

Wildcat Germany

**35 Hour Week: Lower
Incomes and More
Work; Working Time
Reduction in Germany**

Collective working time reduction is being seen by many as an effective instrument to fight the madness of today's capitalism which produces millions of unemployed while forcing those employed to work overtime. The demand for a 'radical working time reduction' complements that for a 'guaranteed income' where leftist unionists and welfare politicians begin to co-operate.

Shorter working hours seems a good idea to most, but the (union) slogan of working time reduction meets with deep mistrust amongst workers. Since the mid-eighties it has been a crisis regulation mechanism in the hands of companies and unions, with workers experiencing double betrayal: working time has not been reduced significantly, but the wages have gone down. The 35 hour week has abolished the eight hours day and made possible a radical flexibilisation of working time in industry. Unlike in France it was not introduced by law, but 'fought for' by the unions in 1984 in a seven and a half week strike.

The most radical reduction of regular working time was created by the initiative of a company. In 1994, Volkswagen introducing the 28.8 hours week even undercut the 30 hours that unions at the time hardly dared to discuss. Up till now leftists are discussing the

VW model as 'promising', and mainly in other countries workers and unionists view it as a goal to be achieved.

But while there is a lot of talk about reducing working hours, working time actually gets re-extended.

1. Working time and refusal of work

The conflict around wages and working time lies in the centre of class struggle. It is not simply about the absolute length of the working day which is limited by laws and union agreements. It is also about controlling bodies and to what amount work is being extracted from workers in the set working time. The capitalist buys labour power but he has to make sure during the labour process that as much work as possible is really being pressed out of the workers. In this daily struggle workers try to enlarge the pores in the working day, thus widening the gap between official and effective working time-until the boss attacks. Workers' strength is expressed in these informal pores; unions, on the contrary, formalise the status quo in agreements on holidays, working hours etc. Until the early eighties there were relatively many pores. Workers had often done their piece-work in five or six hours and were hanging around. In big firms it was normal to take a shower after work during paid time. There were informal breaks only

partly fixed by agreements-these were points of attack during the following conflicts around working time. In the eighties, workers paid for every slight reduction of official working time with cuts in these pores. Even when the 38.5 hour week was introduced most companies changed the paid night shift break into an unpaid one.

Sure it's better to leave late shift at nine fifteen rather than at 11 p.m. But you have to work every minute for this whereas before you used to have time for social activities in the last hour of late shift. For the old ones 'their' factory was also the place to define their role in society and to organise and exchange... Many younger are fed up with the collective workers' life; they see it as dullness and flee it whenever they can. They prefer to work shorter hours and have more individual spare time. They can stand the work only by looking forward to the next period of non-work, so they go from holidays to free shifts, and accept short-term contracts because they won't last for long in the same firm, anyway. And they try to negotiate shorter hours for themselves individually-even with less income.

2. The 35 hour week or dreams of a redistribution of work

For some fifteen years-since unions have propagated working time reduction-working time is being reduced slower than in the decades before. Between 1956 (48 hours) and 1975 (40 hours) weekly working hours were reduced by eight hours. This was mainly achieved by cancelling Saturday as a regular working day end of the sixties ("Saturdays Daddy belongs to us"). Until 1995 when 35 hours was introduced in West Germany's metal industry, another twenty years went by. Every cut in working hours was 'paid for' by wage freezes, overtime work was spreading.

Yearly holidays in West Germany's metal industry stayed the same for sixteen years. It had been doubled step by step from three weeks to six from 1960 to 1982. Most important were the wildcat strikes at Ford in 1973 which sparked off when workers from Turkey returned late from their three weeks holidays and were fired.

The collectively agreed yearly working time per employed person in West Germany has dropped from the mid-eighties to 1997 by an average of 160 hours or 9.6 per cent. But since 1995 this development has

stagnated: the other industries haven't drawn even with the metal industry. In the eighties, unions had first of all agreed upon early retirements, thus radically making labour forces younger and shortening the working lives of the first worker generation after World War II. From then on, with the local 'investment securing contracts' (*Standortsicherungsverträge*) only temporary working time reductions with simultaneous wage cuts-have been agreed.

