contract caterers in the EU decision-making process;
- to raise the profile of the contract catering sector;
- to provide a European level forum for contract caterers;
- to cooperate with other EU employers' associations representing the services industry;
- to pursue a social dialogue, specific to the contract catering sector, at EU level.

The Federation therefore has to know about the needs and action of its members, and act in concert with them, particularly in respect of the EU authorities. FERCO brings together the national contract catering organisations from 10 EU Member States, which represent over 80% of the European market. FERCO concentrates on contract catering and does not want to participate in the hotel and restaurant environment, because of the typically different structure of the catering sector to the more classical hotel and restaurant activities. HOTREC and FERCO however work together in certain fields. They invite one another's representatives as observers to their meetings on social dialogue, in order to keep one another informed on how their work is progressing.

FERCO has not joined the Sectoral Dialogue Committee, which is currently run by HOTREC and EFFAT. Spineux et al (2001) indicate that the reasons for this are: because of the different structure of the contract catering sector compared with the hotel and restaurant sector, which is more dominated by large multinational enterprises; because of different markets (companies, schools, hospitals); and because of different employment conditions (working hours). FERCO member organisations negotiate directly with enterprises in the sector.

EFFAT stands for the European Federation of Trade Unions in the food, agriculture and tourism sectors and allied branches. EFFAT is an autonomous European trade union federation. The EFFAT branch which relates to the hotel and restaurant sector has 32 affiliated trade unions across the 15 Member States of the European Union. It represents nearly all unionised employees in the sector

in the European Union. The general aims of this trade union organisation for the hotel, restaurant and catering sector are:

- to improve employment and working conditions;
- to improve vocational and continuous training, and the recognition of qualifications;
- to strengthen information and consultation rights of workers;
- to promote equality and equal opportunities;
- to facilitate the mobility of workers;
- to support the member organisations in the EU enlargement process.

EFFAT is the most important, but not the only, trade union organisation active in the hotel and restaurant sector. UNI-Europe, ETF and EFFAT are the recognised representatives for their sectors in the European institutions and European social dialogue, representing more than nine million employees in Europe.

Pursuing the overall aim of promoting the creation of sustainable employment in tourism, the European Trade Union Liaison Committee on Tourism (ETLC) was set up in Brussels in March 1995. The main objectives of ETLC are:

- to improve working conditions for tourism workers;
- to promote basic and continuing training in the tourism industry;
- to promote social dialogue in the tourism sector;
- to strengthen cross-border cooperation between trade union organisations representing employees in the tourism sector.

Quality of work and employment

2

This chapter examines the different working and employment circumstances in the hotel and restaurant sector. The situation in the EU will be summarised on the basis of the 15 national reports under the following six headings: physical working conditions, work organisation, working time, income levels and payment systems, different outcomes related to health and well-being, and access to social protection.

Physical work environment

The national reports indicate that a specific set of harmful conditions characterises the working situation of the different workers in the hotel and restaurant sector. The most important risks mentioned in the reports are reviewed thematically in this section.

Noise, hearing and high sound levels

In most countries this appears to be a problem. Noise may be a problem in kitchens (pots and pans), but also in discotheques, cafés and nightclubs, because of the decibels produced by the sound equipment.

Low light conditions

Poor lighting conditions are a concern for employees working in restaurants, bars and casinos. A cosy low light environment may be pleasant for the guests, but may be a cause of risks, such as falling, burning and eye strain. Some of the other problems outlined in this section may also be aggravated by poor light conditions.

Temperature and breathing problems

Work in kitchens is often related to exposure to high temperatures and draughts, because of open doors and air conditioning solutions. Other factors of 'thermal discomfort' are: working in a warm and humid environment, alternating between cold and hot surroundings, exposure to hot steam, indoor climate problems such as poor air quality and bad smells, and exposure to annoying, harmful and toxic substances in the air, such as dirt, grease, oil, vapours, smoke and gases. Exposure to artificial cold in food storages is also a serious problem.

Physically demanding work

Much of the work in the hotel and restaurant sector is of a physical nature and implies strenuous work. Problems include long periods of standing in kitchens, walking and carrying loads as a waiter; frequently carrying heavy loads such as beds and furniture for room personnel; and carrying bulk food packages for kitchen personnel.

Ergonomic risk factors include working in a standing position, carrying and lifting by hand, repetitive movements, working in painful positions, too little space, different floor levels and walking with high-heeled shoes. Key risks for waiting staff arise from carrying loads and from working in a standing position over an extended period of time. The work in kitchens, bars and in service jobs is strenuous and physically demanding. Employees need to be of a good physical condition. Key risks for hotel cleaners arise from bent, twisted and extended work postures. Room cleaning is characterised by inconvenient physical positions (working bent forwards, stretched, or kneeling), raising heavy weights (in the case of making beds or transporting work equipment) and

constant contact with water and cleansing products. Staff in the front office of hotels have to deal with long periods of working while standing up.

Eczema, skin problems and infections

Workers in food handling activities can suffer from dermatitis, often as a result of extensive wet work. In catering and cooking, there is a problem with skin allergies that result from contact with food, excessive water, cleaning agents and disinfectant materials. These last two risks apply for cleaning personnel too. Chambermaids are confronted with risks of allergies and biological infections.

Equipment and technology

New equipment and technology solutions are often beneficial for the hotel and restaurant sector. Companies in the sector make more use of technology, such as kitchen equipment, Internet booking, climate control and reception and guest messaging. Equipment and technological solutions are applied too because of the improvement in working processes. However, new problems may also arise, because of incorrect or clumsy handling of equipment, simplification of tasks and work content, and repetitive movements.

Safety conditions

Exposure to sharp objects and working with hot substances and materials are basic to the work of kitchen personnel. Risks for waiters and kitchen personnel are related to the physical environment of organisations and include differences in floor levels, stairs, and deficiencies regarding canopy roofing over loading bays and goods entrances. Workplace accidents are mentioned particularly for employees working in small enterprises. A risk factor outside the establishments is safety on the way home for employees who have to return home late at night after work.

Smoking and alcohol consumption

Smoking and the consumption of alcohol in the workplace form an inherent problem in working situations where these substances are part of the hospitality service. People have easy access to these materials. In many countries, smoking in the hotel and restaurant sector is bound to new regulations in a bid to put an end to the problem of passive smoking. Passive smoking is particularly a problem for employees working in nightclubs, cafés, bars and discotheques.

Combination of risks

The above mentioned working circumstances are not found in an isolated way. In some professions, they come together, as illustrated in the French report, which provides some insight into the position for waiters (Box 11).

Box 11 An example from France

According to a 2000 survey on Paris waiting staff, 38.2% of employees reported having to raise their voice to communicate with clients. Employees found that this contributed to fatigue: auditory because the employee needs to be attentive to hear properly, and vocal because she/he needs to speak louder to be heard. It also means that the employee will have to ask the client to repeat what he/she wants as there is a risk of mistake. The report also notes that loud music in some restaurants contributes to auditory fatigue, with a risk of possible hearing loss over time. The report also notes that a very high proportion of staff

suffered as a result of preparatory work before service (cleaning involving skin exposure to water and cleaning agents).

A very high proportion of waiting staff reported suffering as a result of:

- working in a standing position;
- walking between rooms on different levels (stairs);
- wearing high-heeled shoes (which can be compulsory in certain restaurants);
- lifting bulk food and drink products.

Work organisation

The organisation of work is a factor that implies many different aspects. Many theories have been constructed to map the organisational problems in the working situation. In this section, these aspects are not treated systematically however, but are described as they emerge from the country reports. This means that the different risk factors are in the first place described from the point of view of a high workload.

High workload and stress

Most of the national reports begin by drawing attention to the heavy workload and high levels of work stress in the sector. A high workload implies working under time pressure, with continuous customer contact. Time pressure is also combined with the complexity of certain tasks requiring high concentration levels. The workload rises at peak hours and is dependent on customer behaviour. Another problem often is the lack of replacement of sick colleagues, which in turn leads to more work for the remaining staff. Complaints also result from working additional hours and working with difficult clients.

Due to a frequent shortage of staff and long working hours, work pressure also leads to risks of falling and accidents, making more mistakes and extra pressure on the work organisation. Employees in some countries (for instance, Spain) indicate suffering from a high degree of stress, related to monotony, boredom and a low degree of interest in the job. Cost reductions and pressure towards greater efficiency may also increase the workload. Not only employees, but also hotel keepers, restaurant owners and managers report these problems.

Violence, harassment and discrimination

Violence and harassment from customers, added to that received from colleagues and superiors, are significant risk factors in the hotel and restaurant sector. Employees who have contact with clients need to stay friendly and independent of personal feeling, which is not always easy in these situations.

Indirect evidence of gender discrimination are pay gaps, segregation and informal processes which act against women gaining management jobs in the hotel industry. Employment in the hotel and restaurant sector provides an integration canal for semi- and unskilled workers and workers of foreign origin, but ethnic minorities have specific problems regarding access to the labour market because of discrimination.

Contact with the public is especially related to violence, aggression and discrimination for employees working in pubs, discotheques, nightclubs and bars. In this case, it often involves members of the public who have drunk too much. Staff working in food takeaway outlets also face the risk of violence and abuse from the public. Risk factors for doormen are violence or the threat of violence.

Organisation, management and working climate

The work organisation as such is not often mentioned as a problem. Probably, people work together in teams, where they face the same difficulties and find solutions together, mostly related to the alternating high and low periods of demand for work. The work organisation in the sector demands a high degree of flexibility of the workforce. Employees often have to perform more than one task, and tasks may be different depending on the time of the day.

Task flexibility reduces exposure to repetitive work and may provide personal satisfaction in dealing with colleagues and the public or clients. However, performing more than one task may also expose employees to strenuous work paths, and to a higher probability of injury due to lack of specific training and professional specialisation. Sometimes, employees in the sector feel squeezed between demanding employers and clients. Typical of the work organisation in the sector are the peak periods, which put an amount of work pressure on the worker.

Autonomy and control

Problems related to control in and over work, checks by superiors, no time for breaks, uncertainty about the finishing time of the work, and lack of communication are practically inherent in the hotel and restaurant sector. Employees report a low degree of influence on their own work and also experience low predictability of work. The percentage of workers who can stop work when necessary is low, as is the percentage who are able to plan and organise their work. Lack of control also implies limited access to flexible working time arrangements, affecting the balance of work and family life. Monotonous work and work without creativity and initiative is widespread in the sector, though this depends on the type of work and organisation. In large organisations, more division of work is possible, while in small organisations task rotation may be necessary to get all the work done.

However, there are also opposite signals. Regarding control in and over work, employees also report being able to set their own work pace and having high levels of autonomy in choosing rest periods and periods of holidays. In this case, they take the initiative themselves and do not violate the busy periods in the company. The amount of autonomy largely depends on professional status, however. Workers at a higher level have more autonomy in the execution of tasks. Since the largest part of the sector is represented by small and medium-sized enterprises, work relations have a rather familiar and casual character, with certain positive and negative effects.

