

Working time organization: influences in work-family balance and career

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Abstract: The theme of working time is central to social research, in the sense of promoting knowledge that can influence the elaboration of socioeconomic intervention policies. Since the beginning of this century, working time has become one of the main elements of European employment policies. In the context of the increase of international competition between companies – and the need to adapt business and people to the new demands in terms of flexibility – there is a profound transformation of working conditions, with the growing of working time unpredictability. So, to this extent, time can be a structuring element in the organization of work, upon which performance at work often depends. The purpose of this study is to identify the effects of an increase in working time on work-family balance and to assess their impact on the career paths of women. Using 30 interviews with working women's in the Portuguese banking sector, we identify the main constraints on working time and their repercussions on reconciling work and family life, especially on professional promotions and access to top positions in companies. In the results, we focused the influences of working time in reconcile work-family life, as well in the achieving of equal career opportunities between women and men.

Keywords: Work-family balance; career; working time; Human Resource Management; equal career opportunities.

Organização do tempo de trabalho: influências na conciliação trabalho-família e carreira

Resumo: O tema do tempo de trabalho é central na investigação social, no sentido de promover conhecimentos que possam influenciar a elaboração de políticas de intervenção socioeconómica. Desde o início deste século que o tempo de trabalho se tornou um dos principais elementos das políticas europeias de emprego. No contexto do aumento da concorrência internacional entre empresas – e a necessidade de adaptar negócios e pessoas às novas exigências em termos de flexibilidade – há uma profunda transformação das condições de trabalho, com um aumento na imprevisibilidade no tempo de trabalho e, nessa medida, o tempo pode ser estruturante da organização do trabalho, da qual depende frequentemente o desempenho no trabalho. O objetivo deste estudo é identificar os efeitos de um aumento do tempo de trabalho no equilíbrio trabalho-família e avaliar o seu impacto na carreira das mulheres. Utilizando 30 entrevistas com mulheres trabalhadoras no setor bancário português, identificamos as principais restrições ao tempo de trabalho e suas repercussões na conciliação da vida profissional e familiar, principalmente nas promoções profissionais e no acesso a posições de topo nas empresas. Nos resultados, focamos as influencias do tempo de trabalho sobre a conciliação trabalho-família, bem como na obtenção da igualdade de oportunidades na carreira profissional entre homens e mulheres.

Palavras-chave: Conciliação trabalho-família; carreira; tempo de trabalho; Gestão de Recursos Humanos; igualdade de oportunidades na carreira.

1. Introduction

The theme of working time is central to social research, in the sense of promoting knowledge that can influence the elaboration of socioeconomic intervention policies. Since the beginning of this century, working time has become one of the main elements of European employment policies, because time can be a structuring element in the organization of work. The purpose of this study is to identify the effects of an increase in working time on work-family balance and to assess their impact on the career paths of women. Using 30 interviews with working women's in the Portuguese banking sector, we identify the main constraints on working time and their repercussions on reconciling work and family life, especially on professional promotions and access to top positions in companies.

2. The Importance of Working Time in Work Organization and Equal Career Opportunities for Women and Men

Several studies have recognized over the last three decades that work management – regarding working time – has been marked by the increasing flexibility of companies in order to ensure the pursuit of their business goals (Lyon-Caen, 1985; Freyssinet, 1996; Rebelo, 2001; Gaudu 2006; Eurofound 2006; Tremblay, 2008; Eurofound 2010; ILO, 2011). However, both working time management and workplace management directly impact private interests (work-family balance) and the rights to health and personal and family life (Hein, 2005). The responses of companies to these issues have been presented as socially individualizing, contributing to the intensification of labor relations, with significant social consequences (Harvey, 1999; Kerschen, 2003; CLBRL 2007; Campos Lima, 2011; Naumann, 2014).

In the EU28, women continue to spend more time in work activities than men. In 2015, women spent on average 58 hours, in paid work (main and second job, where applicable), commuting and unpaid work (including domestic work, care for children and/or elderly members of the household), against only 52.5 hours declared by men. At the same time, the difference between actual and preferred working hours is greater for men, especially if they are in the parenting phase of their lives (Eurofound 2017).

Eurofound considers working time to be one of the most important areas of employment policy in which the EU has intervened through legislation in order to improve working conditions and the health and safety of workers, in line with its commitment to “more and better jobs” (Eurofound, 2018). How to combine work with life is a fundamental issue for many people, an issue that policymakers, social partners, businesses and individuals are seeking to resolve. Simultaneously, new challenges are transforming the interface between work and life: technological change and fewer weekly working hours (Eurofound, 2018).

Historically, labor law has emerged as a branch of law capable of compensating for a structurally asymmetrical relationship between worker and employer, affirming the need to regulate working conditions from the perspective of worker protection. It should be noted that – since the emergence of this branch of law – the organization of working time has been a structural element in the history of affirmation of labor law.

Over the past three decades, the goal of reducing working time has become central to national and European labor regulation and has been considered by many as a sign of

progress in economic development (Hoffman; 1995; ILO, 2011; Golden 2012; Pencavel 2015; Eurofound, 2017; Eurofound, 2013; Eurofound, 2015).