The demand for the 35 hours week developed in the early seventies amongst union leftists. With the world-wide crisis of 1973-4, companies in West Germany started a rationalising offensive. In the steel industry alone, from 1975 to 1978 about 40 000 workers got the sack. Steel workers were attacked so massively because there were well organised labour forces that in 1969 had given the bosses a hard time by their wildcat strikes. In order to secure jobs, unionists inside the companies wanted to reduce the working week step by step and to introduce a fifth shift. The demand for 35 hours was taken up into the list of demands of the 1977 IG Metall [metal union] congress-against the union bosses who thought it too much and illusionary. One year later they themselves took the 35 hours to the negotiations to solve the steel crisis. The company bosses wanted to

keep the 40 hours under any circumstance and offered longer holidays and higher wages. The union called a strike; that was the opportunity to bring the steel workers under control. In November 1978, labour forces of selected steel works were sent on strike which was answered by massive lock-outs. While for eleven weeks the rank and file stood in the cold picketing the gates with great commitment, the leadership sabotaged the strike. The January 1979 agreement that fixed the 40 hour week for another five years had been in the files for a while. The union had demonstrated that in the steel industry mass sackings couldn't be prevented. Thus they had laid down their policies for the following steel crises.

3. The unions as pioneers for modernisation

Looking back on the policy of working time reduction, it is obvious that the unions took the viewpoint of Germany's 'ideal general capitalist' when this was not yet possible for the capitalist side itself. In 1980-2, in what was up to then the deepest recession, most unions had taken up the demand for working time reduction. By means of this, they wanted to make West Germany the world's most productive economy without creating deep social divisions like in the USA. They saw and are seeing the real possibility for this strategy to be pushed through

in the form of a flexibilisation of working time as demanded by the big companies in order to enable them to use their plants more intensively. Right from the start, the demand for 35 hours contained the idea of flexibilisation to be introduced as a negotiable item. It was never about a seven hour day.

With such ideas of modernisation, the unions were far ahead of the bosses of medium size firms. Whilst BMW in Regensburg, for instance, had shifted to a four day week in 1984 even before the contract had been signed, other firms that were dominated by one shift plus overtime could not transform their way of organising work so quickly. Even in 1995, only 20 per cent of the small and medium size industrial firms worked in more shifts than one. But their own rank and file, too, who after the lean years of crisis preferred a full wage rise, had to be won over first. In this very passionate campaign, the unions' main argument was mass unemployment: they used pictures of starving unemployed workers in Detroit or of poverty revolts. The 35 hour week was argued to prevent such a rise in unemployment and would be functional for a modern capitalist solution: shorter working hours, longer running hours for the machinery, lower unit labour costs (i.e. higher productivity), new jobs.

To push through this policy of anticipated compromise against resistance from both sides, a long struggle was necessary. The bargaining process was hyped up as the 'conflict of the century', at the end of which many were unsure who had really won. The 35 hour week was to be achieved in the core region of West Germany's metal industry, Nord-Württemberg/Nord-Baden, which at the time had the 'most advanced' agreements. Since the bosses officially rejected working time reduction as an issue of bargaining, IG Metall started pin-prick strikes^[1] in selected car and supplier factories ('minimax strategy'). The bosses immediately locked out workers all over West Germany and the state refused to pay short time allowances to those locked out because of lack of work. Since the union now mainly mobilised 'against the lock-outs' and went to court against the cancelling of short time allowances, as time went by the strike developed an ever more defensive character. It was ended by ex-minister of labour Leber as arbitrator. The metal union celebrated the agreement for a step by step reduction of the working week to 38.5 hours as an 'entry into the 35 hours week' - even though precisely its step by step introduction would scarcely create new jobs. The real break-through was the flexibilisation of working time: according to the 'Leber compromise', only the average working time in the company had to be 38.5

hours. Up to 18 per cent of the labour force might work 40 hours, others only 37. The hours of operation of machinery can be extended according to the plant's needs because, from this time, the concrete application of working time reduction is negotiated between works council and employer.

Slowly, this form of working time reduction was taken up by other unions. In the late eighties, the unions already had massive problems mobilising their rank and file for the issue. Few took notice of the 'historic' 1st October 1995 when finally the metal workers' working week was reduced to 35 hours; meanwhile, the deadline for compensation of overtime hours had been extended to two years...

The machinery running time in the metal industry has expanded from 60.6 hours a week in 1984 to 71.8 hours in 1996. Productivity has gone up faster than working time was reduced-in contrast to the 'model countries' - the USA or the Netherlands - where wages went down but productivity hardly rose. In Germany's multiple shift plants, machinery has a longer running time than in European average-despite the shorter official working hours of the employed. Since possible wage rises had been sacrificed to the goal of working time reduction, labour unit costs, too, are at a spectacularly low level. In

the nineties, with wage agreements below the inflation rate and measured against the development of productivity, wage restraint in Germany was greater than in the USA.