Social support from colleagues and superiors

These factors are not often mentioned as a serious risk factor in the reports. In the hotel and restaurant sector people must cooperate but, on the other hand, they often perform their work in isolation, depending on the establishment in which they work. Relationships among employees seem to be better in small companies compared with the big ones. In the larger companies, career opportunities stimulate competition, which may result in envy and bullying.

Training and learning opportunities

Work stress seems to be influenced by the fact that people are not well trained or educated for their job. In that case they work less efficiently, compared with trained personnel. Employers as well as employees are interested in further training but this is difficult due to limited time, money and possibilities for career development. In the hotel and restaurant sector, much work tends to be of an unskilled nature. Concern also relates to non-completion of training courses. The combination of a lack of will for training and the high costs involved result in a low educational level of hotel and restaurant personnel in many countries.

Working time

In the hotel and restaurant sector, most work is done in periods that other people do not work. Therefore, working time is an intrinsic issue in the sector. This statement is confirmed by the profiles that were constructed from the data of the Foundation's Third European Working Conditions Survey (Houtman et al, 2002). It was found that long working hours are prevalent in many sectors, while non-standard hours are specific to only some. Both long and non-standard working hours characterise the working situation in the hotel and restaurant sector, however. This also becomes apparent from reading the national reports.

Working week

A negotiated fulltime working week for the hotel and restaurant sector cannot be determined from the national reports. The reason is that, in most countries, more than one, and often many, collective agreements are concluded in this sector. Schmidt (2003) compared the officially reported fulltime working week in the 15 Member States and found an average of 41.6 hours, compared with 47.1 hours in the hotel and restaurant sector. This means that fulltime employment in the hotels and restaurants in the EU as a whole lasts five hours longer per week than the average for the economy as a whole. Over the last five years, however, a steeper decline was found in the length of the working week in the hotel and restaurant sector, compared with the entire economy of the 15 Member States as a whole.

The reports solve the problem of the varied figures, by giving the actual numbers of working hours, calculated from research and registration databases, but three problems may arise in relation to these estimates. The first one is that overtime, which is very common in the hotel and restaurant sector, confuses the weekly number of working hours reported, because it is not clear whether overtime hours are included or not. The second problem is the seasonal character of much of the work in the sector, which causes differences in the number of weekly working hours between the low and high seasons. The third problem is that, in most reports, an unclear mixture is found of fulltime and part-time work. Most reports, however, indicate that the actual negotiated working week includes more hours, compared with the country in general. Box 12 gives examples of the working week in some countries.

Box 12 Examples from some countries

Spain: the sector can be characterised by long working hours per week, especially if compared with the national average (although there has been a reduction in working hours per week over the last 10 years).

France: the number of weekly hours worked has fallen in both the sector and the national economy. However, the average hotel and restaurant working week is longer than the

national working week. The length of the average working week varies significantly within the sector.

Germany: in the hotel and restaurant sector, the relative magnitude of the workforce found at both ends of the working hours scale is considerably higher. The largest difference between the sector and national levels is visible in the percentage of female employees working more than 40 hours weekly.

Luxembourg: working hours in the sector, whether part-time or fulltime, seem to be noticeably higher than the national average. A typical working week is about six or seven days. Fulltime work in the hotel and restaurant sector is second only to agriculture and fishing (55 hrs per week). The average number of hours worked a week for part-time workers is higher than any other sector by 2 hrs and 50 min.

United Kingdom: the sector overall has a lower level of long working hours in national terms. However, the proportions are high when compared with other countries. Furthermore, the sector has a higher proportion than the national average working 65 or more hours per week.

Overtime

It is common for workers in the hotel and restaurant sector, in at least some regions of the countries, to work longer hours than officially negotiated. This is particularly true in high season. It might be expected that these longer working hours lead to much more overtime pay, compared with the country figures in general, but only a few of the national reports mention that this is the case. On the contrary, extra payment for overtime is rare. The reason for not indicating this problem is the obviousness of the feature. Employees are expected to continue work until the last customer is gone. Box 13 gives an example of the problems related to working irregular hours and the overtime pay question.

Box 13 Example from Greece

For the purposes of this report, the most significant of these employment laws was Law 2874/2000, known as the Yiannitsis law after the then labour minister. This, among other things, transposed the provisions of the EU working time directive into national law and should have been particularly relevant to the hospitality sector. It introduced more flexibility into working-time legislation by, for example, providing for work schedules to be organised on an 'annualised working time' basis. This was intended to promote employment by making highly paid overtime work less attractive for both employees and employers, but the provisions were taken up by only a handful of companies nationwide.

Such issues had previously been the subject of 'animated' but inconclusive tripartite social dialogue during 2000. According to the National Centre for Social Research EKKE, 'At the heart of the [social dialogue] controversy lies the question of whether the Greek labour market is too flexible (view of the unions) or not flexible enough (view of the employers), and if the present structures are an obstacle to job creation ... (view of the government).'

(Mouriki, 2001).

The union federation, POEE-YTE, has resisted implementation of the Yiannitsis law provisions relating to working time, referring the matter to the courts for interpretation where provisions of the quasi-legal sector agreement conflict with the new legislation. At the same time, POEE-YTE criticises major hotel chains for departing from the terms and conditions of the collective agreement and making excessive use of casual staff, trainees and fixed-term contracts.

Overtime is related to seasonal work, so it can be expected in sub-sectors with a high seasonal fluctuation. Particularly in camping sites and other short stay accommodation, work is related to high amounts of paid overtime, at least for fulltime working men. Women are reported to have low levels of paid overtime.

Long working hours are associated with specific groups. In the United Kingdom, for instance, men in the hotel and restaurant sector tend to work fewer paid overtime hours than in the economy as a whole, whereas for women the opposite is the case. Bars stand out with larger amounts of paid overtime. Men in camping sites and other short stay accommodation work high amounts of paid overtime but women here have very low levels of paid overtime. Unpaid overtime hours tend to be below the national average for women and men but again bars stand out with higher levels. This apparent contradiction of high levels of both paid and unpaid overtime in bars is due to the notably high level of overtime overall in this sub-sector.

Irregular working times

The percentage of employees working in shifts in the sector is relatively high, compared with national levels. Evening, night and weekend work are quite common in the sector. Franco and Winqvist (2002) find that, in the year 2000, 84% of women and 72% of men in the sector worked on Saturdays, and 72% of men and 60% of women worked on Sundays. These percentages for all employees in the European Union are: 45% (women: Sat), 40% (men: Sat), 26% (men: Sun) and 23% (women: Sun). The hotel and restaurant sector ranks highest compared with all other sectors in working Saturdays and Sundays.

During the second half of the 1990s, only a few sectors of activity have shown an increase of more than 1% in the proportion of women who usually work on Saturdays. The rise of 2.5% in the hotel and restaurant sector was higher than in any other sector, though this increase was offset by a decline in the proportion of women who sometimes work on Saturdays. The proportion of women working both usually or sometimes on Sundays increased. For men, working on Saturdays did not increase, but there was a rise in the figures of those working on Sundays.

Though evening, night and weekend work are quite common in the sector, it should be noted also that irregular working hours are often related to certain groups of employees, such as students and part-time workers. Irregular shifts and working hours are a serious risk factor. Working in the evening, at night and at weekends often leads to increased tiredness and to problems with combining work and non-working life.

Permanent night work is a risk factor on its own, and a problem for night porters and employees in discotheques, casinos, night cafés and bars. A particular type of night work is early morning work, which may be frequent for railway restaurants, cleaning staff and breakfast waiting staff. Early morning work may interfere with the night rest of employees, particularly when they have to start before 6a.m. Continuously working with this type of working time arrangement may cause an increase in sleeping and tiredness problems in the long run.

Irregular working times are mentioned as a factor of concern in nearly all the national reports. Though irregular working times generally call for thorough management, this is often lacking. The Belgium report mentions that working time management is almost non-existent in the sector. In

order to meet the flexibility requirements of the sector, overtime is regulated in Belgium by means of a credit of overtime, i.e. a yearly amount of overtime that can be used on some occasions. In Finland, a working time bank is in operation since the beginning of the 1990s (Box 14).

Box 14 An example from Finland

Flexible working hours are important in the service sector. Working time should be organised in relation to the customers' needs. The demand for services and staff fluctuates daily, weekly and seasonally. Since the 1990s there has been agreement about a working time bank in the collective labour contract in the hotel and catering sector. The normal working time is 111 hours during a three-week period. Using the time bank, it is possible to work 135 hours each three weeks during six three-week periods. The employee does not receive any overtime pay, but she/he can take as many hours of free time as the overtime work lasted. Working hours are saved during peak periods and consumed during low season. The aim is to keep as many of the employees as possible on a permanent contract and to avoid hiring extra work force during peak periods. Thus both the employer and employees benefit from the working bank.

Split shifts

A specific risk to employees in the sector is working in split shifts. This particular working time regulation is designed to employ workers only at the busy hours of the day, with periods of leisure in between. In hotels, this means periods of leisure between the morning, when guests are leaving, and the evening, when new guests are arriving. In restaurants, employees work at lunch time and at dinner time, with some hours off in between these two busy periods. This is a solution for the employers, who do not have enough work in the period that guests are not present, but a split-system can distort the perception of working hours for the employees and be a serious disruption to the organisation of private life. The intermediate hours are difficult to use for private reasons and commuting time is doubled.

Income levels and payment systems

In collective agreements, income and pay system regulations mostly precede the design of working time regulations. The most important concern for employees is income, for the employers, the concern is return on investment. After this is resolved, the working hours can be regulated.

Regular agreed pay

It appears that in almost all Member States the collectively agreed pay in the hotel and restaurant sector is low, compared with the national level. Only in Greece is the basic monthly salary in the hotels and restaurants sector higher than the national average. Differences are not always the same for all professional groups, however. The difference compared with national averages may be largest for the remuneration of top management. For the lowest categories, such as the semi-qualified professionals, non-qualified professionals and apprentices, the differences compared with the national average is smaller.

In some countries, different systems exist for the payment of wages, depending on the position of the worker. Administrative employees and persons who work in kitchens often receive fixed wages, while service staff may receive either fixed wages or a percentage of the company's turnover.

It is unclear from the different country reports to what extent the low pay levels are related to the low educational status of the employees. In one report, however, the relatively low income level of employees in the hotel and restaurant sector is explained by the low educational level, but also by the high share of young and part-time workers in the sector. However, this is based on survey results. If wages are included in collective agreements of the hotel and restaurant sector, the base rate is typically at the minimum wage level.

Premiums, overtime pay and extra allowances

Low end wages in the hotel and restaurant sector may be supplemented by a variety of methods, including tips, overtime pay, additional pay for working at inconvenient working times, and other extra allowances. Productivity agreements are common in some sectors for special groups, such as managers. The prevalence of performance related pay is relatively low, but professional groups such as publicans, innkeepers and club stewards may earn higher proportions than other groups in the economy.

Overtime hours may also be compensated in time off. When compensation is not possible, overtime hours have to be paid in money. Unionised workers may have additional pension rights, sick pay, and death in service benefits. In countries where such compensation is obligatory, the hotel and restaurant sector is at the top of the list of sectors with cases before the labour law court. Complaints related to unpaid work are at the top of the list.

