

Ralph Kattenbach\*

## **The Right to Part-Time: Practical Implications from the Managerial Point of View\*\***

In 2001 the employee's right to reduce working-time according to their own preferences was implemented in Germany. This legal title hardly effects the slowly but steadily growing number of part-time jobs. Nevertheless, data from the socio-economic panel suggest that about 25% of employees wish to reduce their working-time even if this is associated with a loss of income. The HR-manager is seen as a mediator and is expected to play a major role moderating the effect of the legislative implementation. Therefore the HR managers' concepts and attitudes towards part-time as well as the psychological contract are the subject of the presented study. 42 HR-managers have been interviewed. The data are analysed according to qualitative content analysis. In common use the right to reduce one's working-time is rather seen as a matter of negotiation than an obligation to comply. Indeed, the majority of the HR-managers express their goodwill but the acceptance of the part-time requests is dependent on general beliefs, work ethic, and role concepts. Regarding the right to part-time, these are indicators for a weak direct impact of labour law on the managerial reality.

**Key words: Part-time, Reduced Working Hours, Psychological Contract, Human Resources, Work Ethic**

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\* Ralph Kattenbach, Centre for Personnel Research, University of Hamburg, Von-Melle-Park 9, D – 20146 Hamburg, Germany, e-mail: ralph.kattenbach@wiso.uni-hamburg.de.

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## Introduction

Part-time work is an increasingly used form of employment relationship. In Germany the steadily growing part-time rate has risen to 25.8% of total employment. Therewith Germany ranks behind the Netherlands as second in Europe in this regard (source: Eurostat 2007). Earlier, it was up to only the employer to decide whether forms of part-time work were used or not, but with the implementation of the EU directive 97/81 into national law, the power of decision has been shifted fundamentally. The directive aims to promote employee-oriented part-time work regarding the employers' needs and to prevent discrimination of part-timers. Complying with this directive, the so called "Teilzeit- und Befristungsgesetz" became operative in Germany in 2001. By virtue of this law employees have a right to part-time<sup>1</sup>. What is remarkable about this title is that it not only aims to protect employees (as working time regulations or the protection against dismissal do), but it also defines a strong claim to adapt one's working-times to the individual needs. The presented study is driven by the question of which consequences this legal title might have for the employer-employee relationship.

The implementation of the law was accompanied by heavy protests and employers' representatives were buzzing with excitement since they worried that staff members would call for a working-time reduction in masses. And indeed, 28% of the German full-time employees (17% female and 11% male) would like to reduce working-time accepting the associated loss of income (Holst/Schupp 2002). These results are congruent with a European trend. According to an international comparative study conducted in 16 EU member states, employees want to reduce working-time by average of 4.5 hours a week. In contrast, many part-timers – especially those with small part-time jobs – want to extend working-time in order to earn sufficient money. This reveals the common use of part-time as an employer-oriented model for an increased managerial flexibility. According to the Federal Employment Office, the percentage of marginal part-time jobs – the so called *mini-jobs* and *midi-jobs* – with maximum wages of 400,- and 800,- Euros respectively is about 50% of the total part-time work (cp. Wanger 2004). The favourite model is the so called big part-time with around 25 to 34 hours a week (Bielenski et al. 2002).

The success of the law is evaluated differently by two studies (Magvas/Spitznagel 2002; DIHK 2001) but both agree that the numerical effect in form of part-time requests is only a little one. This is probably why, the dust has quickly settled, since implementation and the right to part-time is no longer a matter of discussion. Although the overall growing rate of part-time jobs is not affected, there is a growth in part-time requests. The IAB – the national Institute for Employment Research – states that in 2003, 120.000 requests for part-time were turned in versus 84.000 in 2001 (Wanger 2004). However, there is a gap between the wide spread wish to reduce one's working-time in exchange for lower wages and the comparably low amount of requests. Therefore, one can assume that staff members who want to reduce working-time are not expecting to reach an agreement with the employer because of the anticipated negative

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<sup>1</sup> in companies with more than 15 staff members whose contract lasts at least 6 months

result or consequences and do not even ask for it (Wanger 2004). The present study seeks to explain the (absence of) effects of the right to part-time on managerial level as managers are seen as organisational decision makers mediating the effects of labour law and broader policies according to their attitudes and beliefs as shown below. It deals with the question of how the right is implemented in businesses and what influence the decision makers' beliefs have on the handling of thereof.

### ***General theoretical background***

In the nineteen eighties an extensive study about the problems of men working part-time or doing the house-man job was conducted. The study shows strong prejudices and negative attitudes on the part of the colleagues and strong opposition from the management towards the "time-pioneers" walking off the beaten track and trying new forms of life scripts (Strümpel et al. 1988). Even nowadays part-time in regular jobs is still a highly loaded subject, but the discourse has changed. Work-life balance, parental leave, parental part-time, and the newly passed demand to get a place in the day-care for every child are current political issues. The public discourse does not allow reservations against the propagated new role-concepts as they are represented by part-time working men. Companies pronounce their modern attitude and promote the respect and importance of an intact private and social life with equal opportunities for men and women. But in the context of more economical discussions, talking about personnel costs, globalisation, international competition, and high unemployment etc. the norms seem to be shifted to a more traditional position which is, in general, not compatible with working-time reductions.