As the Eurofound 2018 report *Rethinking working time in Europe* points out: “(...) policy interest in work-life balance is warranted because its benefits are wide-ranging. Improving work-life balance mostly happens at the workplace but the involvement of stakeholders at different levels can create a facilitating policy framework” and highlights “reducing the volume of work has the greatest impact on improving work-life balance. However, the organization of work is also important: irregular or unpredictable working hours, working at unsocial hours or a high level of work intensity all complicate the interface between work and life” (Eurofound, 2018, 2). This study emphasizes that “a growing number of academic studies focus on what actually works in achieving a better work-life balance and what does not.(...) In literature, the term is used widely, and different meanings have been attributed to the same term. Some researchers use a different definition of the same term, while others use different measurements of the same definition. Conversely, a myriad of terms in the literature seem to be related to the concept of work-life balance but have a different label. Just to name a few: work-life conflict, work-life enrichment, work-family balance, work-non-work balance, role balance, reconciling work and private life, work-life integration, work-life fit, work-life interference, work-family interface, spillover, work-life integration, or a combination of these terms. Some of these labels refer to the same concept, while others refer to something conceptually different (...)” ((Eurofound, 2018, p.7).

In order to respond to the economic crisis of the 1970s, the new concepts of work organization, associated with a flexible organization, seek to change the existing conceptualizations (Zachmann, 1986; Ray, 1990; Bloch-London 1990; Tergeist, 1991; Boulin, 1992; Supiot, 1998, Supiot, 2016). One of the ways in which business management responded was through working time management, especially by sharing and reducing working time in companies (Aznar, 1993; Boulin, 1994; Hoffman, 1995; Redor, 2000; Cordonnier, 2000; ILO, 2005). Therefore, the reorganization of work by what some authors call “temporalities of work” has been in focus in recent decades (Harvey, 1999). Companies are increasingly confronted with the work-family balance (concerned with issues such as motherhood, child care, care for the elderly) and, to this extent, working time management policies will theoretically be geared to mitigate work-family conflicts by allowing workers to live in parallel to each other's reality.

The content of work has changed substantially over the past three decades towards an increase in individualism in labor relations. Alongside the flexibility of labor market, we are witnessing a social process that has begun to reach the margins of labor flexibility in matters such as the workplace and working time (Hein, 2005, 3). Furthermore, it should be noted that in 2019 – at the centenary of the International Labor Organization/ILO – an important labor challenge which should continue to be addressed is the organization of working time, especially because working time policies have been an essential tool for policy makers in regulating working conditions throughout the world. In 2011, an ILO expert meeting identified some important principles and considered the issue of working time as central, including: the need to impose daily weekly and annual limits; maintain the exceptional nature of overtime work; the right to paid annual leave, if possible without interruption; recognition of the atypical nature of night work and its potential negative impact on workers' health; the recognition of the importance of collective bargaining over

working time regulation; and the need for an effective inspection system to prevent and punish abusive practices.

3. Working time in Portugal

Recently, in its global analysis of the evolution of work in Portugal in the last decade, the ILO report *Decent Work in Portugal 2008-2018 – From crisis to recovery*, highlighted issues related to working time. This concern has been central to ILO activity, as the first International Labor Convention, adopted in 1919, focused precisely on the issue of limitations on working hours (Working Time Convention). It should also be noted that in Portugal it was a century ago, precisely in 1919, that the legal maximum limit working time limit was set at 8 hours per day.

The temporal dimension of work provision is associated with the issue of quantitative determination, as the concrete configuration of work provision (Monteiro Fernandes, 2010, 355). And this quantitative determination it is necessary as the provision of work should allow work-life balance, and as it is essential in protecting the physical and mental integrity of workers (Kivimak, 2015; Berniel, 2017).

The Portuguese Constitution (CRP) enshrines the fundamental rights of workers and establishes an order of values that have at their core the dignity of the human person and, as such, must be present in the statutes of all branches of law, including labor law. These fundamental rights of workers include the right to an upper limit on working hours and the right to set working time limits at a national level (in the context of the regulation of working conditions). Notably, the right to rest and leisure [Article 59, 1d) and b) of paragraph 2 of the CRP] and the organization of work in such a way as to reconcile work and family life [Article 59, 1b) of the CRP]. Also, according to Article 67 (1) of the CRP, the family as one of the fundamental pillars of society has the right to protection from society and the State and to the fulfilment of all conditions that allow the personal realization of its members. In particular, the State is responsible for protecting the family, defining and implementing a comprehensive and integrated family policy (point g) and the reconciliation of work and family life through sectorial policies (point h). In line with the 1981 ILO Convention (No. 156), family responsibilities specifically mention “dependent children” and “other immediate family members in need”, which is to say that the Convention includes the elderly as well as children. However, in recent years, in several countries (such as Portugal), the average number of working hours has increased (OECD 2019), largely due to flexible working hours mechanisms. According to the OECD, Portugal is one of the European countries with the highest annual average hours worked - 1722 hours (compared to 1,363 hours in Germany or 1,392 hours in Denmark, for example).