The notion of 'time sovereignty' of the workers, a concept which served to justify flexibility and which was shared by social scientists, employers and leftists alike, is out of the question in the productive centres: here, all it is about is to flexibly apply a labour force as lean as possible according to demand without extra overtime pay. Meanwhile, unions have lost bargaining ground: more and more firms are flexibilising working time without reduction.

Almost contemporaneous with the introduction of the 38.5 hours working week in the metal industry, in 1985 the Employment Promotion Act (*Beschäftigungsförderungsgesetz*), which overturned restrictions in the use of temporary work agencies, came into force. It also allows short-term contracts in industry of up to 18 months (from 1996 up to 24 months) that before had only been possible for a concrete reason like replacing a pregnant woman or a conscripted man. Meanwhile, short-term contracts have become normal for newly hired workers; a so-called permanent job is

only to be had after a longer period of short-term contracts.

The union left's project of redistributing jobs by means of working time reduction has led to its historical defeat. Neither by wage restraint nor through flexibilisation has a 'redistribution of work' to the unemployed been achieved. Another shock-wave occurred when hardly anyone talked about further working time reduction. Volkswagen announced that they were cutting working hours down to 28.8 hours per week. Amidst the crisis in the car industry when the bosses only talked about longer working hours and wage-cuts, the agreement at VW seemed to lead in another direction.

4. The Volkswagen model: modern Rhenian capitalism

By means of the 28.8 hours week, VW has restructured production. With the help of the union, Volkswagen succeeded in making up its backlog in rationalisation which stemmed from the beginning of the nineties. Workers in the metal union's model plant had the highest wages, the highest extra pay, the longest breaks, the best holiday regulations-and the cars took the longest time to assemble. In the eighties they had

experimented with highly automated production ('deserted factories') and failed because of the high amount of capital necessary and the dependence on few experts. A new push in productivity was only to be achieved by restructuring the working process. This included abolishing the old piece-work system, absorbing the workers' knowledge by continuous improvement processes, wiping out the old master and foreman hierarchies as well as the transfer of responsibility to the teams.

In October 1993, shortly after this process had started, the trust bosses calculated an 'excess' of 31,000 out of 108,000 in the number of employees and announced sackings, especially in the 'dinosaur plant' Wolfsburg with its 53,000 labour force. A mass sacking with lump-sum allowances etc. to buy the workers out of their jobs on this scale would have been expensive as well as dangerous; it was clear to lead to a confrontation with the workers and to their refusal of co-operation.

Instead, VW proposed a radical change in working time. Within four weeks, IG Metall negotiated a reduced working week of 28.8 hours from 1994 on and sacrificed their principle of 'full wage compensation'. In exchange, the company was not allowed to fire workers for

economic reasons for a period of two years. Confronted with the alternatives of 40,000 sackings or 28.8 hours a week in all VW plants, the labour force accepted flexibilisation.

The renunciation of sackings created the climate for restructuring. VW kept a qualified labour force reserve and solved the problem of low profitability due to high wages in times of a decreasing demand. The reduction of the labour force through early retirement, voluntary termination of contracts coupled with redundancy payments and the running out of short-term contracts was still continuing: from 108,000 employed in 1993 to 94,000 in 1995. 'Job guarantees' only prevents the sack for economic reasons, without guaranteeing the preservation of all jobs.

For periods of higher demand, GIZ (Gründungs und Innovationszentrum Wolfsburg GmbH) [Enterprise Promotion and Innovation Centre] has been founded, a temporary work agency owned by VW, the Bundesland Niedersachsen and the union IG Metall. They employ students and temp workers inside the VW plant during holidays or otherwise temporarily, who get 21 DM per hour gross instead of an average of 30 DM per hour for regular VW workers.

In the 'breathing factory', working time gets adapted to the necessities of production. The company's appropriation of workers' spare time has grown. There are no common breaks between different teams, which reduces communication. Workers can be sent to work at other plants. They tried out more than 150 different working time schedules and shift models, from short shifts in a four shift schedule around the clock to relatively 'normal' eight hour days with spare time blocks. In this way, running time for certain car models could be extended from 3,700 to 4,600 hours per year. The assembling time per car has dropped from 30 hours in 1993 to 20 in 1998.