Undeclared employment

Specific problems related to the payment system in the sector often involve undeclared employment and illegal wages, particularly when it comes to the payment of extra allowances. Illegal labour was already characterised as a common feature in the sector. Only the report of the Netherlands mentions illegal wages as a problem, particularly for employees working in cafés, discotheques and restaurants, and for employees working fewer than 12 hours a week.

Health and safety

The health and safety outcomes most reported in the national reports are occupational accidents and work related diseases. Incident rates of other diseases are not reported consistently. Most countries have different ways of reporting and registration. Only a qualitative picture can be presented therefore. However, a coherent view does emerge.

Occupational accidents

In some countries, fewer accidents happen in the hotel and restaurant sector – in other countries more – compared with the country in general. More accidents occur for instance in Finland, France, Germany, the Netherlands, Portugal and the United Kingdom. Fewer accidents occur in Austria, Denmark, Ireland, Italy, Spain and Sweden. However, the national reports are not consistent in reporting accidents, and there is also a tendency to under-report accidents in a number of countries.

Comparative figures on occupational accidents are reported by Dupré (2000), who notes the number of accidents at work in the EU from 1994 to 1996. In the hotel and restaurant sector, there was an average rate of 3,532 accidents per 100,000 persons in employment in 1996, compared with an average of 4,229 accidents computed for the EU economies in general. The trend in the hotel

and restaurant sector was a decline of -14.3%, while for the EU in general this trend was -6.8%. Fatal accidents declined by -42.1% in the hotel and restaurant sector, from 1.9 accidents per 100,000 persons in employment in 1994 to 1.1 in 1996. In the EU in general the incidence rate of fatal accidents in 1996 was 5.3 and the decline was -13.1%.

Some reports indicate that accidents, when they do happen, cause more long-term sickness absence and permanent disability in the sector, compared with the country in general. Accidents may happen more often in small and medium-sized enterprises. This is often related to the informal family atmosphere. Also, Dupré (2000) mentions that the risk of having an accident or a fatal accident at work is higher for workers in local units of companies with fewer than 50 employees and for the self-employed. This includes accidents resulting in more than three days of absence. Box 15 gives an example of the accidents and risks employees are exposed to in small and family enterprises.

Box 15 Example from Ireland

The Irish report gives some insight into the accidents that happen in small and medium-sized enterprises (SMEs). Housekeeping, for instance, appears to be problematic to the extent that cleaners have to lift items and carry a lot of material. These workers are often unskilled, less likely to be supervised and work to tight deadlines. In similar fashion, ground staff are problematic: they are contracted staff who are often older and unskilled. They may do damage with mowers and hedge cutters since this work is unsupervised. There are a number of special characteristics about this SME sector. First, most businesses in the hotel and catering sector are family-owned, and lack the resources to buy into expertise. Second, in the hotel and catering sector, there is a lot of small equipment and many small accidents occur. With the exception of big hotels, there is not so much sophisticated equipment so the potential for accidents is low. Third, the geography of the kitchen also makes it possible to keep the accident rate low; most SME kitchens are small and centralised and the head chef can be vigilant. There is also a small number of people working in them and, as noted, they are well supervised.

Accidents in most countries imply: injuries while handling, lifting or carrying; slips or falls; injuries by hand tool; injuries by falling objects; exposure to or contact with harmful substances; cuts from knives or sharp objects; burns related to hot substances and materials. The kitchen and the bar are key accident points in most countries. The Finland report refines this picture, by indicating that unskilled kitchen workers have the most frequent occupational accidents, twice as many as cooks and waiters. In Sweden, the staff working in the canteens and catering business tend to be at higher risk of accident. In the United Kingdom, there is a greater risk of fatal injury to employees in the bar sector, where employees have to cope with the combined effect of members of the public and alcohol.

Sick leave and disability

In most countries, sick leave and permanent disability figures in the sector are lower than or equal to the country figures in general. In part, this is explained by the fact that many young employees work in the sector, often for a short period of time. Most employees leave the sector before work-related health complaints can turn into long-term disorders. A specific risk group are female employees working in contract catering, a group that generally is older. Accidents cause more long-term disability, compared with the national average in some countries. Also data on the duration of the sickness period reveals a relatively high proportion of long-term sick leave in some countries.

Work-related disorders and complaints

In most countries, three main work-related disorders are mentioned: dermatological, musculoskeletal and respiratory disorders. Mainly cleaners and cooks have a higher risk of developing contact eczema/dermatitis. Also, hearing problems due to the noise levels at work was mentioned in some countries.

Social protection

An important means of protecting employees from poverty when they become sick, injured or unemployed is the social protection system. In most countries, the social security seems to be appropriate for the fulltime working employees in the hotel and restaurant sector. However, the situation may be problematic when the size of their income determines the size of the social benefits. People working in the sector often do not earn a high basic income, get paid for illicit work and do not report their tips to the social insurance fund. This means that the actual size of the benefits, when they are needed, is rather low, compared with their regular earnings.

Considering the many seasonal, part-time and fixed-time workers in the sector, many may drop out of the system, without any or with reduced protection. The report on France provides an illustration of this problem (Box 16).

Box 16 An example from France

Social protection remains a sensitive issue for seasonal workers. While some modifications have been made to a regime that is largely predicated on permanent fulltime employment, seasonal workers continue to face many problems. For example, they often fail to acquire benefit rights because they have to contribute to many different regimes during their work life and cannot build up the required contribution level. Another example is that the amount of time worked by seasonal workers may be too short to qualify them for the national social security regime. This is particularly the case for young seasonal workers who alternate between seasonal employment and unemployment spells.

Another problem is caused by the period of time for which employees work. Seasonal workers, and especially young people who do not work long enough, can be seen as risk groups in not receiving benefits. On-call workers (i.e. on a flexible part-time contract) are in a vulnerable situation too, and may not get any sick-pay at all. The marginally employed have a reduced possibility to ensure themselves for benefits in case of sickness and disability pension. Social protection does not apply to illegal immigrants at all; they do not benefit from the social safety net. The self-employed, unlike the employed, are not automatically insured in all countries, but must arrange this themselves. Many self-employed people are not insured against sickness and disability, because of the high costs of these insurances on the private insurance market.

It is also worth mentioning that the sector may have a special position in the unemployment insurance system. The employees who may be let go at off peak periods often receive more benefits, compared with the total amount of paid insurance contributions. Unemployment insurance may in fact be subsidising the sector to a considerable degree. A special social protection policy is therefore needed to combat this problem. Box 17 gives examples from the Portuguese report, illustrating attempts by the authorities and employers in this country to bridge the gaps in employment and insurance pay.

Box 17 Example from Portugal

A proposal was made by the employers' association to the Portuguese Ministries of Labour and Social Security to hand a six-month unemployment subsidy to the employers in the sector, in exchange for the employers offering their workers two-year contracts. The subsidy would then be used in the low season to offer training to the employees in the sector. The programme worked for the years 2000 to 2002.

Another plan is considered for small hotels in Portugal, which often close for four months in low season. These are typically small, family-owned hotels. They often will keep the same employees from year to year and may continue to pay their wages for the four months even though the hotel is closed. This is a good arrangement for all parties as the hotel owner is compensating for the holidays the employees did not have during the summer, and the often large number of weekend and overtime hours they worked during the high season.

Another suggestion backed by the employers' association in Portugal is that the Algarve region would use workers from Brazil on a seasonal basis – because the high season in Portugal is the low season in Brazil, and vice versa. This would appear a good way of dealing with the seasonality of demand in the sector and could be done in a controlled way, by signing agreements between firms in Portugal and in Brazil for the secondment of Brazilian workers in Portugal for periods of up to six months.

All countries use strategies, policies and instruments to improve the quality of work and employment. In this chapter they are reviewed in four sections, as far as they concern the hotel and restaurant sector. First, the implementation of regulations, collective bargaining and case law is described. Next, prevention policies in the field of occupational safety and health are reviewed, followed by examples of good practice and successful organisation initiatives.

Regulations and collective bargaining

In most countries, regulations for the hotel and restaurant sector concern areas such as food hygiene. These measures are mostly regulated by country laws. They often emerge from a public health point of view, and are aimed at consumer protection. National food agencies are responsible for directing, planning and developing, and conducting food control. Activities cover the control of all foodstuffs from 'field to fork'.

Other regulations may be related to the opening and closing times of enterprises (bars, restaurants, etc.). This may be a responsibility of the government or the local authorities. In the latter case, the existing conditions may differ widely among municipalities, regions or provinces.

Controlling regulations

In all countries, general labour law and employment legislation cover most of the working circumstances in the hotel and restaurant sector. Labour law is directed at the protection of all workers in the economy, and is controlled by national institutes covering all sectors. Employment legislation may be carried out and controlled at national level. Alternatively, it may be regulated by insurance administrations funded by the sectors themselves, or by societal institutions familiar with the typical employment patterns and business matters of the sector. The social partners add additional regulation to the general rules of governments and other national or regional rules.

Few of the national reports cite problems with control of the general legal provisions. The occupational safety and health checks are often mentioned as insufficient, however, because of the general lack of control capacity in the responsible administrations. The British report gives an illustration (Box 18).

Box 18 An example from the UK

Both HSE Inspectors and Environmental Health Officers have very wide powers to prosecute, issue notices halting dangerous work and demand improvements. They do not need a warrant to enter premises. However, routine inspections can be infrequent – a report by the Centre for Corporate Accountability found that only one in 20 workplaces was inspected in 2000/2001. The principal statute in the field of health and safety at work is the Health and Safety at Work Act (1974). Breach of the act is a criminal offence and can lead to fines or imprisonment. Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995), workplace accidents and injuries are required to be reported to the appropriate enforcing authority.

The Belgian report mentions that the protection of pregnant women at work, especially in the hotel and restaurant sector, is difficult because the majority of employees are young women with changing work tasks. Also, the typical nature of the enterprises in the sector can be a problem, i.e. the high number of small and medium-sized enterprises, low staffing periods and the fact that

everybody does everything. The non-standard working hours are not considered hazardous to the offspring or the pregnancy, but there are indications that hazards for reproduction might be related to evening and night shifts, to rotating or changing schedules, or to irregular work patterns.

Collective agreements and compliance

Mostly, specific rules that build on the general laws of a country are negotiated and laid down in collective agreements. In some countries, only one collective agreement is in force; in others, such as Portugal, as many as 15 agreements exist. A special case is the Spanish situation, where there is no nationwide collective agreement. Employment relations are regulated by provincial agreements. In 2001, there were 119 such collective agreements in the sector. Out of these 119 agreements, 70 corresponded to enterprise agreements, whereas the remaining 49 took place at supra-enterprise level. Only 2.5% of workers are affected by enterprise agreements, and this percentage shows a downward trend.

Compliance with these agreements is an issue. Rules are not followed by organisations, with a resulting loss of wages and/or additionally paid working hours for employees. According to a trade unionist in the Netherlands, a substantial number of companies do not comply with, for example, agreements related to the payment of extra allowances. Trade unions blame the employers for bullying the employees in order not to pay them. Some companies seem to deliberately force employees into undeclared work, while others do not comply simply out of ignorance. The benefits of this regime only apply to employees. For the self-employed, regulation from the collective agreements does not apply. The sector experiences much illegal self-employment in some countries.