The issue of working time is central in recent amendments to the Labor Code. Should not forget that one of the basic guidelines of the legislative policy, which guided the revision of the Labor Code in 2009, was precisely the question of the organization of working time. Other amendments to the Labor Code, in 2012, included changes to the overtime regime and the elimination of the obligation to communicate specific information to the Working Conditions Authority (ACT), such as: the elimination of the obligation to submit the work schedule: the eliminating of the obligation to submit the exemption schedule contract, and the introduction of a tacit approval of the request to reduce or exclude the rest period.

First, with regard to the deletion of a set of previously mandatory communications sent to ACT, three changes should be highlighted: the elimination of the obligation to send the working time map, the elimination of the obligation to send any exemption agreement to the ACT; the introduction of a possible tacit approval of the request to reduce or exclude rest intervals. With the elimination of the obligation to send working time schedules, as Article 216 (3) of the Labor Code was repealed, it is no longer necessary to refer the posting of the working time map to ACT. Subsequently, the obligation to send any working time exemption agreements to the ACT was also removed, and thus Article 218 of the Labor Code (3) was also repealed. There has been a tendency to lighten formalities in recent years as these exemptions exemplify. In 2009, the time waiver agreement was required to be sent to ACT; this requirement came already from 2003, when the procedure was simplified, changing the previous requirement of an application accompanied by the employee's declaration of agreement and the necessary documents to prove the facts. Also, the possibility of tacitly granting the request to reduce or exclude rest intervals, now expressed in Article 213 (4) of the Labor Code (considered to reduce or exclude the rest interval), which is not decided within 30 days .

It should be noted that one of the main novelties of the 2012 amendments to the Portuguese Labor Code is that the legislator expressly recognizes the existence of long working hours “exceeding 50 hours”. In fact, even though the earlier paragraph of article 213 of the Labor Code stated: “interrupted by a rest break (...), so that the worker does not perform more than five consecutive hours of work”, in 2012, due to Amendments to the Labor Code of Law No. 23/2012 of 25 June, it now states: “the daily work period is interrupted by a rest break (...), so that the worker no longer work five consecutive hours of work, or six consecutive hours if that period exceeds 10 hours.” In other words, the Portuguese legislator has explicitly admitted the practice of normal daily work periods of 10 hours or more, extending the worker's daily rest interval after six hours.

In Portugal the legal limit is a maximum of eight working hours a day up to a maximum of 40 hours per week [Article 203 (1) of the Labor Code], but collective bargaining agreements may establish different maximums [Article 203 (4) of the Labor Code] . Despite fixing maximum working hour limits, Portuguese labor law sets several mechanisms to introduce flexibility in the organization of the employees' working time. These flexible working schemes may increase normal working hours to a maximum of 10 or 12 hours per day and 50 or 60 hours per week.

Through collective bargaining or individual agreements (between employer and employee), it is possible to define work periods on an average basis, provided that the maximum working hour limits are observed in a predefined reference period (Articles 204 to 207 of the Labor Code). Time bank schemes are also possible, or implemented by collective agreement or applied to workers who have refused it, as long as the proposal is accepted by 75 % of the team, economic unit or section [Article 208-B (2) of the Labor Code]. These time bank schemes allow for four more hours of work per day, which is not be considered as overtime.

According to the *Livro Verde sobre as Relações Laborais 2016* (Green Paper on Labour Relations 2016), there was a sharp increase of 21% in the number of employees in the “Individual Adaptability Scheme” between 2010 (252 000 workers) and 2014 (305 000 workers) (Dray, 2016, p.267). As for “hours of work exemption”, overall, these decreased by -2.9% between 2010 and 2014, except in the case of non-compliance with maximum working periods [Article 219, 1c) of the Labor Code], which increased by 8.5% over the

same period (Dray, 2016, p.268). As stated in the *Livro Verde sobre as Relações Laborais 2016*, in Portugal “(...) approximately 76.3% of workers with contract work are covered by a flexible mode of organization of working time, a fact that attests well to the evolution of the labor market, given that most of these working time flexibility mechanisms were introduced only a little over a decade ago” (Dray, 2016, p.268).

We know that today one of the main challenges facing work is to find a social commitment to reconcile workers' rights with the competitiveness and adaptability of companies, in particular the issue of the organization of working time, a key element in tackling this challenge. First, in the name of respect for occupational safety and health and the maximum working day, the right to reconcile work and personal life and the protection of daily rest (note, for example, the interval between the end of a workday and the beginning of the next, a crucial time for fundamental recovery, namely, sleep). As far as the right to rest is concerned, this issue is especially relevant given that we have a society in which the commute-to-work time (to and from work) in urban centers is increasingly, often lasting more than one an hour in each direction.

According to the *Livro Verde sobre as Relações Laborais 2016*, gender pay gaps persist in Portuguese society and “the various studies on the subject unanimously acknowledge that the causes of gender pay gaps are intricate and complex and cannot be analyzed alone” (Dray, 2016, p.265). The reasons for understanding women's career advancement are also intricate and complex, since successful advancement is also related to the prevalence of working time in the design of performance assessment tools.