A negative attitude towards employee-oriented part-time work seems to be widely spread. Whereas requests for part-time have only been reported in 8% of the companies (Wanger 2004), 33% of the employers state they would hire new personnel if only the right to part-time would be abolished (Janßen 2004). Such inconsistencies and the astonishing attention during the implementation of the law led us to suspect, that cultural and social psychological aspects of the involved actors play an important role in the realisation of part-time requests.

It seems to be obvious that the organisational culture is a crucial variable to the availability of work-life programs like the opportunity to reduce one's working-time (cp. Allen 2001; Thompson et al. 1999). Implicit norms and values regarding the primacy of work, time demands, and organisational commitment are expected to influence the principle availability of strategies (Schramm et al. 2007). The managerial actor is regarded as representative and at the same time as a discrete entity of the organisational culture with differing, individual beliefs.

These beliefs on work-life programs contributing to organisational success influence the application of employee-oriented working-times (Casper et al. 2004). Although research has shown that employees who use work-family policies are less absent, have lower intentions to leave, are more committed to their employer, and are less stressed (e.g. Allen 2001; Thompson et al. 1999; Baltes et al. 1999; Grover/Cooker 1995; Kossek/Nichol 1992), many managers still outline that part-time work is costly, creates additional work for supervisors, is unrelated to organisational productivity, and can even jeopardize personal or organisational

success (Troost/Wagner 2002: 17; DIHK 2001). Comparing to other managerial decisions, the support of part-time jobs is surely less relevant to economic success; At least in the short-term. The idea of 'All roads lead to Rome' and experiences that employees normally come to an arrangement with the given opportunities should provide personnel managers with a large scope for decision making regarding the support of individualised working-times. So, next to economic reasons there is space for other arguments like responsibility-beliefs, work-ethics and the basic understanding of personnel work influencing the position towards part-time arrangements.

Unfortunately, the culture of many organisations today is still built on the 'male model of work' (Lewis 2001; Van Dongen 2005) and reflects a 'masculine ethic' (Thompson et al. 1992). Inherent to those organisational cultures is the ideal picture of an employee who works full-time and overtime, takes little or no time off, and sacrifices family life in order to advance at work (Lewis/Lewis 1996). Employees who apply for part-time work may not fit in this picture, and Human Resource (HR) managers 'socialised' in such an organisational environment may be resistant to those initiatives.

HR managers may also take the visibility of their decision within the team, department, or the entire organisation into account. If an organisation has recently introduced a new work-life program, rejecting an employee's request for part-time work may not shed a favourable light on the manager. In the same vein, Sackmann (2004) remarks that the management plays a crucial role in the development and influence of organisational culture not only through their power of decision but also through their representative function as a role model. It becomes apparent that cultural effects are strongly represented and mediated by individual economical actors.

### ***Attitudes and role concepts of HR managers***

We assume the HR manager's personal understanding of gender roles and work ethic as well as their beliefs on economical and organisational effects of part-time work as important mediators influencing the relation between political and legal initiatives on the one hand and the concrete realisation in companies on the other. Work-family values, for example, carry strong cultural messages about work and family roles such as priority of time and effort (Thompson et al. 2006). Managers who believe that work and non-work domains should be strictly separated (Kirchmeyer 1995) and that part-time jobs are mainly designed to "help women" (Lewis 2001) may be less inclined to approve a request for a reduced work schedule from an employee who strives for more equilibrium between work and personal life.

Supervisors were found to have more positive attitudes towards women who requested work-family policies than towards men (Den Dulk/De Ruijter 2005). These results suggest that individual characteristics such as gender and current family circumstances influence the utilization and allowance in work-life strategies. Accordingly, we expect part-time requests to be accepted and supported if they match the predominant role-concept of the HR manager in particular and within the company in general. Since the traditional role concept is still the most common, we expect that congruently part-time for women is broadly accepted whereas men have to show good reasons fitting to the breadwinner role model (see also: Innreiter-Moser et al. 2006)