Subjects of agreements

Most agreements cover wage levels, working time and holidays. Additional subjects may be contract types (such as permanent, fixed-term, temporary and seasonal) and equality and discrimination questions (age, gender, disability, marital status, membership of travelling community, race, religion, sexual orientation and trade union membership). Agreements may be valid for all employees employed in the sector, whether they belong to a trade union or not, or only for members of the trade union(s) that participated in the agreements.

Concerning salary levels, the level of pay in the hotel and restaurant sector is low in most countries, while the working hours are longer than average. The lower agreed pay levels in the regulations may be related to receiving additional pay, like annual bonuses, tips, holiday pay and extra holidays. One example of good practice is a collective agreement concluded in Germany in the year 1996. This agreement concerns the battle against illegal employment. The collective bargaining parties agreed to take action when they were aware of illegal situations.

Working time is also regulated in the sector agreements, and is mostly based on the general country legislation. The working time paragraph is usually the second most important issue in the agreements, next to the pay system paragraph. The first item to regulate is the number of weekly working hours, which might exceed the general number of working hours in a country. A gradual reduction in the maximum legal working time may be negotiated. Also specific regulations are negotiated, e.g. regarding the divided working day, or the avoidance of it. Specific rules may be agreed, such as the maximum length of the working day and the interruption period.

Only some reports mention the presence of regulations in the collective agreements designed to improve working conditions. The Austrian report describes trial solutions for the seasonal nature of the sector's economic activities. Annualised working hours may be a means to decrease seasonal unemployment. However, the massive need for employment at high seasons will not be solved completely by this measure. National employment offices also establish activities between countries of the EU which have signed cooperation agreements to exchange employees. The Austrian report gives examples of these kind of activities (Box 19).

Box 19 An example from Austria

The AMS (Arbeitsmarktservice – National Employment Office) has established activities within Austria and between countries of the EU which have signed cooperation agreements to exchange employees. There is also an exchange market for employees which gives employers the opportunity to find workers. The AMS pays two to three days of training on the job. Cooks, for example, are taught regional specialities within that time. These activities work very well in places where there is a good cooperation between employers and AMS.

The representative of the Chamber of Economy mentioned that there was a proposal to introduce an apprenticeship for chambermaids and washers who are currently employed as unskilled or semi-skilled workers. But, according to this representative, the trade union rejected this idea. The union representative explained that the apprenticeship would be a positive step, but would not be widely practised in companies. Therefore, the union declined the offer. The representative of the Ministry of Economy and Labour outlined a further suggestion to reduce the education of apprentices from three to two years: a basic grounding should be given in the first year with greater specialisation in the second year.

OSH prevention policies

All the European countries apply legislation and rules to protect employees from occupational safety and health risks (OSH risks), though there are variations in the dates when such legislation came into force for the first time. In some countries, the first laws came into force in the nineteenth century, more than one hundred years ago. The content of the regulations also differs between countries.

Work in the hotel and restaurant sector is covered by the general national legislation. Only a few specific legal regulations are made for the sector nowadays. Specific regulations for the hotel and restaurant sector are made, for instance, in Belgium and Sweden. In Belgium, they centre on a certificate of vocational qualification, working conditions, hygiene and occupational safety. Specific regulations also concern young workers, night work and working on Sundays and public holidays. In Sweden, the statute book on restaurants and other catering establishments came into force in 1982.

Regulations on working premises are particularly relevant for hotels and restaurants. Also relevant for the employees are rules concerning ergonomics for the prevention of musculoskeletal disorders, and the implementation of a systematic work environment.

In most countries, control of occupational safety and health legislation is carried out by state or societal institutions, such as labour inspectorates or insurance administrations in the field of disability and unemployment. Some of the national reports furnish information on the control of occupational safety and health legislation. In the Austrian report for instance, it is mentioned that, of all sectors, the hotel and restaurant sector has the highest number of infringements concerning protections regulating the employment of particular groups. Working time ranks highest and rest

periods are often breached. Infringements in the employment of young people are common. Also at risk is the protection of pregnant women and nursing mothers.

The Belgian inspectorates are obliged to set priorities because of the lack of sufficient means. Each year, they draft their internal policy, and determine the sectors that will receive special attention. The hotel and restaurants sector often gets priority. Reasons for this include the high percentage of illegal labour and the employment of students and young workers, especially during the summer holidays.

In Denmark, an inspection by the National Working Environment Authority in 2000, revealed that 2,029 companies with kitchens were visited and 4,850 reactions (complaints) were made. Indoor climate (ventilation), the lack of OSH audits and machines ranked highest. About 40% of the visited kitchens did not possess the statutory OSH audits and a number of companies did not have a safety representative, safety organisation or a safety committee.

Examples of good practice

It appears that many work-related risks exist in the hotel and restaurant sector. This is of course also recognised by the sector itself, its companies, and by other parties interested in the sector. For that reason, there are many company and sector initiatives and examples of good practice, developed by different parties in the countries. An overview of these is outlined below.

Supporting organisations

Initiatives may start at European, national or sector level. Many governments and organisations support the development of the hotel and restaurant sector. Supporting organisations may be the European and national governments, but also sector institutions.

European level:

Support at European level is illustrated by an Italian case of development and dissemination of methods and didactic materials (Box 20).

Box 20 An example from Italy

Simulturismo: Development of methods and materials for the improvement of initial and continuing training in the tourism and catering sector (Leonardo project). The aim of this project, developed by AECA – Italy, was to develop methods and didactic materials to improve the quality of on-going vocational training in the tourist sector and to instil the idea of innovation in training methods. Another objective was the development of quality and safety within tourist establishments, as well as the promotion of mobility in the European tourism sector workforce. This was to be carried out through a Europe-wide dissemination of training models focusing mainly on the development of modules that offer hands-on, practical training (the 'Educational Simulimpresa' method).

The partnership, directed by the project committee, worked in close collaboration to develop the methods and materials. The partner countries France, Italy, Portugal and Spain were responsible for the dissemination of the project in various training and social organisations. The results of the project were analysed in different articles and reviews, including 'Espace' 'Courier du Toursime' and 'Taleie'. Two conferences were organised, one in Bologna in December 1999 and one in Rimini in March 1999. A CD-rom was produced and an Internet site was established.

The products deriving from this project are a distance-learning programme, and an operating guide for tutors on quality of service and safety in tourist enterprises, in keeping with national and EU standards. Another product is a basic training module leading to professional qualification to be used by hotels and travel agencies. Two training units for on-going training were also developed on the 'Sale of incentive packages in travel agencies' and 'Management of reception services for customers benefiting from incentives in hotel structures'.

National level:

Sometimes specific national regulations are aimed at the characteristics of the hotel and restaurant sector, such as its many small and medium-sized enterprises and atypical employment contracts.

In Finland, for instance, key legislative changes are contained in the new Employment Contracts Act, which came into force in June 2001. The new act ensures that employees on successive fixed-term contracts with the same employer can benefit from a number of employment benefits. In France, the Secretary of State for Tourism presented an action programme to improve the working and living conditions of seasonal workers in the area of tourism (mostly in the hotel and restaurant sector). The programme comprised 15 measures, and was inspired by the 31 recommendations put forward by a report on seasonal employment. The aim of this plan was:

- to improve housing conditions for seasonal workers;
- to provide better information on their rights;
- to facilitate access to employment-related health check-ups;
- to enable workers with several jobs to pay into a single social security fund;
- to strengthen vocational training during the low season.

Government and local initiatives cannot protect the sector from all problematic situations. Therefore, specially tailored initiatives need to be funded that take into account the atypical nature of the sector. A new initiative in the Netherlands is a tripartite and voluntary covenant on health and safety at work. An example for the hotel and restaurant sector is presented in Box 21.

Box 21 An example from the Netherlands

In the Netherlands, agreements that relate to the quality of work are laid down in covenants on health and safety at work. Since 2000, the Ministry of Social Affairs and Employment actively encourages, including financially, the conclusion of such covenants. These covenants are directly aimed at reducing exposure of employees to high risk and unfavourable working conditions. The hotel and restaurant (including the catering) sector concluded such a covenant in June 2000. The main goal of the covenant is a 10% reduction of work pressure in the sector. Several measures have been taken to reach this goal:

- a quick assessment of work pressure to identify problem areas;
- a brochure providing information on measures for companies to reduce work pressure;
- a website providing information on the covenant and the progress being made;
- an instrument, developed for small companies (less than 20 employees), to conduct a health and safety risk assessment regarding the quality of working conditions;

- training for employees on handling aggression and violence in the workplace;
- a standardised 'model' agreement between companies and occupational health and safety services, providing statutory regulations on mandatory services for companies, and background information on optional services;
- the development of best practices;
- a manual that helps employers to induct new employees and provides information on working conditions and occupational safety emergency procedures/calamities, handling aggressive behaviour by customers, hygiene, environment, handling dangerous substances, lifting weights, etc.

Plans that are agreed in the covenant on health and safety at work may, for the most part, be organised by a central board. Employer organisations, trade unions and the government are preferably represented on this board, which acts as a knowledge and innovation centre, providing information and stimulation.

Tourism sector level:

Often this kind of stimulation forms part of the development activities of the tourism sector in general, which provides for a substantial part of the income level of most countries. At the end of 2001, for instance, the Ministry of Economy and Labour in Austria began a project focusing on the 'Future of working conditions in tourism'. The goals were:

- to enhance the attractiveness of occupations;
- to lengthen the duration of employment of high qualified people in the sector;
- to improve the self-esteem of the employees;
- to support social competencies of employers as well as employees.

A team comprising politicians, employer representatives, unions, experts and representatives of public administration met several times to discuss and implement issues such as education and training, the labour market and the general framework.

Sector level:

Initiatives also emerge from the sector itself in terms of a long-term perspective on financial investment and quality-sustaining development. This is illustrated in the Irish report (Box 22).

Box 22 An example from Ireland

A particular focus in the tourism sector has been on the improvement of (service) quality in the sector. The tourism industry in Ireland experienced nine years of unprecedented growth, outperforming other sectors in the economy, as well as the worldwide tourism market. 2001 was a defining year however, beginning with the foot-and-mouth crisis, and ending with the events surrounding September 11. Those growth years led to an intensification of competition, both from international and domestic operators. Consistent with other sectors, the emergence of greater choice in the tourism sector has also created a more demanding and fickle customer. Price competitiveness has emerged as a critical feature of the sector and is likely to remain so as the euro facilitates price comparison across the euro zone. A critical factor has not just been the improvement of quality but of defining quality in the first place. A number of programmes have been launched in recent years therefore, aimed at improving quality, including the quality of work.

Social partner level:

Social partners do much to stimulate the development of the sector. One difficulty at the level of the social partners, mentioned in the German report, is that the partners can make applications on specific problems, but they cannot handle all cases of misconduct, breaches of law and bad practice. Key examples of poor employment conditions are undeclared work and illegal work. The position of the branch organisations is of clear disapproval, but these organisations are not in a position to act as the police of the branch.