4. Object, hypotheses and methodology

Recent literature has recognized that, working time and care responsibilities are important determinants of work-life balance and the core elements of policy debates surrounding the topic (Eurofound, 2018, p.5) and these inequalities manifest themselves – above all – in women, as they spend more time with their families, which illustrates the relative ambiguity of the term “chosen time”¹. Family care leads to conflicting needs: a desire for more free time to look after children – especially when they are still young – and an increased need for resources. Thus, for women with young children the probability of accepting a part-time job is greater than for women without children. This situation does not seem to be observed among men: in the family structure, their role is more often “to serve the needs of the family” therefore financial constraint is even stronger than the aspiration to free time (Boisard, 1996; Rubery, 1999; Barrère, 2000; Barrère, 2003; Barrère, 2004; Bertaux, 2006). The organization of working time has become a central theme in social research, in the sense of promoting knowledge which could offer reflective material for the elaboration of socioeconomic intervention strategies (Aznar, 1993; Alaluf, 1995; Redor, 2000; Barrère, 2009; Rosanvallon, 2011).

Any social fact is always complex, as it can be grasped from different angles, therefore “it is essential to realize that they are not watertight compartments, they are dimensions of all social action, they are deeply interconnected. (...) Only in this way can we understand why the boundaries between the various disciplines are so precarious and fluctuating – generally speaking, they view the same reality in different ways.” (Santos Silva & Madureira Pinto, 1986, p.17). Methodologically, although this is not a dilemmatic

¹ Despite the significant increase in female activity, the traditional assignment of household chores within the family and the family care function remain closely associated with women.

choice, in terms of information gathering and analysis, a qualitative methodology was chosen to explore the theme “work-family balance and career” and to identify discriminatory practices, using interviews as a technique for collecting information.

In our analysis, no quantitative aspects are presented, nor a statistical data analysis, since the purpose was to collect information on a qualitative basis, trying to understand – through the transcription of the interviewees' speeches – the obstacles hindering women's career advancement.

Thus, it is important to establish some of the reasons that justify the election of the present object of study, knowing that the management of working time has repercussions in performance evaluation and, consequently, in the career progression of workers. With the essential objective of assessing equality between men and women at work in the Portuguese banking sector – in particular the reconciliation of work and family/personal life, as well as the difficulties experienced throughout the professional career of women – information was collected using interviews with privileged interlocutors.

Different organizations collaborated in the interviewing process – GRAM (Grupo de Ação de Mulheres /Women's Action Group) and three labor unions (Sindicato Bancários do Norte, Sindicato Bancários do Centro e Sindicato Bancários do Sul e Ilhas) – enabling a total of 30 interviews with women affiliated to these three unions. The goal of the interviews was to gather information to diagnose and characterize gender equality at work, as well as to identify measures to be taken to promote effective equality in career advancement. By delimiting the differentiating objectives of the present theme, which constitute a central aspect of the present work, we sought to understand the effects of working time management, specifically on the reconciliation of professional and family life on women's careers. Given these objectives, the methodological strategy was oriented to a focus on a qualitative study, seeking to answer the following questions:

1. Does the organization of working time implemented in companies make it possible to guarantee a good level of work-life balance with family life?;
2. To what extent can the organization of working time, even the flexibility arrangements specifically designed for conciliation, influence women's career advancement?;
3. Do the existing performance appraisal instruments value the management of working time that enable work-family balance?.

Thus, from these exploratory questions, we built the following hypotheses to guide our work. The central hypothesis of this study is that working time arrangements (which allow for increases in normal weekly working hours) tend to weaken the overall legal and social protection mechanisms of workers, but especially of workers providing care to the family, who are mostly women. At the same time, an articulated set of other hypotheses guided the development of the research:

- Working time arrangements, particularly those that allow an increase in the normal daily and weekly working hours, respond only to the needs of the companies, ignoring or underestimating the recognition of the work-life balance of workers;
- Working time flexibility, which increases normal daily and weekly working hours, reduces equality mechanisms, penalizing career progression of workers with less willingness to work after normal hours.

Changes in the organization of working time, implemented to increase normal weekly working hours, may affect women in particular, because they are who mostly assist their families (not only descendants but also ascendants). In this regard, it becomes relevant to understand whether working time management policies in companies penalize women

more, either making it difficult to organize their family and social life or aggravating their performance assessment. In particular, the availability stated by the employee in an employment contract for a certain normal period of work is primarily based on the way in which he/she organizes his/her personal life (including not only time off from work but also leisure time) and family (that is, their availability to pursue their family responsibilities).

Accordingly, women with professional experience were interviewed, based on a random sample. From the 30 interviews, subject to anonymity and in which honest responses were requested, we also studied gender equality in the banking sector, in particular in terms of career advancement. The opinions of the respondents from the various banking institutions and affiliates to the three unions, mentioned above were analyzed with regards to their professional career. The interviews were conducted from December 2014 to March 2015. Each interview included twenty questions and lasted an average of 40 minutes.