### *Psychological Contract*

The psychological contract is a useful concept which helps to analyse the HR managers' attitude towards part-time work and how it affects their dealing with part-time requests. Subject of the psychological contract are the rules that regulate the day-to-day work relations between employees and the company (for a review of the historical development see: Van den Brande 2002). Contrary to the written juridical employment contract the psychological contract relates to the individual perception of the exchange relationship between employer and employee – the perceived rights and obligations (Rousseau 1995; Isaksson et al. 2003). The psychological contractual relationship consists of rational aspects, self-interest, norms, values, and general beliefs and it depends on reciprocity. According to the quid pro quo principle one expects services in return. If these are retained, the psychological contract is violated (Martin/Bartscher-Finzer 2003). Next to the compliance with the written agreement (in-role behaviour), the extra-role behaviour like commitment, altruism, engagement or initiative as part of the psychological contract is crucial to the success of the business (Williams/Anderson 1991; Organ 1988). In return, employees generally expect job security, career opportunities, integrity, fairness, and appreciation. The psychological contract deals with these terms and the often unexpressed and unconscious exchange relationship. One distinguishes between a relational and a transactional contract. The first is based on long-term considerations and contains socio-emotional elements, internal training and career possibilities, commitment etc. (Wilkins 2006). The latter type orientates itself on a more direct exchange like financial rewards instead of long-term benefits. This more economic type occurs for example in the context of limited employment (Marr/Fliaster 2003; Wilkins 2006; Raeder/Grote 2004). Within this article the psychological contract is defined according to Isaksson et al.:

‘...the perceptions of reciprocal expectations and obligations implied in the employment relationship.’ (2003).

Although this description is formulated neutrally, it is mostly the employee's perspective analysed in applied research (de Cuyper et al. 2003). However, in the present study the psychological contract helps to interpret the HR managers' point of view. Furthermore it is generally compared to the employment contract. As an employment contract is based on the individual labour law, which itself effects the employment relation substantially, we understand the psychological contract in a broader sense as complement to the labour law as a whole.

According to the law, it is primarily the discretion of the employee to reduce working-time. Regarding the protests which accompanied the implementation, the employers' freedom of action has been disturbed greatly by this law. So, a special focus lies on how far the law affects the handling of part-time. The HR managers' comments are used to deduct whether they accept the strong position given to the employees by the law. In this case, the legal title as part of the labour law would play a minor role in the psychological exchange relationship.

We expect that the right to part-time is broadly seen as an unaccepted intrusion. The allowance and support of part-time models is seen rather as a favour than as an obligation to comply with. In this case it would be a matter of negotiation and HR

managers could use their support of requests as a kind of bargaining chip. The conducted interview-study intends to analyse how HR managers deal with the right to part-time according to the psychological contract and which beliefs and attitudes influence their decision making.

## Method

Within the framework of a broader research project on the HR managers' perceptions of labour law,<sup>2</sup> 42 qualitative interviews were conducted by teams of two interviewers in the period from April until August 2006.<sup>3</sup> The half structured interview-guideline contains eight items relating to various aspects of part-time and the right to part-time. The sources of data in this study are qualitative expert interviews with HR managers or the CEO in smaller businesses where no HR department exists.

## Participants

The sample is selected randomly and consists of eleven female and 31 male managers with an average age of 47 years. Considering cultural influences through region and rural vs. urban settings, four regional clusters (north, east, south, and west) were formed determined by postal codes with each containing a regional key city and the surrounding area. To represent the employment proportion between smaller and bigger businesses<sup>4</sup> we selected 6 HR managers from small and medium-sized businesses and 4 from big businesses within each cluster. All branches including the non-profit sector but excluding public service are included in the population. 255 HR managers were notified by mail and phoned according to the randomised schedule to gather the aimed sample of 4x10 interviews. The response rate is approximately one fourth<sup>5</sup>, which is quite good for approximately 90 minute long interviews on management level using no incentives. The voiced high interest in the subject is probably the main reason for the readiness to participate. This interest results from different reasons. Some experts are lawyers and therefore have a special interest in legal aspects. Others are employer representatives or members of a political party, etc. Last but not least, the profession itself, handling the labour law and mediating between employer and employee interests arouses curiosity about the research subject. One fact worth mentioning is that a high workload and a fully booked schedule have been the most common arguments not to participate.

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<sup>2</sup> „AribA – Arbeitsrecht in der betrieblichen Anwendung [labour law in the managerial practice]“, 2005-2007 funded by the Hans-Böckler-Stiftung

<sup>3</sup> Within the broader research project, one interview is excluded from further analyses since the job protection only counts for companies with at least 11 employees and this company did not reach this threshold at the time of the interview. Regarding the more hypothetical statements on the right to part-time, such thresholds are less important and the companies which are not effected by the right to part-time remained in the analysed sample.

<sup>4</sup> According to the IAB, the national institute for 57% of the German labour force is employed in small and medium-sized businesses

<sup>5</sup> The estimation of the response rate is not precise as contact details have not always been correct and not all HR managers have been reachable.

### ***Procedure***

Due to the explorative character, the complexity as well as the sensitivity of the data of interest, we have preferred to obtain insight into the reasoning and contextual aspects rather than get more representative and standardised data. Therefore half structured interviews were used (vgl. Gläser/Laudel 2004: 193). The results of this exploratory survey have entered into the conception of a quantitative follow-up telephone survey among HR practitioners which is currently being analysed. As the subject itself is highly interdisciplinary (labour law, psychology, business economics), the guideline has been constructed with an interdisciplinary structure as well. Comprehensiveness and content validity are tested through multiple revisions within the research team and three successive pre-test interviews with HR practitioners. The recorded interviews have been transcribed and a computer assisted content analysis has been conducted. Analyses are based on the coding of the complete material (cp. Gläser/Laudel 2004).