Company level:

A final level of support is found at the organisation level itself. Anecdotal evidence in Greece, for instance, suggests that employees of hoteliers connected or belonging to an international hotel group tend to benefit from the superior employment practices of such groups. Employers can afford to be guided by international standards and are not satisfied with merely falling in line with domestic practices. Such employers are the exception rather than the rule in operating proactive and preventive safety management practices and occupational health activities, as opposed to only those measures mandated by legislation, collective agreement or the labour inspectorate.

Education and training

One of the contributions of supporting organisations is their practical and financial involvement in education and training programmes for the sector. It is important to identify new methods of training and dissemination, as is illustrated in the Belgian case of an OSH training programme (see Box 23).

Box 23 An example from Belgium

SWITCH: innovative tools for the catering and hotel industry

In the proposed project, a prevention concept was developed for small enterprises in the catering trade. It concerned a trans-national project with the cooperation of the Netherlands, Belgium and Germany. The aim is to reduce accident risk and simultaneously minimise health risks in small and medium-sized enterprises. The long-term objective is to improve the economic efficiency and competitiveness of these service companies. It is intended to create networks with the assistance of institutions that play an important role in the field of qualification and prevention in order to benefit from the resulting synergy effects.

Opportunities for advanced training in the field of occupational health and safety are offered to specific target groups which act as multipliers, particularly entrepreneurs, trainees, other employees as well as company trainers and teachers. The sector-specific orientation of the seminars, imparting practical content, clearly shows the special benefits that health and safety have on the quality and competitiveness of small enterprises. Integrating the subjects occupational health and safety into professional training emphasises the positive effect in terms of productivity and product quality. If practical skills and occupational health and safety aspects are imparted at the same time, the latter will not be viewed as an additional load but rather as an essential part of professional qualification. The institutions involved issued certificates for participation in these advanced training measures, so that they represent one element of any person's professional education.

There are many, but still not enough, training and educational programmes and activities in the sector in the different countries. Three general groups can be defined: day schools for managers, day schools for applied professionals (for instance, cooks) and training institutes for additional

education of employees. Secondary school education, hotel management schools and technical education mostly imply some years of day school attendance, with additional apprenticeships to learn the job in practical situations. Additional education programmes for employees are generally undertaken from an existing job in order to provide for training of necessary skills or new techniques. Courses may include risk assessment and safety and health issues in the company.

It is not easy for professional training schools and educational centres to cover all new developments in the sector. The hotel and restaurant sector is confronted by several challenges within the continuing training domain. Increasingly complex workplaces have brought about a shift in training concerns from operational or vocational skills to personal and social skills. Operational skills are still required, but are increasingly focused on technological innovation. In this sense, a capacity to learn and develop activities, to assimilate all elements of a complex process, as well as effective communication skills (including negotiation in cases of conflict), are among the skills needed to enable today's worker to attain the necessary autonomy at work. Meanwhile, management-level requirements resemble not only the qualities listed above, but also embrace a new approach to human resource management and development, by which workers receiving good service from their superiors are more likely to provide good service to customers.

Permanent education of employees in the sector is necessary because of the presence of many low educated employees and high staff turnover. This is the only way to enhance the performance and quality of the sector. It requires training by the employer in the first place, but every country recognises that this is not enough. Too much is left to the personal opinion of the individual employers and the sector in general does not develop enough because of that. A significant drawback is the small size of most of the companies in the sector, which cannot afford to create their own educational programmes and training courses. Therefore most programmes must be realised at a sector level in cooperation with education institutes and the social partners. Within the multinational hotel industry, there is an increasing trend towards investment in education, training and development.

Research

One other task of the supporting organisations is to assess problematic situations and new developments and directions of the hotel and restaurant sector. Extensive research is usually necessary to estimate developments and risks correctly. The national reports mention research programmes on improving the quality of work and employment in the sector. Research programmes may also be directed at specific risk groups, such as small and medium-sized enterprises and low skilled employees. Sector profiles are necessary to map the risks and the necessary competencies and educational needs of the sector in order to anticipate changing contexts at corporate and sector level.

In Finland, the following risk factors in the hotel and restaurant sector have been taken into consideration in studies and improvement projects on the quality of work and employment:

- small and medium-sized enterprises;
- occupational education and training;
- thermal environment and cooking fumes in kitchens;

- grey economy;
- contingent work and shift work;
- exposure to carcinogenic substances like tobacco smoke;
- occupational allergic diseases.

These studies emerge from government initiatives. The example of cooking fumes is given in Box 24.

Box 24 An example from Finland

Cooking fumes as a hygiene problem in the food and catering industry

- **Type of project:** Field measurements were carried out at eight workplaces. Air samples were collected during frying/grilling of meat or fish or during deep-frying, at stationary sampling points close to the cooking apparatus and the active working area.
- **The main goals:** To get more data on the emission of cooking fumes in the workplace air, because it is known that these fumes may contain irritants or other harmful substances.
- **Subjects:** Field measurements of the emission of cooking fumes (concentrations of substances including formaldehyde, fat aerosols, acrolein and mutagenic heterocyclic amines) were carried out at two bakeries, a food-processing plant and five restaurant kitchens by Vainiotalo and Matveinen.
- **Results:** The highest concentrations of fat aerosol (9-16mg/m³) were measured in kitchens using the ordinary frying method. The concentrations of acrolein ranged from 0.01 - 0.59 mg/m³, exceeding the current threshold limit value (0.23mg/m³) in two kitchens. The highest concentrations of formaldehyde were found in grill kitchens (0.24 and 0.75mg/m³) and the highest concentrations of acetaldehyde in bakeries (0.67 and 1.5mg/m³). The concentration of representative mutagenic heterocyclic amines was below the detection limits, whereas low concentrations of polycyclic aromatic hydrocarbons were found.
- **Benefits:** Prevention: The results emphasise the importance of controlling cooking fumes during working. The survey confirmed that cooking fumes contain hazardous compounds. It also indicated that workers may be exposed to relatively high concentrations of airborne impurities.

Brochures and guides

Many different brochures and guides promote and/or judge the different techniques or companies in the sector, often initiated by the sector itself, but also by other parties that have an interest in the sector. The famous Michelin red guide gives one of the most respected rating systems on quality of hotels and restaurants in most of the EU countries. It forces the sector to strive for quality, which also includes promoting quality of work and employment. This initiative is followed by many local sector organisations that issue reviews of hotels, restaurants, bars and camping sites. The Austrian trade union HGPS is mentioned as a sector organisation that publishes an annual booklet recommending hotels and restaurants in Austria. Selection criteria are: compliance with working conditions, including labour legislation, appropriate income and social insurance, enforcement of health and safety regulations, and having qualified employees.

Brochures and guides are also made for internal use by the sector. They consider trade issues such as initiatives concerning the quality of work and employment.

- The Trade Safety Committee for Services in Denmark publishes a range of specific manuals for the sector about: overspecialised repetitive work in kitchens, violence and threats of violence in the restaurant sector, hotel cleaning, and frying smoke and ventilation in restaurants.
- The Guides of the Finnish Institute of Occupational Health are short information booklets for employees and employers or their advisors, including: *A worker's guide to ways of coping with shift work*, *Restaurant inner air quality and ventilation* and *Towards a smoke-free restaurant*.
- In Luxembourg, a 'safety check for catering establishments' was developed as an assessment instrument to estimate occupational safety and health risks in the selection of work equipment, chemical substances or preparations and in the layout of workplaces.

Funds, prizes and subsidies

Encouraging organisations in the sector by means of extra allowances is a favourite and positive way to improve work and employment circumstances. The reason is that most companies are very small, and are not able to take these initiatives themselves. The sector in Belgium provides two kinds of subsidies: to companies of more than 50 people who want to offer a specific training programme to their staff; and an allocation that can be used to improve the quality, access to schools and training of hotel school graduates. The Flemish government introduced cheques to stimulate the education or training of people in companies. These allowances may be given as grants, or may be negotiated between the social partners. European Union financial support has encouraged a range of continuing training programmes and projects for the hotel and restaurant sector.

Good practices

Most employers want to improve their organisation, but are too preoccupied with day-to-day concerns to devote much time or money in this regard. As a practical measure, they mostly look to competitors and copy their ideas, as they cannot afford to lag behind and lose customers. Good practices can be encouraged in the same way, by inviting employers to look at examples being used. They can then judge for themselves whether they wish to copy the good practice, without too much investment or risk of failure.

The method of good practices is particularly appropriate for the hotel and restaurant sector, because of the many small and very small enterprises, that cannot afford to experiment on their own. Subjects might include:

- action programmes and projects, including the development of an ergonomically-designed kitchen unit for cooks, so that they can sit down during their preparatory work;
- improvements in the order, cleanliness and ergonomics of the workplace;
- a handbook for new employees regarding occupational health and safety.

Box 25 An example from Denmark

In Denmark, the sector-specific part of the national action plan for the improvement of working conditions has been taken up by the hotel and restaurant sector. Specific projects for the hotel and restaurant sector include:

- a countrywide effort to control the laws regulating working conditions;
- an effort to reduce the ergonomic and thermal strains in institutional kitchens;
- special supervision for cooks and kitchen helpers;
- special supervision for waiters/waitresses;
- a strategy for an action plan to prevent the excessively high mortality rate within the sector.

The Best Practice Forum is one other example of a large scale best practice in the tourism, hospitality and leisure industry. This programme is supported by the Department of Trade and Industry and the Department for Culture, Media and Sport of the United Kingdom. An impressive number of 500 businesses have already signed up for the programme Profit through Productivity. The Forum is a strategic alliance of key industry associations and partners working together to bring benefits to all businesses in the sector. The programme aims for professional business development and quality improvement, including addressing concerns of employees.

Concerns

Three kinds of concluding remarks are made in the national reports, all indicating the tension between existing regulation and the emergence of new initiatives. The comments may help to answer the question of whether further regulation or a more free stimulation is the solution for the sector.

The first concern is that most countries have an extensive amount of legal and bargained regulations, which gives a secure feeling on the one hand, but blocks new developments on the other. From one report, it seemed that the interviewed representatives outlined many ideas of what needs to be done to improve working conditions, but could list only a few projects currently in progress. Perhaps the many rules block further development.

The second type of concern is that countries do not want to lose the extensive regulations in place. Social partners criticise regulation, but also protest when, for instance, the government follows a path of deregulation. This has already been seen in Denmark. The social partners build on existing regulations in pursuing sector agreements. Another positive effect of making or redefining legislation is that it brings the subject to people's attention. This effect disappears when no new legislation is underway.

The third type of concern is that the legal framework governing labour relations is extensive, but there are still a large number of firms that do not comply with legal requirements. The quality of work in the sector is strongly related to the large proportion of small and very small firms. In many of these firms, there is a general lack of attention to working life quality, a problem related to the fact that many small companies lack the in-house expertise to carry out these risk assessments themselves, and are reluctant to call in the help of expensive occupational health and safety services. This undermines the professionalism of the sector.

Enforcement measures and voluntary initiatives are dependent on each other. Some regulation is generally judged as necessary. However, too much legislation prevents the different groups from following their own path. A tendency may be noted that parties are moving towards a path of more freedom. Employers and their representatives want to improve and follow the new directions for development. Employees and their representatives, and certainly many young employees, are more prone to individual development and do not want to comply to firm social structures. Governments try to stimulate the sector by giving good practices and encouraging development. More freedom and less regulation may become the norm.