In addition to the responses obtained from the 30 interviewees, additional information was gathered from 20 of them that were affiliated to the above-mentioned unions. Information's related about their personal and contractual profile – age, marital status, number of children, education level, category and remuneration level, type of employment contract, length of service in the banking sector –, with special focus on their experience, career conditions and progression. Interviewees were asked to discuss issues of equal pay, career advancement and the reconciliation of professional, private and family life, if they have ever felt discriminated against, what they considered are the grounds for such discrimination, and what kind of difficulties women experience in career advancement.

Parallely, the objective was to analyze whether companies made it possible to reconcile work and family life, and how this was achieved, as well as assess which workers benefited most. Finally, interviewees were asked which measures might promote effective equality in career advancement. Thus, we sought to understand the main constraints for women in their career advancement by assessing their careers, addressing issues such as discrimination experienced in career progression, and whether or not they benefited from the flexibility of working time and the ability to reconcile work and family and personal life. Table 1 outlines the analysis axes by reference to the questions applied in the interview.

Table 1 – Interview Script - dimensions and variables

Dimension	Variables	Questions
Personal and socio-professional characterization	Age; marital status; number of children; qualifications; category and remuneration level; type of employment contract; length of service.	Q1; Q2; Q3; Q4; Q5; Q6; Q7
Equality and work- family balance	Discrimination at the level of pay or career progression and difficulties for women in career advancement; Flexibility of working time and extra work; Student worker status; Reconciliation between work and family life; existence of equipment and family support solutions.	Q8; Q9; Q10; Q11; Q12; Q13; Q14; Q15; Q16; Q17; Q18
Career equality	Measures to be taken to promote effective equality in career advancement.	Q19; Q20

5. Results

According to the applied interview guide, and considering its dimensions of analysis, it was possible to obtain the following results.

5.1. Personal and socio-professional characterization of interviewees

The age of the interviewed women ranged from 32 to 63 years, with tenure of 6 to 42 years. In the group of interviewees, twenty of them are affiliated to the Sindicato dos Bancários do Sul e Ilhas; two interviewees are affiliated to the Sindicato dos Bancários do Centro and eight are affiliated to the Sindicato dos Bancários do Norte. In the application of the interviews, in a first phase we proceeded to a characterization of the interviewed women workers, as shown in Table 2.

We mention the fact that the interviewees are, on average, 49.26 years old, 9 interviewees (30%) between 30 and 39 years old, 10 interviewees (33.3%) between 40 and 49 years old, 7 interviewees (23.3%) between 50 and 59 years old and 4 interviewees (13.3%) between 60 and 63 years old. By marital status, eighteen interviewees (60%) are married, eight are divorced and/or separated (26.67%) and four are single (13.33%). Regarding the number of children, it should be noted that 5 respondents have no children, 15 respondents have one child, 9 interviewees have two children and one respondent have three children, that is, on average 1.2 children per woman.

As for academic qualifications, 17 respondents have higher education (including bachelor's, degree level, master's and doctoral degrees), 3 respondents have higher education attendance (not completed), 8 interviewed with the 12th grade or equivalent and 2 interviewed with the 9th grade. By categories, 17 respondents are Technician/Manager /Assistant manager and 13 respondents are Administrative. Regarding the level of remuneration, 10 interviewees are between level 6 and 8, 12 interviewees are between level 9 and 11 and 8 interviewees are between level 12 and 13. In terms of employment contracts, 29 interviewees have permanent employment contracts and one interviewee have a non-permanent contract. Finally, regarding length of tenure, 3 interviewees had up to 10 years; 8 interviewees had between 10 and 20 years; 11 interviewees had between 20 and 30 years and two interviewees had 40 or more years.

Table 2 - Characterization of the interviewees

	n (%)	Average
Age	Between 30 and 39 years old – 9 (30) Between 40 and 49 years old – 10 (33.3) Between 50 and 59 years old – 7 (23.3) Between 60 and 63 years old – 4 (13.3)	49.26
Marital status	Married – 18 (60) Divorced and /or separated – 8 (26.67) Single – 4 (13.33)	-
Number of children	No children – 5 (16.67) One child – 15 (50) Two children – 9 (30) Three children – 1 (3.33)	1.2
Qualifications	Higher education – 17 (56.67) Higher education attendance (not completed) – 3 (10) 12th grade or equivalent – 8 (26.27) 9th grade– 2 (6.67)	-

Category	Technician/ Manager/ Assistant manager – 17 (56.67) Administrative – 13 (43.33)	-
Remuneration level	Between level 6 and 8 – 10 (33.33) Between level 9 and 11 – 12 (40) Between level 12 and 13 – 8 (26.67)	9.67
Type of employment contract	Permanent employment contracts – 29 (96.67) Non-permanent contract – 1 (3.33)	-
Tenure/seniority in the bank sector	Up to 10 years – 3 (10) Between 10 and 20 years – 8 (26.67) Between 20 and 30 years – 11 (36.67) 40 or more years – 2 (6.67)	22.4

Fonte: Rebelo, 2016.