### ***Measures***

The interview-guideline is designed to gather information on the individual perceptions, experiences and attitudes towards labour law as well as the dealing with legal matters at an individual and company level. The section on part-time includes 8 items. At the beginning we asked for the status quo of part-time usage in the business followed by 4 aspects of the legal title (e.g. “what experiences have you had with the right to part-time within your business?”). Afterwards, 3 items on part-timers and part-time jobs were addressed including pros and cons, acceptance and beliefs relating to economical implications (e.g. “what aspects argue for and against the usage of part-time work within the business?”). If appropriate, the interviewers went into more detail to get a holistic view on the subject. The interviews focus on those aspects of part-time which are most relevant to the interviewee. In businesses without any part-timers, for example, the general attitude and beliefs about implications were collected. Therefore there are missing values on specific questions and analysing levels.

The coding has been conducted according to Mayring’s content analysis (1983). This method is built upon the idea that the analysing process works with presumptions but is also open for further ongoing adjustments based on new insights from the interview-data. Hypotheses have been derived theoretically, some of them already concrete, others more open with an explorative character. Regarding the concepts concerned in the hypotheses, a first theory-driven code-scheme for structuring and categorising the interview-material was developed. Going through a multi-level process, this scheme was added to and adapted to the content of the interviews before the coding of the interview passages started. In this way a code-tree containing 12 main categories and 130 (sub-) codes has been created. The major categories used for analysis are as follows: Status quo; Experiences; Attitude towards Part-Time; Freedom of Action; Arguments; Conception of Part-Time; Cultural Aspects; Motives; Psychological Contract; Handling; Judgements of Part-Time; and Effects of Part-Time.

*A sort of Dummy-codes* has been used to specify the direction and the objective of the coded statements. In this way, dummies indicate for example whether an argument is for or against the use of part-time or whether an interviewee expresses their own opinion or the perspective of staff members, the higher management or society

in general. Another dummy also distinguishes whether the usage of part-time jobs or the legal title for part-time is objective of the HR managers argumentation as the judgements on both can clearly differ.

## Results

The interview-statements are analysed for the characteristics of the interviewees' psychological contract as well as the impact of work ethic, role-concept and self-efficacy on the acceptance of and support of part-time requests. The coding is transferred into a table of binary variables to enable bivariate correlations. Only the variable *Acceptance* is represented by a 3-point scale (-1 = negative; 0 = limited acceptance; 1 = acceptance). The findings on the psychological contract are presented first, followed by the results on the acceptance of employee-oriented part-time and the legal claim. The influences of relevant third variables that can moderate the effects are examined respectively. This could either be variables like business-size, branch, geographic region or the existence of a works council. Finally, the correlation of the attitudes and concepts are correlated to the reported acceptance of and handling of part-time requests. Additionally, the employees' reasons not to request part-time from the HR managers' perspective are obtained.

### *The right to part-time and the HR managers' psychological contract*

Regarding the psychological contract related to the matter of employee-oriented part-time, one can allocate the HR managers into three categories which explain the perceptions of the mutual rights and duties and the basic negotiation position:

*Part-time supporter:* the HR manager appreciates the right to part-time and recognizes benefits for business of employee-oriented working times. For her or him it is an obligation to offer and to implement individualised working-times according to the law. 7 Interviewees speak out thusly.

*Part-time denier:* the HR manager is reserved towards part-time and defeats the legal title which is perceived as a constraint which runs counter to their own perceptions of reciprocal rights and duties. From his or her point of view working-times have to be primarily employer-oriented and part-time is rather to be seen as a flexibility tool for the management. 11 Interviewees can be allocated in this category.

*Part-time negotiator:* for the HR manager the realisation of employee-oriented part-time is a subject of negotiation. The support of requests depends on various aspects which do not necessarily have to be related to working-times. So, part-time requests from long term staff members or colleagues with outstanding qualifications are accepted – or trade-offs such as increased flexibility are expected in return. For the negotiator, the reasons for a part-time request also play an important role as described above. Following the intention of the law neither the motivation nor the familial background is considered in the decision regarding part-time requests. The rejection of a request has to be founded on urgent managerial reasons, not on the employee's motivation<sup>6</sup>. In practice this consideration is made frequently (e.g. quote 1).

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<sup>6</sup> ruling of the Federal Labour Court, August 15<sup>th</sup>, 2006 – 9 AZR 30/06.