This chapter summarises the views of employers' associations and trade unions, as well as the views of other parties involved in policy matters of the hotel and restaurant sector. This is done by means of a thematic analysis of the subjects that are mentioned in the different national reports. First, the views of the employers' associations are summarised.

Employers' associations

One of the most important challenges for the employers' associations is that most companies in the sector are small or very small. This leads to specific problems concerning the position of these organisations in the economy and labour market.

A particular dilemma of the northern European countries is that the hotel and restaurant sector is perceived as low status service work in small companies. The working conditions give the sector a negative image. This contrasts with southern European countries, where jobs in hotels and restaurants have a higher status and people are proud of their work. The effect is that in the northern countries, many employees leave the sector, whereas in southern countries a lifelong perspective of the work, for instance the job of waiter, is more common. Box 26 gives examples from two countries.

Box 26 Examples from Spain and Ireland

According to the interviewed employers' association, the Spanish hotel and restaurant sector is a strategic sector in the Spanish economy for two main reasons. Firstly, the sector is a key element within the Spanish tourist industry, one (if not the main) engine of the Spanish economy. The Spanish tourist industry is regarded as one of the most competitive in the world, not only in terms of price but especially in terms of service quality. Secondly, the sector has created a higher percentage of employment than the Spanish average.

It is generally acknowledged that the tourism industry in Ireland is going through a tough time at the moment. While officially it is said that the sector is coping well with the general slow-down in the economy, privately, commentators noted that some small businesses within the sector were experiencing difficulties. Restaurants are one example of small businesses which are hurting at the moment; similarly, businesses which provide ancillary services, such as tourist shops, are in trouble. At the high end of the market, there are also difficulties. Ireland has attracted in very recent years a number of well-known large hotel chains. Having made huge investments in property, it is debatable whether these companies can make a successful return on investment.

One of the main suggestions for improving the sector, from the perspectives of the employers' representatives, is that economic prosperity of the sector comes first. Such prosperity will mean more money to invest in improvements, including the quality of work. Yet, as the Irish case illustrates, too much prosperity may also be a problem, particularly when it is not used for investment in the quality of the sector.

Regulations

Labour law and legislation on occupational safety and health have become more complex over many years. Because the vast majority of employers in hotels and restaurants are small enterprises, employers do not have the time or skills to understand and follow all the legislation. They regularly seek support from authorities and their employers' association, particularly in relation to the

regulatory framework on working environment and sick leave. Collective agreements are mostly well documented by means of booklets with the actual rules broken down in sections and chapters.

The many requests for support may be one reason why employers' associations generally are opposed to too much regulation. Some employers' associations have made radical proposals to abolish the working environment acts and leave it to the social partners to negotiate agreements in this field. However, basic regulations need to be present to prevent some employers from misusing deregulation and taking competitive advantage. Employers' associations are aware of this danger and cite examples of social agreements that can be used to redress the absence of legislation.

Legislation is often formulated at a general level and does not fit unique situations in the sector. The report from Germany describes a negative outcome when new regulation for marginal part-time workers came into force. The new regulation caused chaos in the sector and served to encourage illegal work. Such work is rejected by the employers' associations, but in this case they could not prevent it from emerging. It became profitable and attractive for employers and employees to break the rules. In Portugal, the employers' association objects to the employment legislation, which does not consider the tourism sector as a seasonal activity. This makes it difficult for employers to use seasonality as an argument to hire employees on fixed-term contracts.

Legislation may also disadvantage small organisations, which can be financially hit by specific legislation regarding social security and occupational health and safety. The purchase of services from certified occupational health and safety services, for instance, often is not possible because average contributions calculated on the number of employees are insufficient. The obligation to continue payment of wages in the event of sickness may place a financial burden on small companies especially. This financial risk has to be insured through private insurance companies, or paid in cash when an employee becomes ill for a long period.

Negotiation

The collective bargaining situation may be too restrictive in the case of less controversial issues, such as safety and health. It might be possible to avoid conflict by bringing these subjects outside the collective agreement atmosphere. A solution mentioned in the reports, for instance, is the drafting of separate and voluntary covenants regarding the improvement of working conditions.

In the view of employers' associations, collective agreements should only serve as a general framework, whereas employers should be highly autonomous in organising their own businesses. Direct interference with company policies is not desirable. This counts for the trade unions and also for the employers' associations themselves. Employers' associations must not act as a police force, as this interferes with the negotiation task. Actual problems need to be solved at company level.

Developing the sector

A large part of the work of employers' associations consists of stimulating and promoting the sector. These developments are carefully followed and identified. Developments affecting personnel include the development of specialised skills and abilities, public relations skills, language skills, understanding software for bookings and learning new technologies. Employers' associations are expected to provide infrastructure to help the many small organisations introduce the

developments in the company. This infrastructure might be training of employees, or help at a broader level, such as investment aid.

One recent development is the growth of large organisations. Positive effects may be related to a greater professionalism in these organisations. Hotel chains, for instance, are said to improve working conditions and circumstances, because these large organisations have greater funds available for realising better conditions. They understand the benefits and advantages of a professional organisation and professional management. Small organisations may copy these developments, though not all are achievable, due to scale.

Labour market

A significant problem in many countries is the shortage of personnel in the hotel and restaurant sector. This shortage is related to the lower and the higher end of the labour market. However, not many solutions are mentioned in the reports, perhaps because this problem is inherent to the many seasonal related activities of the sector. Companies and employers' associations may be completely adapted to the situation.

The shortage of qualified staff forces employers to hire people without the right skills and experience, or to appeal to occasional and temporary workers. The social partners try to solve this problem by investing time in offering a large range of educational programmes and training to job seekers and employees in the sector.

Box 27 Example from Spain

The strong growth in employment is challenging the future evolution of the Spanish hotel and restaurant sector. One of the main current problems for the Spanish sector is finding suitable personnel. According to the employers' association, this difficulty exists in quantitative terms (especially for those job positions that require lower qualification levels such as kitchen assistants or cleaners) and in qualitative terms (for those job positions that require a high skill level, such as maîtres, responsables of kitchen, etc). From a geographical perspective, the lack of available personnel particularly affects several Spanish non-seasonal areas (e.g. large cities such as Madrid).

Often there is a shortage of both high and low educated personnel (Box 27). Young people are not available because they prefer jobs in other sectors. Attracting unemployed people from other sectors is not a satisfactory option, since many of them do not have the relevant skills. Employers realise that the activity in the sector is highly seasonal, but deny that there are groups at risk in the sector. Countries may also attract employees from countries outside the European Union. Employees from eastern European countries, for instance, are highly valued in Spain because of their work capacity and commitment.

Flexibility

It has already been mentioned that employers need to react efficiently and immediately to fast changing market conditions. The sector demands flexibility in terms of its seasonal nature, working hours and employment of staff. National legislation mostly allows only limited flexibility. Regulation by collective agreement can solve some problems in a tailored way, but cannot solve everything, partly because of its dependency on the basic rules set by government. The demand for

flexibility also explains why illegal work often exists. Creative solutions are considered by the employers' associations. The cases from the Portuguese report in Box 17 gave some suggestions.

Employers and unions in Italy are currently acting to improve the working conditions of the sector. Regarding work organisation, workers have to be able to conduct more than one task (operational or functional flexibility), especially in smaller firms.

Working hours

Working time regulation in the hotel and restaurant sector often relates to the demand for flexible working times and long working hours, rather than the employment of workers at different times, such as working in the evening, at night and at the weekend. Working time regulation therefore is a problem related to the flexibility question. When it comes to the maximum duration of the working week, the national reports refer to a compulsory regulation. Employers' associations in most countries state that this week is not long enough, even when the average working week in the country is much shorter.

Working hours regulations are perceived as quite rigid. For example, employees in the Netherlands are obliged to take off a certain amount of Sundays per year. In most countries, however, Sunday is not seen as a special day that has to be protected. Regulations on breaks may also be perceived as rigid, even when they are in the interest of the employees.

Employers are willing to employ more people on a permanent contract, but want more flexibility in scheduling these personnel. Positive developments are also reported. According to employers in Italy, the remuneration package offered to employees is generous. They include 14 paid months per year: 26 holidays and an additional 13 days of (paid) time. Night work and working on Sunday receive additional remuneration.

Occupational safety and health

For the many small enterprises in the hotel and restaurant sector, margins are thin and the focus is on doing business to survive. As a result, working conditions do not receive much attention. Large employers tend to be in a better position to improve working conditions. It is also easier for larger companies with a human resources department to keep on top of the labour law/collective agreement framework.

A more integrated sectoral approach can ease this status quo. Employers, for instance, can continue to invest in improving working conditions when they work together. The increased attention and care for hygiene, environment, fire safety and economical use of energy often lead to improvements in work organisation and working conditions. A combined policy on these issues is another option. New techniques and technologies, better protected appliances and a larger selection of protective clothing reduce the risks. Employers' associations help in developing these solutions.

Trade unions

Trade unions characterise themselves by being involved in the position of their members, while at the same time looking at work and employment problems from a more distant view. Their challenge is to go beyond the daily problems and translate these to a more general policy to improve the

situation of all members. This latter view was clearly expressed by a Swedish union, which stated that the government and public authorities should improve the situation of their members by the following actions:

- more research should be done towards improving the working environment;
- more resources should be allocated to inspections of the workplace;
- employees should be given more influence and control over work;
- the public insurance scheme should be sensitive to the particular health problems faced by employees in the sector.

Though macro policy is part of their work, the daily problems at the workplace are also a matter of concern for the trade unions. The balance between these two views is often apparent in the national reports.

Compliance

A major problem emphasised by the trade unions is that collective agreements are not complied with at company level. This is true not only for collective agreements, but also for legal requirements. The legal limits for working hours for instance are easily exceeded, and employees may be seriously underpaid or not paid at all for additional hours worked. Illegal immigrants in particular are a risk group. Even compliance with the appointments in the voluntary covenants is problematic. Many companies neglect the rules and the sector lacks a sanctioning organisation to control compliance.

Box 28 An example from Germany

A key approach to illegal employment in the sector is the control of illegal turnover. The entire cycle of illegal employment, undeclared work paid in cash and non-compliance with collective agreements can only function if there is cash to pay for this. This implies that the companies have to generate this money. Undeclared income is the central issue for the cycle to function. Therefore, control of company turnover is crucial. The trade unionist welcomes the appointment of several hundred tax officers by the taxation authorities for auditing companies' accounts.

A key concern of the trade unions is the large group of employees working in small operations, where trade union representation is very low. Labour inspectorates do control compliance with legislation and agreements, but the many small companies in the sector have only a small chance of being monitored. Where compliance and control by the responsible authorities fail, other measures might be contemplated. The German report describes the combat against illegal employment (Box 28).

Labour market

The Austrian and Belgian reports suggest that seasonal work and the working conditions in the sector act as a selector. Working conditions and income are bad, and skilled and older employees do not want to work in seasonal businesses. Too many young and unskilled workers enter the sector. The trade unions believe that companies should improve working conditions and increase payments to match effort levels.