5.2. Equality and work- family balance

5.2.1 Discrimination at the level of pay or career progression and difficulties for women in career advancement

When asked about their professional paths, whether or not they have felt discriminated against and the main difficulties they had faced in relation to their career advancement, most interviewees highlighted the existence of stereotypes regarding women's participation, linking the explanation mainly to maternity and absence due to the need to care for family:

- *In these 17 years of bank work I have been progressing. I had some opportunities (...). In the case of some of my colleagues (...) I saw that motherhood did not allow them to progress in their career (...) because they did not have the same amount of time as I had, because they had children (...) (Interview 25).*
- *“In my opinion (women) are penalized mainly because of absences (...)” (interview 17).*
- *“The vast majority of promotions – just look at the bank board – are not female” (Interview 20).*
- *“At the wage level there was no discrimination, but at the level of progression there was” (interview 8).*
- *“(...) A person who wants to make career progress (...) has to combine his personal and family life in a way that does not harm the company, but adjust (in time) (...)” (interview 14).*
- *“Women have a lot of difficulties because they are mothers, they are discriminated against because of childbirth and childcare” (interview 1).*
- *“I, for example, had three children, which means they are ‘six years burned’ (in terms of progression). In what sense? The year the woman is pregnant... and then the year after” (interview 7).*
- *“The year I was a mother (...) the Director told me that I had been absent – did not care why I was absent (...) – and did not give me the annual bonus. (...)” (interview 15).*
- *“In these 17 years of bank work I have been progressing. I had some opportunities (...). In the case of other colleagues of mine (...) I saw that motherhood did not allow them to progress in their career (...) because they did not have the same amount of time as I had, because they had children (...)” (interview 25).*

However, it should be noted that most interviewees recognize positive developments and more equality between men and women:

- *“Today is less noticeable than a few years ago. (...) Is already more balanced” (interview 10).*
- *“Nowadays it is not so much because the father can already stay at home, has this right, and there are already many men who stay” (interview 13).*
- *“It is less and less frequent (...). I think this will gradually fade away (...).” (interview 2).*

- “Today there are no such differences (...)” (interview 14).
- “The woman is no longer so penalized because she is trying to find ways to have someone to pick up (or have children with)” (interview 4).

Nevertheless, some interviewees realize that there is no such discrimination and that the difficulties are mainly associated with the deterioration of working conditions and the increased precariousness at work: “(...) When I talk to my colleagues I don't see them feeling discriminated against. (...) But I think of the pressure we all suffer at work these days, but this is general (...)” (interview 3).

With regards to the main barriers to women's progression, respondents refer several reasons including gender stereotypes which still persist as the majority of managers are still men and an organization's requirement in regards to working time, more specifically the increase in the organization's normal working time.

- “We are called to other tasks besides work - the family... I had a problem, for example, and I got my mother to assist me, but when my husband needed it, I had to give assistance” (interview 16).
- “Today, for example, (...) it is noted that when a woman appears pregnant, one immediately thinks - she will be missing a lot of time... – so, it starts (...)” (interview 19).
- “I think it's because of absences. In fact (...) absences greatly influence career progression” (interview 20).
- “Mostly it is a matter of maternity. In my bank (...) the directors themselves say that the person got not raise that year (...) because he/she was on leave and therefore has no right (...)” (Interview 24).
- “Perhaps because there is still an excess of conservatism (...) in the sense that they are functions that require great availability and, therefore, that men will have more availability... that men have much more time and are therefore much more available for leadership” (interview 25).

While interviewed women without children stated they had never felt discriminated against in their professional career, other interviewees recognized difficulties in reconciling family life and, especially, career progression.

- “I witnessed a situation of a colleague... who tried, in a way, to make life difficult at a time when she asked for assistance from her parents, even though she was an only child (...)” (interview 8).
- “People say yes, they make it easier to reconcile with family, but maybe not quite because after (...) when it's time for promotions while the one who never missed has a rating of 6 or 7, the one who missed to watch the family has a rating of 3 (...)” (interview 9).
- “Bosses have to be aware that those who have children always have to have some time flexibility (...)” (interview 13).
- “(...) It was also important to have a family support network. One of the major problems we face in reconciling work and personal life is (...) those who do not have a close family structure have a lot of difficulty (...)” (interview 25).
- “I have a colleague who has her husband with a cancer problem and has to keep asking and it seems that they are doing you a favor” (interview 26).
- “In my case, right now, it's very complicated. I'm working 60km from my house - we're talking about a 120km daily difference that I have to make. It is very difficult” (interview 28).
- “At this moment there is a dramatic reality, there are many colleagues in the bank (...) for all the instability that is going on, who are going through depressions, family problems because of work (...) they lack that space of balance. There is a period of time that is work, but then comes the time we have to turn off (...)” (interview 23).

5.2.2. Flexibility of working time, extra work and student worker status.

Concerning the modalities of flexible working time arrangements, specifically the possibility of flexible working hours, opinions are divided, and most respondents acknowledge that they have such flexibility:

– “(...) With regard to young people, I see that most of them are under pressure, stay there after hours, do not record overtime and that when they are alerted (...) they say it does not matter. (...) They forget that (...) people are losing rights (...). We know that most of them have 6 month contracts and after 6 months they leave (...)” (interview 9).