“I mean, they don’t do it just for fun and call in: ‘Now, I want to work less and in half a year I want to change again!’ That is not reality. Reality is for example that the grandmother needs care or whatever happens during life course. So, there is a rational reason. That is why we look for solutions and we mostly find one.” (Quote 1; int. 35)

More than half of the interviewees (24) can be allocated to the latter type. Most of them want to arrange working-time by mutual consent (15 mentions). Accordingly, they expect the employee not to claim or to insist too much on his or her right.

“...then the employee says: ‚I have got the right. I sue you, employer, for offering me a part-time job!’ Then we are in a situation that nobody wants – neither the employee nor the employer. That is why the law is not practicable although formulated with the right intention. You cannot build a long-term relationship on a law suit.” (Quote 2; int. 10)

The supporting of part-time requests becomes an offer or incentive within the negotiation of work-relations. The employee’s motivations for working-time reduction are compared to the anticipated impact for the business. For 9 out of the 24 part-time negotiators the support of part-time is dependent upon the employee’s performance. 10 negotiators understand part-time as a staff retention tool, for instance after a maternity leave.

Themed by “quid pro quo” the trade-off concept is the most common. Most of the part-time negotiators express their broad acceptance of the right to part-time although in practice they would rather negotiate each individual case. Social desirability may be the reason for these favourable evaluations as the expectation of exchange-trade is not intended by the law. However, the majority is willing to support part-time requests.

### ***Acceptance of part-time work***

The character of the psychological contract determines the general disposition on part-time support as a matter of exchange-trade. Therefore, the types mentioned above can be seen as acceptance of the legal right. Subsequently, we analyse the acceptance of part-time work itself. More concretely, we want to find out when and under which circumstances a working-time reduction is supported. Role-concepts and work ethics are expected to influence the judgement on part-time requests from employees. Sometimes it is necessary to read between the lines because of social desirability. Personal judgements are also sometimes expressed as an impersonalised assumption (e.g. quote 3). HR managers differentiate their evaluation. A kind of *limited acceptance* is a widely observed phenomenon. This is congruent with the described negotiating behaviour according to the psychological contract.

“Well, maybe one still has the thinking of the man earning the family’s income and the wife staying at home.” (Quote 3; int. 12)

In total, eleven HR managers make statements that can be interpreted as a general denying position towards part-time. Adding reports about denials within the higher management, 14 of the 42 businesses run a policy that does not much appreciate part-time work. Half of this group belongs to the part-time deniers category and half to the negotiating type.

Ten businesses seem to be rather part-time friendly according to the interview-statements. This classification shows a relatively strong and significant correlation with the business’ part-time quote. ( $r = .37$ ;  $p < .05$ ;  $n = 42$ ). Neither the presence of a work council, nor the geographical region, nor the urbanisation and the size of the

business influence this correlation. We assume both-way causality. That means on the one hand, that a part-time friendly organisational culture (represented by the HR manager) and the existence of part-time colleagues increases the acceptance towards part-time and can even encourage other employees to make use of part-time options (e.g. quote 4). On the other hand the management is effected positively by existing part-time arrangements and positive experiences (e.g. quote 5).

How was the reaction to that man taking parental part-time?

“...at the beginning we heard people hoaxing. Actually, it was the first man availing it [the parental part-time]. For about two weeks somebody would made a stupid remark. Afterwards it was alright for everybody: ‘he is doing part-time since he is in parental part-time.’ ... if there was a second request – nobody would mention it.” (Quote 4; int.40)

“...He requested parental part-time two years ago. ...he is a chemical industrial worker with fully continuous shift operation. He wanted to exit this shift-work, only doing day-shifts instead of five shifts. The management said: ‘No, we don’t want that. It is not acceptable, he has to sign off.’ He went to court then... and we got the slap in the face immediately ... Since then, he works part-time in early and late shift and with success...It works, nothing happened. Everything we worried about: that the shift operation or the course of operations would be disturbed, that the work could suffer and others would be demoralised – nothing of the sort happened.” (Quote 5; int. 16)

The most significant argumentation is related to the employee’s motives to reduce working-time. If – for HR managers – part-time is related to negative aspects for the business, there must be a comprehensible and legitimate reason for a staff member wanting to reduce working-time. This differentiation between good and bad reasons is strongly related to gender. For female staff members household duties and childcare as well as ‘luxury’ part-time (e.g. int. 6) to improve the family’s income or just to get some challenge beside the household duties is widely accepted. In contrast the acceptance of male part-timers is more limited. In the argumentations we found accepted reasons like chronicle illness, a second job, and further trainings like a course of study or a beginning self-employment. Care for elder family members is also accepted if there is no way to avoid it.

About one quarter of the interviewees (in most cases negotiators) expressed opinions that forebode a traditional role concept. Since the predominant discourse in society promotes modern and individual life concepts we suspect a higher “dark figure” due to social desirability. If there is no “good” reason (which also implies unknown motivations for working-time reduction), part-time requests run the risk of denial and employees can be seen as a “lazy sod” (quote 6; int. 01).