Another selection effect is that many non-European and illegal immigrants are attracted to the sector, because of their own disadvantaged labour market situation. In Spain and Portugal, employees from non-EU countries are welcomed. The trade unionist interviewed in the German report is open to employees from non-EU countries as long as they are qualified personnel and paid on the same terms as German employees. Opening the labour market for unqualified personnel at pay levels below German standards would trigger the lowering of standards within Germany.

The German trade unionist characterises working conditions in the hotel and restaurant sector as: 'working a third longer, earning a third less'. Understaffing is an issue, but few people are willing to work in the unfavourable conditions, compared with other sectors. The sector is not under pressure to alter its policies, however, as the vacancies can be filled by young and low educated employees, illegal workers, apprentices, or by outsourcing high risk work, such as housekeeping and kitchen work. These outsourced employees often continue at the same workplace but become employees of companies specialising in cleaning services with lower levels of pay and working conditions.

Career opportunities in the German hotel and restaurant sector are generally good, especially in the larger chains, as there is a scarcity of skilled workers. The price, however, means giving up family life due to the long hours and high workload. Many hotel managers are below the age of 30.

Negotiation

In most countries, the industrial relations are described as cooperative. This includes not only the cooperation between the unions and the employers' associations, but also the cooperation between these parties and the government. The number of parties in the negotiation process also defines the number of possible conflicting relationships, in particular when two of the three parties start to collaborate. When unions consider that the ongoing dialogue between the government and employers is too one-sided, for instance, the negotiations become intense and difficult, and may lead to an increased number of strikes.

In particular, unions may become worried about government proposals to introduce elements of flexibility into the labour market. Governments and employers' associations might work together because of their expectations that increased flexibility may stimulate the economy. Trade unions have to defend the position of employees, as this is the group from which increased flexibility is expected, often without sufficient additional pay and protecting regulations in exchange. They may insist that regulations on flexibility are laid down in collective agreements.

Trade unions also fear the attempts of governments to reduce the number of regulations and the administrative burden for employers. They realise that it then becomes harder to control compliance.

When many large organisations provide for good working conditions themselves, there may be a constructive negotiation atmosphere within the sector. This may not be the case where there are many small or highly competing enterprises. The Spanish report illustrates an example (Box 29).

Box 29 An example from Spain

According to the trade union, the Spanish hotel and restaurant sector can be divided into two main groups. On the one hand, there are large enterprises, generally related to the hotels sub-sector, which are in a process of merging: around six large groups make up around 90% of the total Spanish hotels sector. In these enterprises, existing working conditions are, generally speaking, good with strong levels of worker representation and high collective bargaining coverage. On the other hand, in the enterprises mainly linked with the restaurant, bars, and canteens sectors, labour conditions are completely different, and are being challenged by emerging large chains of fast food, which are very aggressive in their working conditions and competitive against traditional establishments. In some provinces, collective bargaining processes have been recently split up between the lodging sector (mainly hotels) and the restaurant sector (bars, restaurants and catering/canteens). The traditional practice in the remaining provinces is to deal with both sectors in just one collective bargaining agreement.

Cooperation or non-cooperation also depends on the subject under negotiation. In the Netherlands, the trade union representative emphasised that the cooperation between employers' organisations and trade unions on issues related to the quality of work is quite good. Both trade unions and employers' associations consider the policy on occupational safety and health as a win-win situation. However, opinions may differ when it comes to collective agreement issues: questions on pay, wages and working time can be a source of conflict and disagreement.

One of the disadvantages for the trade unions is the low union density in the hotel and restaurant sector, which restricts the basis for strong representation. This probably forces unions into an attitude of cooperation.

Another discussion concerns the extent to which trade unions should intervene in the policies of individual companies, in order to encourage the improvement of occupational safety and health matters at company level. Employers' associations state that unions should not interfere at all, whereas unions prefer to agree custom-made arrangements on health and safety with individual companies, because of the high level of non-compliance in the sector.

Subjects for negotiation

Wages are the first subject of concern in the negotiation of the social partners on collective agreements, followed by working time and working conditions, as has been already outlined. Trade union representatives believe that these issues will be difficult to solve. They also believe that it will be very difficult to resolve the labour shortage without addressing unsatisfactory working conditions, which, in their view, are the root cause of the recruitment problem.

In Ireland, *health and safety* is coming to the fore, more, one suspects, as a result of rising insurance premiums and an abundance of new laws which are specific to the sector. The Dutch unions acknowledge the fact that it is harder for smaller organisations to carry out the occupational health and safety regulations because of financial restrictions and the complexity of the regulatory framework. Often, small companies confine themselves to a minimum package of purchased preventive services.

Another problem in occupational health and safety measures is the culture within the organisations. For example, cooks are used to doing their work standing and are reluctant to use ergonomically-designed kitchen units, even though they are aware of possible health complaints related to long periods of standing.

Trade unions may be involved in training centres to offer free courses to employers and employees in the sector. This formula has been successful in Belgium, where many workers of small, medium-sized and large companies follow these courses.

The views on quality of work and occupational safety and health issues are changing. Employers are becoming more aware of the occupational risks and dangers. The high contributions paid to insurance companies in case of accidents also tend to have an awareness raising impact.

Possible solutions to the *seasonality question* were outlined in the labour market section of chapter one. The unions have certain concerns regarding using national employment offices and temporary employment agencies to source employees at high season. They believe that the general qualification and pay levels in the sector will decrease when the sector starts to attract even lower educated employees.

Views of others

Most of the country reports describe under the heading 'views of others', the views and standpoints of the government, government related organisations, representatives of political parties and large employers. Views are given by representatives of these organisations or extracted from official policy documents and research reports.

Developing and improving the sector

Promotion of the sector is an important goal for many governments and government related organisations. The promotion of the travel or holiday sector in general is vital, while employment related subjects in the sector are also of interest. One issue is the promotion of mobility of employees throughout Europe, enabling employees to gain first-hand experience of a foreign tourist culture, to sharpen their foreign language skills and to learn new work methods.

Governments recognise that the delivery of high quality tourism services requires well-qualified tourism industry professionals. To that end, partnerships between tourism professionals and the ministries of education and tourism are designed to create an educational infrastructure and to formalise diplomas in tourism.

Governments are also considering ways to assist in the survival of the many small and independent hotel businesses. This is particularly imperative at a time when many of the owners of these businesses are approaching retirement age.

Social dialogue has proved an effective tool for mobilising small business owners, in order to increase competitiveness, to optimise job-creating capacity and to consolidate employment. The experiences across Europe show that this dialogue offers help in finding appropriate solutions to the development and improvement of employment in the hotel and restaurant sector. Subjects for social dialogue include vocational training and increasing competitiveness through negotiated

flexibility. Four factors that will contribute to the future success of the hotel industry are: commitment to quality, brand image, human resources and high qualification levels, and investment in new equipment.

Seasonal and temporary work

Governments and other organisations with interests in the sector in the different countries look carefully at the development of seasonal and temporary work in the hotel and restaurant sector. Concerns for the governments are: the danger of undermining existing legislation on taxation, social security, labour market participation, and working and employment conditions.

Supporting institutions, such as chambers of commerce, stress the negative effects of the temporary nature of employment to the development of the sector. Groups of workers have to work continuously in order to offer the sector a stable basis for continuation, development and growth.

Developments that are often regarded as negative can also be seen from a positive angle, however. According to one political opposition party, the importance of the sector is systematically underestimated. The sector employs a number of low skilled workers who would otherwise be in danger of becoming long-term unemployed. The sector provides opportunities for second jobs and employs a large amount of young people, who would otherwise live in a less affluent situation. The sector also employs many self-employed, contributing importantly to the economy.

Another stimulating and positive point of view on the precarious work of the sector, is that it provides an entry to professional life for many young people, such as students, and also some risk groups. They use the experience in their later professional career.

With regard to improving working conditions, programmes can be initiated to target seasonal employment and to combat instability, precarious employment and difficult working conditions. Governments, business organisations and local authorities can work together to ensure that the young people, who enter the industry under various temporary work assistance programmes, remain in the sector. Better career prospects are key tools to improve the labour market attractiveness of the sector.

Points of consent and dissent

Points of agreement and disagreement correlate almost systematically with the negotiation conflicts of the social partners in the 15 countries. Negotiation on wages, additional pay and working time always result in disagreement. This is, of course, part of the traditional role-playing in the world of negotiations. Outside this competing environment, negotiators often work together in stimulating the development of the sector. Differences of opinion may be present, but there is mostly consensus on the nature of the problems.

Points of consent

Most interviewed representatives agree on the fact that working conditions and technical developments in the sector are a problem for both employees and employers. They agree on the burden created by working long unsocial hours and the resulting problems in combining work and family life. Also, representatives of the different parties often agree to the fact that staff turnover and unemployment outside the seasons are high.

Employers' representatives and trade unionists work together in stimulating and improving the image of the sector. They collaborate in providing education and training, in order to improve skills of employers and employees. Problems in finding qualified personnel, especially cooks and supervisory staff, are not in the interest of the sector.

Often there is consent on issues related to the quality of work. All parties emphasise having the same interests regarding the improvement of working conditions and stress the importance of maintaining social dialogue on this subject. Specific solutions, such as voluntary covenants on health and safety at work, are considered by all parties. There is also recognition that implementation of health and safety measures and regulations by force can lead to certain difficulties, especially in small companies.

Points of dissent

Classically, social partners disagree on questions of payment. Employers' associations believe that the current remuneration is appropriate or too high, while unions would like to see the employees receive higher wages, and work less overtime and unsocial hours.

Another point of dissent is the high turnover of employees in the sector, particularly in the case of lower educated employees on fixed-term contracts. Employers see the high job turnover as a natural and structural characteristic of the sector, while unions would like to offer employees in the sector more job security.

There are few fundamental points of dissent, however. Mostly social partners agree on the problem, but disagree on the solution.

Employer and employee organisations agree on the fact that there is a shortage of qualified staff in the sector, but disagree on the exact reason. Trade unions believe this is due to the fact that the sector is not popular, because of low wages and long/unsocial working hours. They believe that qualified personnel are available in the labour market, but that they choose to work in other sectors. Employers' associations think the shortage is because there simply are not enough staff. Whatever the reason, both parties put much effort in training (self-employed) employers and employees in the sector. Because of the difficulties of finding qualified people, employers realise that they have to value qualified professional workers.

Both social partners by nature disagree on the regulation or deregulation of the labour market. While employers' associations seek a liberal approach, the unions are satisfied with the current well-regulated regime. They consider legal protection to be vital in maintaining the rights of employees. The unions fear that the already low levels of compliance to regulations will lead to even lower levels when deregulation is implemented. In the end, however, when it comes to actual deregulation, both social partners tend to agree that rules are necessary: trade unions to protect the employees' rights, employers' associations to protect the market from employers who try to benefit from not following the rules.

From the country reports, a picture emerges of a rapidly changing structure in the hotel and restaurant sector. Technological and administrative changes, changes in consumer demands, upgrading and modernising enterprises, emerging forms of businesses, and changes in the demand for labour and the content of work cause the sector and its representatives constantly to adapt. These changes are not only increasing in number, but are also affecting the traditional structure of the hotel and restaurant sector. This chapter summarises just some of the developments forcing the sector to adjust. For a more extensive picture of the expected changes, refer to Allegro (2001).