– “Yes. My bank has schedule flexibility, in some cases I know it is for support to parents and in other cases to children” (interview 24).

– “Yes, there is working time flexibility. (...) Leave and then come back again, or leave early and, the next day or the week after, make up for those absences” (interview 25).

While other respondent state this time flexibility is not always facilitated: “This situation of flexibility is not usual - which is a pity, because it helped a lot” (interview 21).

5.2.3. Reconciliation between work and family life

Then, when asked about the increase in the normal working period, most of the interviewees claim to be exempt from working hours, while others admitted to doing extra work, and in any of these situations – which imply the extension of the normal working period – there are repercussions on personal and family life, penalizing the availability of family time:

– “A person who leaves his or her workplace at 7 pm or 8 pm (...) takes half an hour or forty-five minutes to get home, dinner to make or children to treat, studies to accompany children...” (interview 1).

– “(Women) leave much behind to be able to... reach the same levels as men. It gets more and more accentuated because people are more and more scared and then they work until later” (interview 4).

– “Sometimes it's very complicated - we can get to (10pm, we can get to midnight - upset. Especially people with small children (...)” (interview 6).

– “Now we are in a phase of restructuring the bank (...), it happens that (...) there are more people leaving the bank, who is there has a work overload and then leaves later, and later and later” (interview 4).

– “I'm going very late to school because I live far away (...) and my son is practically 12 hours at school” (interview 13).

– “We should work fewer hours (...), but this is due to constraints on working in the financial sector - fewer and fewer people” (interview 29).

Some interviewees relate the extension of the normal working period to the deterioration of conditions and the precariousness of work:

– “There is also the issue of precariousness at work because nowadays no one enters a permanent contract (...)” (interview 2).

– “People live under constant stress, there are demands that are sometimes absurd. People... work until much later” (interview 6).

– “I know colleagues who are years on non-permanent contracts who work a lot of hours... work as many hours as directors and senior managers who are exempt from working hours” (interview 23).

5.3. Career equality: Measures to be taken to promote effective equality in career advancement.

As far as priorities to obtain a gender equality statement, most interviewees affirm that the need to change mindsets is fundamental to gender parity, more specifically measures to encourage equality:

- *“Essentially, people must start having a culture education a little bit differently. It takes a long time, but it has to start somewhere. (...) If (...) men also begin to participate more in these activities (taking care of the family), women start to have greater chances, because the work between them is starting to be equivalent” (interview 8).*
- *“Women should be judged for their work, not their absences (...)” (interview 9).*
- *“We are talking about a cultural problem and when it comes to cultural problems it takes a long time to get something (...)” (interview 24).*
- *“Above all a fair assessment, know the job and make a correct assessment of its capabilities. (...) A proper assessment is crucial above all, so we can achieve this equality” (interview 28).*

But while most respondents feel that it is a priority to promote a change of mindset, others also advocate the use of alternative ways of doing work, such as working from home, by telework: – *“The possibility, for example, of working at home” (interview 15).*

6. Results discussion and conclusions

Although the theme of work-family balance and career is a complex social issue, the aim was to obtain information which could aid in providing a future perspective on legal interventions which could promote the regulation of best working time practices in companies, promoting work-family reconciliation as well as equal opportunities in careers. From the gathered information, it was possible to identify several dimensions of intervention. The statements provided by the interviewee, systematized and grouped through a process of locating and assigning spaces of meaning, allow the allocation into three main areas of intervention, specifically considering the case of workers who provide care to the family: (i) working time and measures of organization of working time; (ii) performance appraisals; and (ii) career progression. In terms of “working time”, the importance of this factor is evident in both reconciling work and family life and in organizational performance.

In fact, it emerges as a discussion topic associated with performance appraisal and career advancement in all of the interviewee’s responses, warning how it may impact workers, both inside and outside the workplace. As has already been pointed out by several international organizations (ILO, 2005; Eurofound, 2017) and, as we have already argued in an earlier study (Rebelo, 2017), working time directly impacts workers’ working conditions, thus affecting their performance. An additional conclusion from this research, acknowledged by all participants in this study, is that the increase in contracted working time resulting from flexibility measures increases discrimination in performance appraisals in relation to workers providing family care. Moreover, as the literature on this subject corroborates, the increase in normal working periods does not translate into improvements in terms of productivity at work or better working conditions (Golden 2012; Eurofound, 2013; Pencavel 2015; Berniell, 2017).

In Portugal, the most altered issue in labor law in the last thirty years has been the organization of working time, a situation which is especially evident from the revision of the Labor Code in 2009 and the subsequent amendments made in 2012. The Portuguese

Labor Law establishes a maximum of 8 working hours per day and 40 per week. However, working time flexibility schemes allow, in certain situations, an increase in the number of working hours per day and week. And because the flexibilization of working time, in itself, has a dimension that can conflict with workers' rights – namely reconciling work and personal and family life – one of the key issues to assess is the impact on workers of these changes to the labor law which increase the normal working hours.