Let’s assume someone would reduce working-time. What reactions would you expect?

“I don’t know if you can generalise that. It depends on the individual case. There is one colleague, if he did it – I could imagine – everybody would understand it since he is in poor health. To others one would say: ‘that’s a lazy bastard.’” (Quote 6; int. 01)

“Yes, they [male part-timers] exist. We employ students who are not allowed to work more than 20 hours anyway. ...but these are students and not the typical man who supports a family.” (Quote 7; int. 15)

### ***Work-ethic***

According to our assumptions, we expected a link between general work ethics and the attitude towards part-time work. A positive value for work ethic in general means

that hard work and privations have a positive connotation, In quote 7 the HR manager talks about jealousy if a part-timer leaves her or his workplace before their colleagues do. Not only the content (attributed to the staff members) but also the metaphoric vocabulary which expresses strength and privations through the comparison to a 'bull' when 'working like a dog', speak for a strong (protestant) work-ethic.

"You have to realise, there are key employees, working like a dog and the other just goes home. Of course there is jealousy, isn't there?" (Quote 8; int. 18)

The sub-code "full-time dogma" represents beliefs that an efficient work organisation has inevitably to be organised by full-time jobs or that something else beside full-time work does not even roughly come into mind. As in interview 14 (quote 9), it is evident that the full-time concept is not an ideal solution either, as the suggested working-time duration exceeds the legal limits<sup>7</sup> by far.

"...here comes the real argumentation: within the service economy you just have to be accessible for the employees during business hours. That means being available between 8 a.m. and 6 p.m. And there is no room for part-time models." (Quote 9; int. 14)

Positive coding on traditional role-concept, work-ethic, and full-time dogma all stand for a traditional view on societal and organisational structures. Therefore they are combined into the super-code *Traditional View*. According to the traditional view, part-time jobs mean low qualified jobs with no career opportunities, general staffed by female employees, to improve the household income. In total, we have found such a traditional view on managerial level within 15 Interviews. It is typically represented by male managers ( $r = .33$ ;  $p < .05$ ;  $n = 42$ ). And it correlates significantly with a negative attitude towards part-time work ( $r = -.46$ ;  $p < .01$ ;  $n = 42$ ). The findings on acceptance and traditional view can not be clearly allocated to the three types according to the psychological contract. The perception of rights and duties are largely independent of the personal attitude. Obviously the part-time supporters have a more positive attitude, but one cannot distinguish between negotiators and deniers regarding the personal attitude towards part-time.

### ***Locus of control***

During the coding process we realised that the personnel managers differ strongly in their perceptions of control. One group is concerned about insolvable organisational problems related to working-time reduction. These beliefs are often accompanied by a simplified part-time concept (e.g. 0.5 full-time equivalent from 8a.m. to 12a.m.). The same problems are not seen as an obstacle by other interviewees. They understand individualised working-times as a challenge. They have a broad concept of part-time (duration, distribution and variation of working hours) and utilise various time-models to fit the employee's and organisational needs. According to Rotter (see for an overview: Mielke 1982) such differences in the Locus of Control should influence the handling.

Under the premise that HR managers influence the decision making on part-time requests, the perceived locus of control should increase the willingness to support part-time requests and to rearrange work organisations to enable the implementation of part-

<sup>7</sup> In Germany the average limit is 8 hours a day which can be prolonged up to 10 hours if it is compensated within a period of time.

time jobs. HR managers with a problem-oriented and innovative attitude are better prepared. They understand organisational problems as a challenge to find the right answer and not as an argument to avoid part-time jobs as the following quote illustrates:

“I think, part-time for managers is just an organisational challenge ... we have experienced that with our boss. We can handle it, although sometimes it isn't easy. But it forces us to rethink our procedures. We can improve and we can reorganise our business. So, that's not a bad thing.” (Quote 10; int. 40)

To indicate the internal vs. external locus of control in relation to working-time, it has been coded to which extent the part-time concept is elaborated. Do they comprehend part-time as a collective term for numerous variants or have they a more stereotype view of part-time as the classic 1/2 full time equivalent with 4 hours a day? In addition, the way they talk about problems relating to the implementation of working-time reductions is also coded. Do they talk about unavoidable barriers that make a part-time solution impossible or do they talk about problems to be considered, to avoid, to get around or to solve? The first point of view is typical for part-time deniers whereas the latter would be a typical argumentation by negotiators. In quote 11, the personnel manager can be assigned to this category whereas the higher management represents the denying position.

Do you have alternative working-time models?