Meanwhile, after some reservation at the beginning, the 28.8 hour working week meets with relatively broad approval in the labour force. Especially the younger, not family bound enjoy working less hours, even with the recuperation effect being cancelled out by the intensification of work and unfavourable working times. Regular monthly wages stayed more or less the same. They had cuts in the yearly bonus payments so the gross yearly wages dropped by 16 per cent (10 per cent after taxes). Before the new contract, wages according to the VW company agreement used to be 1.6 times the

Niedersachsen rate which means that the model cannot be applied to other companies that easily.

Contrary to propaganda, the 28.8 hours week at seven hours per day was only a reality for a minority of the employees of VW, e.g. office workers where management suspect that a lot of pores still exist as well as at under-utilised plants like Emden. In other words, the reduction to the 28.8 hour week took place only where it could function as pressure to squeeze the periods of non-work from the working day. But in the Hannover truck factory, for example, they worked 37.5 hours per week practically all the time. 35 hours are paid for, 1.2 hours are a donation to the company ('job guarantee!'), 1.3 hours will be compensated in spare time. In the case of sick leave or holidays, only 28.8 hours are paid for. Because the 28.8 hours brought only disadvantages, Hannover saw heavy protests as the contract was extended and supplemented with further aggravations like shorter breaks, twelve Saturday shifts with lower weekend extra pay and over-time extra pay only after 38.8. hours per week.

In 1998, production was raised in other plants, too, and because of a labour shortage management preferred to pay out over-time. At the same time there were new short-term jobs. In February 1999, the Wolfsburg plant

cancelled the different time schedules and shifted to a strict three shift model with an option of working four, five or six days per week according to the demand for cars, and keeping the 28.8 hours week as the calculatory basis. "With the progress in implementing the segmentation of production structures, synchronisation of working time schedules continues to be pursued", as has been stated in supervisors' instructions. With the new regulation, night shift for everyone in the three shift departments is also being implemented, and a further raise in productivity is on the agenda.

5. The 1992-3 crisis and the local 'investment securing contracts'

The 1992-3 crisis represented a decisive point. Whilst the car industry utilised the decreasing demand to principally restructure production and threatened to relocate production (including sackings), the unions for the first time after WW II were confronted with great losses of membership. So they tried to preserve their influence where the basis of their power had always been: in their acknowledgement by capital and the state. Union research institutes concentrated their forces on planning investment strategies for German industry - taking the issue more seriously than the capitalists. Works councils

and entrepreneurs agreed on 'investment securing contracts' - tearing down dams which had been believed safe forever.

The five year term shop-floor agreements in the Daimler-Benz works at Gaggenau and Würth in spring 1993 marked the break-through for the capitalists. Positions struggled for in the seventies (e.g. over so many minutes of break per hour for assembly line piece-work) were being deserted and working time extensions pushed through. Furthermore, the works council in the Würth truck plant bound itself to actively co-operate in lowering costs by 30 per cent and assembling time by 20 per cent - in return for guarantees that the production of a light truck would not be shifted to the Czech Republic. By 1994, the labour force had been reduced from 15,000 to 10,000.

Also in 1994, the old law from 1938 regulating minimum conditions like working time and holidays in cases where there was no collective agreement got adapted to the necessities of flexible working time schedules. In principle, the eight hour day is still valid, but now it may be extended to ten hours a day six days a week, if the over-time hours are compensated in the following six months. Saturday is a regular working day. Over-time pay

of 25 per cent had to be paid, but now this regulation has been cancelled.

Regional collective agreements have now been opened up to allow for regulations on shop-floor level in times of crisis, e.g. allowing for temporary working time reductions down to 30 hours or working time extensions including wage cuts. A variety of these possibilities have been put into practice in about one quarter of those plants that have works or staff councils, all in exchange for pretty vague guarantees not to shift production somewhere else. Partly extra work has to be done without any payment at all.

Amongst the companies that are using these opportunities are car factories like Opel at Bochum, Ford at Cologne, Mercedes at Kassel, VW at Hannover, corporations gaining billions of profits, far from experiencing a crisis. Most of the tyre factories in Germany have extended working time. At Pirelli for instance, since January 1999 they have had an agreement to return from 37.5 hours to 40 hours a week without the monthly wages rising. In exchange, the company promised no jobs cut until 2001-productivity until then has to be driven up by 20 per cent!