With these changes to the Labor Code, the Portuguese legislator sought to allow companies to better adjust working hours to their needs, thereby increasing flexibility and enhancing their market competitiveness. However, as the OECD studies point out, Portugal is already one of the European Union countries with the highest annual average hours worked per year (OCDE, 2017; OCDE, 2019).

As the *Livro Verde sobre as Relações Laborais 2016* also acknowledges, in Portugal the “flexibilization” movement has been imposed, allowing the expansion of various working modalities (Dray, 2016, p.164-165), further aggravating a labor market segmentation problem. The ILO report *Trabalho digno em Portugal 2008-2018*, recognizes that “between 2009 and 2016 Portugal had one of the largest increases in average weekly working hours of any EU Member State” (ILO, 2018, p.76).

In addition, the flexibilization of working time which came into being in Portugal between 2009 and 2012 – through the introduction of new modalities of working time, such as adaptability and the time bank, allowing increases in normal weekly working periods – tends to weaken worker protection mechanisms; may have negative effects on the quality of employment; does not prioritize work-life balance of workers and emphasizes labor market segmentation.

Eurofound has explored the relationship between working time and work-life balance in a life course perspective. In a fast-changing economic climate, companies and workers need flexibility, but it is necessary to realize that regulating working time has a role to play in work-life balance on working conditions and the health and safety of workers (protecting, or not, workers from adverse health and safety risks) ((Eurofound, 2009; Eurofound 2013; Eurofound 2017).

For this reason, if in Portugal one of the major challenges facing the labor market is to reinforce better working conditions, which ensure fair and equitable development, and reduce inequalities in work, the concern of social researchers must also be to focus on evaluating the new ways of organizing working time; not only in terms of the quality of employment and inherent possibilities for reconciling work and personal life, but also from the point of view of social justice.

As the results of these interviews show, it is necessary to promote a change of mindset, as well as the possibility of reconfiguring the way of doing work (including, for example, teleworking). Given the results obtained in this investigation, the practices of flexible working time in companies requires a reconfiguration of the assessment instruments of promoters and more equality in the development and implementation of Human Resources Management policies in the companies, as well the choice of working time modalities. Only in this way, can be adequately addressed the right response to the need of ensure equality between men and women in career evaluation and progression. Opportunities for professional development and advancement must be aimed at balancing the interests of the worker and the employer as the pillar on which new employment relationships are based (Brunhes, 1989; Meda, 1997; Meda, 2008; Euwork 2017; Supiot 2016).

Labor law has historically fulfilled an important employment role and the flexibilization of working time should be given greater attention, not only due to the impact on the health and well-being of workers and their families, but also on the impact of workers' careers. Moreover, it is urgent to reflect on time as a factor of work inequality. However, with regard to the organization of working time in particular, it is necessary to take into account the fact that these new flexibility mechanisms have as their main consequence the increase in the normal period of daily work. Thus, the tendency to increase the normal daily and weekly working hours in the private sector in Portugal – which in some cases may reach 50 or 60 hours per week – is an important element to consider in this analysis. Especially since the amendments to the Portuguese Labor Code, introduced in 2009 and 2012, namely allowing for additional hours – whether in terms of adaptability or time banks – tend to penalize workers with family responsibilities more.

Working time flexibility make it possible to increase normal weekly working hours, weaken the protection of workers assisting the family, mostly women. Moreover, these working time arrangements respond only to the needs of enterprises, ignoring the principle of balancing work and family life, reducing the performance assessment mechanisms of work equality and penalize the career advancement of women².

The major labor challenges are therefore to ensure a balance that will allow workers' citizenship rights to be reconciled with increasing adaptability of companies, in particular the issue of the organization of working time decisive for responding to this intent. As a final reflection, we emphasize that the organization of working time is a crucial factor for workers, with natural consequences not only for their personal and family life, but also for their performance. Thus, it is urgent to consider the centrality of working time regulation as a guarantee of decent working conditions, equality and non-discrimination. If working time flexibility makes it possible to increase normal working hours, weakening worker's safeguard mechanisms and having effects on workers' career progression, it is necessary to rethink the performance evaluation instruments in order to ensure gender equality.

In this study we prioritized the qualitative analysis of the workers' perceptions about working conditions, and their professional career, valuing in these interviews the professional experience in working contexts, capable of motivating reflections and supporting the policies of Human Resources Management. It would also be pertinent for future research studies not only to analyze other business realities (other than the banking sector), but also to carry out a quantitative analysis of the relationships between personal characterization variables such as age, qualifications, number of children, as well as their own perception, which may inspire organizations to adopt new Human Resource Management practices.

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² In this regard, it is important to promote policies for sharing – between men and women – family assistance. For example, according to the 2016 Green Paper, the changes made to the parenting protection regime in 2009 led to an increase not only in the number of working men sharing parental leave with their children's mothers – 0.8% in 2008 to 32.3% in 2015 – as well as the number of men who took their original initial parental leave – from 61.2% in 2008 to 76% in 2015 (percentages of women's total leave) (Dray, 2016, p.265).

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