“According to our regulation of working-times, it's possible – theoretically, but it is not in our minds. Especially our consultants, if one of them requested part-time within a project...that's almost impossible. You can't tell the customer: 'the kindergarten is closing, I have to go!' But what you could do is work on a project full-time and then staying at home for two weeks until you join the next project. For the business' functioning this would be absolutely useful.” (Quote 11; int. 25)

About one quarter of the experts implicitly refer to the classic 0.5 full-time equivalent job when talking about part-time. The named aspects are highly interrelated. Together they form the factor *Locus of Control (LoC)*. Interestingly, the LoC shows no relation with the acceptance of part-time. However, we found that managers who deny the legal title as an intrusion into internal matters (part-time deniers) have rather an external LoC ( $r = -.31, p < .05; n = 42$ ) whereas part-time supporters have, rather, an internal LoC ( $r = .36, p < .05; n = 42$ ).

### ***Assumed reasons against part-time on behalf of the staff members***

HR managers have been confronted with numbers stating that about 25% of the employees in Germany wish to reduce their working-time and would accept the loss of income (SOEP, own calculation). They have been asked why, in their opinion, employees do not request part-time if they want it. Though the information included the accepted loss, the assumption of financial reasons (loss of income) clearly ranks in the first place. 29 out of 42 experts believe that money outweighs the free time or that financial obligations do not permit any losses. No effects of the line of business and related differences in wage levels have been found. When confronted with the numbers that 25% would wish to reduce in spite of the loss of income, they persisted on the assumption and rather doubted the validity of these survey findings. Next to financial reasons, twelve interviewees assumed that employees encounter resistance from supervisors or the management who would prevent the realisation of part-time requests.

This confirms our hypothesis that the individual position towards part-time strongly affects the allowance decision.

“Well, I think many people really need the money and the second reason is that they assume the employer wouldn’t like it and would put them on a kind of red list. For me, these are the most important factors.” (Quote 12; int. 28)

“All in all, regarding the organisational culture, it [part-time work] isn’t frowned upon.” (Quote 13; int. 25)

In the same vein, 13 experts suspect fear of managerial repressions as the reason for not realising one’s wish for part-time. Repressions mean the loss of job, no advancement or even a decline in the job position or exclusion from further trainings, etc. In total, 21 personnel managers either mention “Denial by employer” or “Anxiousness” or both. These findings argue for the strong influence, decision makers like supervisors or personnel managers have. Anticipating the negative effects, employees hesitate to even ask for a working-time reduction and abandon their right to part-time.

### ***Discrepancy between macro-economical assumptions and managerial behaviour***

One of the lawmaker’s intentions was to reallocate the existing work and create new jobs by employee-oriented working time reductions. The HR managers have been asked how they deal with an incoming request and what macro-economical effects they assume (e.g. “Do you think reduced working times can create new jobs?”). The results are astonishing. 14 out of the 42 interview-partners state that they would implement part-time by splitting existing jobs into two or by creating new jobs. Only one interviewee explicitly excluded positive job effects due to working-time reductions. These results conform to a report of the IAB: 77% of businesses that have realised part-time requests report noteworthy effects on the division of work. 42% of these businesses report that jobs could be saved or new jobs created due to part-time (Wanger 2004). Concurrently, 15 HR managers out of 20 analysable interviews do not believe in positive effects on the macro-economy and the labour market. Only five experts mention that this could be possible. This result is remarkable as eight of the 14 interviewees with job-creating patterns belong to the group of 15 that do not believe in macro-economical effects.

## **Discussion**

Basic assumption for the present study was that the effects of labour law interventions are mediated on organisational level. The reported findings argue for an important role of the HR manager’s attitude and beliefs. All the more so as global organisational strategies on employee-oriented working times have hardly been mentioned. Accordingly, allowances of part-time requests are decided individually from case to case and depend highly on the HR manager’s personality.

Our findings can not be related to the total distribution of part-time jobs as it primarily depends on employer-oriented interests. For example a business in the care sector reported a 50% part-time rate within the care-giving employees as this is the most practicable related to the kind of activities. But we conclude that the individual attitude of the HR manager towards part-time and the employer-employee relationship have a strong impact on the implementation of employee-oriented working-time

reductions. In turn, the existence of part-timers in a company apparently promotes the acceptance of part-time solutions. Several results argue for this thesis.

The approach of the psychological contract helps to understand the way how HR managers deal with the right to part-time. Only about one fifth explicitly mentions that they regard the legal title as an obligation to comply to. Contrary to the intention of the law, the vast majority considers part-time as a matter for negotiation in which the arguments of the applicant are weighed against those of the company and in which the personnel manager or responsible person has the final word. Nevertheless most of the HR managers state their good-will to support part-time requests in general. This is a strong indication for the indirect effect of national policies mediated by individual actors on organisational level.

The acceptance of part-time models correlates highly negative with traditional role concepts and purist work-ethics. Therefore the managerial support of requests can be seen as a cultural matter which in turn could be influenced by broader organisational policies promoting work-life balance initiatives like part-time options. More detailed, the decision making not only depends on the general acceptance but also on the employee's position, skills, personality, and gender. Men have much more problems than women to show accepted reasons for a working-time reduction. According to the male-breadwinner model only career-oriented arguments are supported whereas women find a wide spread acceptance of part-time requests due to their traditional role. Within higher job-positions both, men and women are confronted with stronger denials from the managerial level. In addition the HR managers state that the potential denial of a request or other negative consequences are anticipated by the employee and refrain him or her from requesting a working-time reduction.