6. Working time gets re-extended

In contrast to France or Britain, in Germany real working time for the full time employed went down about four per cent between 1983 and 1993, with big differences between East and West Germany. There was an even bigger decrease in the yearly average working hours of all employed persons, because parallel to the increase in women's wage labouring since the sixties part time work has spread considerably. For a long time, the unions' bargaining policies systematically ignored this fact and stuck to the demand to cut general working time to 35 hours with full wage compensation. Today, by means of a campaign, unions are into convincing male workers to work part time.

This kind of working time reduction has broadened a lot since the seventies. Whoever wanted more 'time autonomy' for themselves and had sufficient wages didn't wait for the 35 hour week to be introduced but individually tried to gain a different working time schedule.

Today, there are many indicators that this century's trend towards working time reduction has been

reversed. In Germany, absenteeism rates have reached an historic low of about four per cent. In all of the bigger plants there are anti-absenteeism campaigns agreed upon by the works councils during the strive for working time reduction and 'investment securing contracts'.

While collectively agreed working time is being reduced, an increasing number of workers needs a second job to compensate for the losses in real wages of recent years. In 1998, about three million of the regularly employed had a second job or additionally worked as self-employed an average of ten hours a week. At the same time, companies had workers work 1.8 billion hours overtime-calculated to be equivalent to one million jobs. This is an indicator that the core labour forces had been reduced such that there is no longer a reserve of labour power to replace sick workers or deal with unexpected production problems etc. and that new hiring has been avoided (don't forget-these figures leave out the fact that many overtime hours today are not being calculated as such!).

The most important tendency today is the increase in unpaid surplus work within the framework of 'confidence working times' which no statistics show. This mostly affects office workers in distribution, network administration and programming with intense pressure for efficiency and keeping deadlines, often with a

working time of up to fifty or sixty hours a week. As some union paper put it: *"Increasingly, companies tend to either not fix any working time any more by contract-especially concerning higher qualified work-and only pay for a total of performance or stop registering real working time at all. Yet, unregistered and unpaid work is not subject to re-distribution anyway."* IBM are heading for a general working time frame of 19 up to 60 hours, within which employees have to do their work without extra registration of working hours. This is supposed to create such pressure that they work more than they originally intended.

7. And the workers? What are they doing?

Years of propaganda trying to play unemployed against 'job owners' seem to have had some effect. But not all labour forces have accepted 'local investment securing contracts' unquestioningly: small wildcat strikes at the assembly lines, as in summer 1993 at Opel (Bochum) against management's initiative to secure local investments, or at Daimler-Benz (Wörth) when work pressure got unbearable, are an expression of this. So also is the sudden increase of sick leave rates in single departments. One result of the trend to reduce conflicts to a shop-floor level instead of, for example, a regional or

industrial one, is that only a few of these collective protests find their way into public consciousness. Works councils in single 'strong' plants were actually able to turn the reduction of working time into some kind of improvement for the core labour force. But contrary to former times, they weren't able to play any kind of vanguard role but instead have got more and more isolated from other workers. These same works councils just sit and watch as whole departments are being outsourced to other firms with lower wages, as production peaks are being compensated through the hiring of temp workers, as short-term contracts become regular for newly hired workers. The unions first of all are representatives of the core labour forces; the marginal labour forces are bargaining chips used in order to achieve better agreements for the core staff.

In the collective bargaining conflicts of 1999, ever larger surplus amounts of working time and ever longer compensation periods for these are being agreed upon: in the public sector for example, 600 surplus and 40 minus hours. Hospital staff are to lose those extra payments for working shifts and at night that they had fought for ten years ago.

But the critical situation in production may also create a new kind of struggle. This has been shown at the Opel

factory at Bochum where in October 1998 about 1,800 workers stopped work and ultimately demanded the immediate full integration of 300 short-term workers whose contracts were about to expire. The labour force had been cut so drastically that workers couldn't even take their breaks. Management reacted at once: assembly line speed was reduced by 2.5 per cent and 50 short-term workers got hired with unlimited contracts. There were stoppages of assembly lines again in March 1999, because the company refused to hire more workers on a permanent basis.

The unions' policy of working time reduction was capitalist crisis management. It didn't stop the intensification of exploitation but on the contrary made it possible. With their co-operation, shop-floor and union leftists got exhausted or integrated by the apparatus. From a revolutionary stand-point, we cannot radicalise these models-we have to reject them principally and criticise them as what they have been in the eyes of the workers for quite some time: strategies capital uses ever more furiously to make sure they control all of our time to enable them to isolate and exploit us ever more.

[1] Schwerpunktstreiks: strikes in which, while the trade union is responsible for a whole region, it only calls for strikes in certain large or important firms.