Technological changes

Technological changes in administration activities affect the entire sector. Other major technological changes affect the food processing and cleaning activities in particular.

Administration is developing strongly in the hotels sub-sector, especially in large and business hotels, which attempt to process the many administrative data and offer the latest equipment to business travellers. These changes have taken place for at least the last 20 years. Large hotels use computers in receptions and in the back office for reservations, cashing-up, accounting and storekeeping. Global electronic booking systems have been used in the hotel industry since the emergence of the Internet.

Small and medium-sized hotels have lagged behind but the use of Internet technologies is rapidly becoming a general standard since supporting organisations make these developments available for small enterprises. Communication technology forces organisations to extend their business hours, in order to adapt to the needs of foreign customers and associates who live in a different time zone (Allegro, 2001). Hotel chains were among the first to provide these systems, as a follow up to telephone bookings. Computer-based ordering and delivery systems have also been introduced but are still expensive and not very common yet.

The use of new technology is most prevalent in kitchens, where new types of equipment, such as steamers, and halogen light and induction stoves, have been introduced. This equipment is becoming increasingly intelligent by regulating itself, and by beeping only when the entire process is ready. A complete new assortment of cooked and pre-cooked meals follows these developments. Convenience products improve steadily and are used in all categories of restaurants, including those of five star hotels. Measures such as improvements in kitchen automation and the use of pre-cooked meals, have increased productivity and reduced staff costs significantly.

The general feeling in the sector is that, in the next few years, considerable administrative and technological investments will be made in marketing, distribution and sales, room and customer management, back-office, the processing of food and beverages and telecommunications. These investments will take place more rapidly in the higher category units, while small enterprises will continue to lag behind.

A more demanding consumer

In the traditional tourism countries, the sun and beach formula no longer satisfies the average tourist (see also Belau, 2003). Tourists seek dynamic holidays, allowing the exploration of new activities. Alternatives to the sun and seaside tourism are, for instance, historical and cultural visits

and environmental and sports tourism, including accommodation with special facilities, such as informal inns, rural tourism, health facilities and golf tourist villages.

Consumer demands also imply the quality of food and beverages. Ready-made food products are creating new opportunities in terms of speed and quantity, but there is also concern that these innovations have a negative effect on food quality. Eating habits of customers are diverging and many demand healthier food. In order to compete in a highly competitive market, restaurants must keep up with these changes. The number of catering enterprises and restaurants that use organic products is increasing, for instance. Restaurants and even fast food chains try to diversify their meals, and provide a 'healthy option'. They use this diversity in their publicity campaigns.

Innovation

In many countries, the catering sub-sector is growing rapidly. In fact this is the most booming sub-sector in the hotel and restaurant sector. The fast food sector and the hotel sector are also increasing, but often in relation to the change and growth of travel destinations. Hotels and fast food restaurants settled in the large and capital cities.

The process of concentration in the hotel sub-sector is characterised both by a trend towards larger hotels and an increase in the number of hotels. Hotel companies have merged into large chains, necessitating professional operation and management, and improved handling of work and employment questions.

Fast food restaurants are criticised for cutting corners in working conditions, which in turn affects working conditions in the more traditional sectors and establishments. Competition is high in this sub-sector. In some countries, the traditional forms of fast food restaurant, such as burger and other types of food chains, are losing ground to new forms of high quality fast foods, such as wine bars, salad shops and others.

Restaurant chains are also emerging. The entire sector is witnessing the development of all kinds of new forms of hospitality, such as bed and breakfast, agri-tourism, leisure and thematic parks, and combinations of hotels and restaurants with health care facilities for senior and disabled citizens and pregnant women. These forms of hospitality are regarded more as alternatives to hotels, than as direct competitors, however.

In the future, the hotel and restaurant sector, including the catering sub-sector, will need to focus on competitiveness by developing strategies for customer segmentation, product and service profiling, chains and franchises. Companies that rationalise and restructure their business processes become more efficient because of the high competition in the sector. Thus, the skills of leading and professional people, knowledge of business management and high quality cooking, will become even more important in the future. These changes demand flexibility from workers too.

Cycles of upgrading premises are becoming shorter, with complete renewals of interiors and buildings, sometimes every five years, instead of the 10 to 12 years in the past. This is a disadvantage to small and medium-sized enterprises, who cannot keep up with the chain hotels.

A further trend is a change of demand for hotel categories. While the category of three star hotels used to be dominant, this category has lost importance. The trend is both towards luxury hotels and low budget hotels.

Finally, there is an expectation that many hotels will close within the next 10 years, because there is no successor.

Employment relations

The workforce in the hotel and restaurant sector increased in most countries in the last five to 10 years of the twentieth century. Statistical information on this subject is not reported for the last two years, but it is feared that turnover, the number of companies and of the work force will all decrease because of the effects of the terrorist attacks on September 11, 2001 and the global economic downturn. However, opposite opinions are also heard about tourists redirecting their holiday distances and spending their holidays more often in Europe and their country of residence. In this case, a difference has to be made between short-term and long-term effects, where in the long run a virtually constant growth of the sector is forecast (Allegro, 2001).

It is feared that employment relationships will tend to be poorer in the future. As has been noted, seasonality strongly affects the sector. This raises a number of questions, related to employment, working hours, vacations and work precariousness. Much of the employment in the sector is related to part-time work, full-time work including much overtime, and work at unsocial hours (evening, night, weekend).

A relatively new feature in some countries is the hiring of employees on an on-call basis and from temporary employment agencies. A further development is a trend in employment towards attracting younger and female employees on a part-time basis. However, the demographic development in all European Member States indicates that the population is growing older. Labour markets therefore have to reckon with an inflow of more seniors in the future. As an outcome of organisational rationalisation, fewer qualified and semi-skilled employees will be required, even as cooks and other professionals.

Rationalisation

The above developments affect the working conditions and circumstances. The globalisation of tourist activity means that managers need to be alert for this technological evolution, keeping themselves updated, applying it to operational costs management, and to connect the enterprise to the outside consumer. Increasing demands for quality service include the full range of new technological possibilities. Knowledge and experience on information and communication technology are fundamental.

The existence of ready-made products creates possibilities for cooks, and influences the quantity of work in the kitchen. Chefs of large kitchens choose the best available techniques, which means that they choose the products (raw, part or fully cooked) and techniques according to the best production possibilities. A future trend could be the assemblage kitchen, where meals are put together, instead of produced. In these kitchens, a lot of the preparation could be done in off-peak hours. The challenge is to integrate these convenience products without damaging the quality of

the meals. This may have challenging but also eroding consequences for the working circumstances and working conditions of employees.

Outsourcing has made a huge impact within the last 10 years, especially in the areas of housekeeping, laundry and facility services. Specialised companies offer cooks and qualified service and personnel as subcontracted labour. The share of temporary agency work is also increasing. These developments may be viewed as rationalisation of work organisation.

Legislation and negotiation

Legislation can be divided into two classes: directed at the economy in general and directed at the hotel and restaurant sector in particular. The latter follows the developments in the sector and tries to improve them, while the former may even have negative implications for the hotel and restaurant sector, because it does not take all relevant developments into account. This legislation may generate criticism from the social partners, when it gives a non-specific answer to the problems in the sector. New rules in collective agreements are necessary to counterbalance these developments and to achieve better compliance.

The many rules already affecting the sector are a point of criticism. There are already more than 250 measures in place, including 50 on social affairs (Sequaris, 2002). These include: nine general measures, five measures on social protection, eight on the organisation of work, 15 on worker protection, rights and prerogatives, seven on health and safety of workers and six miscellaneous measures. Employers' associations fear that even more may be enacted.

Working time has traditionally been governed by regulations, whose application is not thought to be well respected. In some countries, new legislation has come into force which regulates the working time of workers more closely. However, it is unlikely that this new legislation will lead to radical improvements in the working conditions in the sector. In a number of countries, new legislation has appeared on work flexibility and part-time work.

One subject of concern is flexibility in the labour market. It is likely that there will be important changes in the regulatory framework, because flexibility encourages employment of women and low educated groups. Trade unions welcome this but, at the same time, negotiate for increased protection of employees. The governments and employers' organisations are in favour of flexibility. Trade unions are watching this movement carefully as they try to protect existing rights of employees.

Conclusion

The hospitality sector may not be prepared to meet the demands of a new era in terms of the labour market, according to Allegro, 2001. It has to rethink its business models and ways of attracting and keeping employees. Instead of the traditional view of employment, the sector has to consider a wider sense of employability as a means of adapting to changing employee profiles. Training and development are important, as is the rethinking of current business models which see employees as a cost rather than an investment.

Increased levels of technological and other complexities within the industry are generally easier for the big (chain) corporations to take on board. They can afford to employ specialists to deal with

society's many demands. However, the reality is that the sector consists of mainly small and medium-sized enterprises, which need support and cooperation in order to survive, while at the same time respecting their entrepreneurial independence.

It is clear that the hotel and restaurant sector will constantly need to adapt and innovate as it continually strives to improve on quality and value. This consolidated report provides an integrated picture of the current structure and development of the hotel and restaurant sector in 15 European Member States. This overview emerges from 15 country reports – a total of nearly 1,100 pages. For that reason, many details are left out.

Nonetheless, a remarkably coherent picture emerges from the themes covered, with only small differences between countries. The authors believe, therefore, that this report provides a comprehensive picture of the current situation in the European Union. It is to be hoped that employers and their associations, employees and their trade unions, and governments and other interest groups in the EU Member States will benefit from this overview of working conditions trends and will use it to improve the situation in this growing and dynamic sector.

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BELGIQUE/BELGIË

Jean De Lannoy

Avenue du Roi 202/Koningslaan 202
B-1190 Bruxelles/Brussel
Tél. (32-2) 538 43 08
Fax (32-2) 538 08 41
E-mail: jean.de.lannoy@infoboard.be
URL: <http://www.jean-de-lannoy.be>

**La librairie européenne/
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Tél. (32-2) 295 26 39
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Moniteur belge/Belgisch Staatsblad

Rue de Louvain 40-42/Leuvenseweg 40-42
B-1000 Bruxelles/Brussel
Tél. (32-2) 552 22 11
Fax (32-2) 511 01 84
E-mail: eusaales@just.fgov.be

DANMARK

J. H. Schultz Information A/S

Herstedvang 12
DK-2620 Albertslund
Tlf. (45) 43 63 23 00
Fax (45) 43 63 19 69
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This report provides a snapshot of working conditions in the EU hotel and restaurant sector. It highlights the trends and developments shaping the industry and examines the issues of concern for those working in the sector and for policymakers. The report, based on analyses of working conditions and quality of work and employment issues in this sector in the 15 Member States, assesses the impact of trends such as globalisation, developments in technology and an increasingly demanding consumer base. It provides a useful contribution for the key actors as they move to strengthen and consolidate this sector in an enlarged EU.

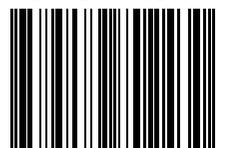
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