Of course, organisational reasons have a strong impact on part-time decision making, too. These aspects were also collected in the interviews, but we focused more on how these aspects have been referred to and what answers managers have to organisational problems. According to our findings, personnel managers who experience little latitude and control in the personnel planning (external Locus of Control) express more reservations about the disturbing intrusion by the right to part-time. This does not include a negative attitude towards part-time itself, but rather a fear of uncontrolled requests to comply to.

In the same vein, when talking about part-time requests, the absolute majority implies a permanent reduction and related disadvantages like career-stop or the loss of income. Temporary part-time work, adapting to the actual family situation or general circumstances of life is hardly mentioned. Within the predominant male-breadwinning model, temporary part-time work would probably be more suitable for men, since they do not have to give up the full-time job completely. The legal right to part-time does not consider a temporary reduction but comes from a long-term change of working-time.<sup>8</sup> Also on managerial level temporary solutions are not taken into considera-

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<sup>8</sup> There is a „right to full-time“ (§9 TzBfG) but it is related to the existence of a concrete job vacancy. Therefore it is not an option to be relied upon. This right has not been an object of the guideline, nor was mentioned by any interviewee which indicates that this option has only little practical impact.

tion when talking about part-time. This could be a reason for the negative attitudes shown towards part-time as these are often related to organisational problems that become more eminent by and by. We assume that the missing consideration of temporary working-time reductions in the law and in the HR managers' perceptions is a major reason for the lack of acceptance and the reluctant use of the right on behalf of the employees. However, we conclude that the legal title has a cultural engineering impact. Regarding the reports on dealing with part-time requests and the judgements on the bill, the majority is supportive of part-time possibilities for the employees. Although disadvantages (mainly additional organisational work) are mentioned, the relevance of private life issues is broadly accepted and the right to part-time is regarded as justified.

These results give a hint for the promotion of part-time work. Providing inexperienced HR managers with a training in how to best manage employees in alternative work arrangements may further help to be less negative towards requests of their employees and to avoid negative responses (see also: Nord et al. 2002). Work-life balance strategies need to be incorporated into the human resource system of the organisation, and into management practice in particular (Thompson, forthcoming). An inadequate alignment with existing HR policies such as performance evaluation and compensation procedures can be expected to influence allowance decisions. Performance evaluations based on face-time and daily output control, for example, create problems for managers who supervise part-timers. The interviews have shown that elaborated strategies and policies on part-time are scarce. Only businesses with a high employer-oriented part-time rate have standardised procedures and do not report any organisational difficulties.

In the margin of our research focus we came across two interesting findings. The first is that the interviewees primarily suspect financial reasons to be responsible for the retention of part-time requests although they were confronted with empirical data excluding this argument. Due to the experts' judgements one has to wonder how valid quantitative findings on this subject are. Maybe quantitative surveys rather obtain populist slogans standing for a utopia without any work strain than concrete desires to rearrange working-times according to one's life situation. A longitudinal analysis of the German socio-economic panel data would give help to answer on this issue.

Secondly, there is an eye-catching discrepancy between the individual practice (and intentions) to deal with part-time requests and the assumed macro-economical handling thereof. In most cases, the reported practices imply positive effects on the creation or securing of jobs. In contrast, the HR managers believe that an increase in part-time jobs do not have any macro-economical effects. It is curious how little the uttered general opinion is related to the individual practice. This phenomenon could be explained by the sub-classing effect (cp. Kunda 2000). According to this cognitive mechanism, dissonant information that is not consistent with global beliefs is seen as an exception and therefore does not affect the broader concepts. As the field of economics is quite complex and diverse it is even easier to interpret the own situation and the own behaviour as an exception (more detailed in: Schramm et al. 2007). In our opinion, reports on the individual practice have to be seen as more valid than presumptions on labour market effects which are rather affected by political opinions.

The psychological view on the effects of labour law policies is quite new and widely unexplored. Therefore we have chosen for a qualitative study-design in order to

to explore uncalculated interrelations and to get a broad overview on the HR manager's reasoning regarding the various influencing factors. This is not to be seen as a limitation but as a decision for a non-representative design. The results can not be extrapolated and common measures on reliability and validity are not to be used.

The sight of the data reveals that HR managers often do not distinguish between different legal forms of part-time. Next to the right to part-time which exists independently from the employee's person and motivation, there are other variants like the parental part-time or the partial retirement. Asked for the opinion towards the right to part-time, the judgements are often mixed up with these other forms. Due to the qualitative nature of our data these diffuse borderlines of part-time concepts become evident. It remains unclear how conscious both parties are of their rights and the rules according to the right to part-time.

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