

## Expert views on the manifestations of precarious employment in Flanders

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DOI: 10.5281/zenodo.11060137

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## Abstract

'Precarious employment' can be defined as a multidimensional concept composed of several dimensions: employment instability, low material rewards, erosion of rights and social protection, de-standardised working time arrangements, limited training and employability opportunities, lack of possibilities for employee representation and imbalanced interpersonal relations. Starting from this multidimensional approach, in this article we first report on expert knowledge about the employment arrangements in which employment precariousness is most strongly manifested in Flanders, Belgium. Second, we present different perspectives experts use to define a job or an employment situation as precarious (e.g. is an employment situation precarious if the worker him or herself considers it as precarious?). For these aims, semi-structured interviews with 16 experts were conducted and thematically analysed. The characteristics of the multidimensional conceptualisation of precarious employment were attributed by the experts to a large extent to ten categories of employment arrangements: temporary work, seasonal work, temporary agency work, on-call work, part-time work, work within the service voucher system (a subsidised system for domestic work in Belgium), informal work, bogus self-employment, subcontracting and posting (a system for temporary foreign workers). Further, four perspectives are detected from the expert interviews: an objective, a situational, a subjective, and a health, well-being and safety perspective.

## Keywords

Employment conditions, employment relations, expert interviews, precarious employment, qualitative research

## Introduction

Over the past decades the erosion of the traditional Fordist 'Standard Employment Relationship' (SER) resulted in an increasing number of people working in non-standard and more flexible forms of employment (Rubery & Grimshaw, 2003). The process of 'de-standardisation' is often described as 'precarisation of employment'. Precariousness not only maintains a de-standardisation of the legal-contractual features of employment, but also of other features of standard employment. Some examples are the provision of a family wage, predictability of work schedules, collective worker rights, social protection, employer-provided training and worker participation (Benach, Muntaner, & Santana, 2007; Rodgers, 1989; Tucker, 2002; Vosko, 2006). Consequently,

one can speak about precariousness as a 'degree of precarity', based on the combination of features from multiple dimensions of the employment situation (Louie et al., 2006).

Since employment arrangements are strongly linked to policy, analyses require sensitivity for the national context. So far, research about precarious employment is mostly conducted in liberal welfare states such as the USA, Canada (Kalleberg, Reskin, & Hudson, 2000; Lewchuk, Clarke, & de Wolff, 2011), Australia and New-Zealand (Hannif & Lamm, 2005; Underhill & Quinlan, 2011), and in Southern European welfare states such as Spain and Italy (Degiuli & Kollmeyer, 2007; Vives et al., 2011). However, precarious employment is a theme gaining more and more attention in continental, European welfare states, because of the increasing flexibility and the polarisation between 'good' and 'bad' jobs in these labour markets (Fernandez-Macias, 2012; Standing, 2011). Although trends towards flexibilisation/dualisation are (still) relatively modest in Belgium, some figures illustrate this process. While in 1983 5.4% of the total number of employees was employed in temporary employment, this was 8.7% in 2014<sup>1</sup>. The total amount of temporary agency workers per year was 50,591 in 1985, while already 540,462 in 2014 (Federgon, 2015). Furthermore, according to OECD 9.8% of the employees in Belgium worked part-time in 1983, compared to 18.1% in 2014<sup>2</sup>. Therefore, a first objective of this study is to reveal in which kind of employment arrangements the dimensions of employment precariousness are most strongly present/manifested in Belgium (Flanders). This is important because policy makers should focus on these groups to tackle precariousness, which can be different in different economic contexts. For this purpose, we report the insights from 16 Flemish experts. Our second objective is to provide different perspectives experts use to define a job or an employment situation as precarious (e.g. subjective perspective: a situation is defined as precarious if the worker considers it him or herself as precarious), irrespective of the dimensions of precarious employment (e.g. instability of employment, material rewards, etc.) involved. The perspectives are helpful to nuance the debate on precarious employment and can be taken into account in policy development.

## **Precarious employment as a multidimensional concept**

Employment precariousness relates to the erosion of the traditional Fordist SER of the post second world war years. Conceived as an 'ideal type' it can be described as a golden standard for 'good employment' (Lowe, Schellenberg, & Davidman, 1999). In the SER, the inherent power disequilibrium between employers and employees was institutionally corrected by a number of mechanisms: wage-setting procedures, statutory constraints on hiring and firing, collective representation, and employment-related rights and benefits (Standing, 2009). The SER-employment regime was also

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<sup>1</sup> OECD statistics: [http://stats.oecd.org/Index.aspx?DatasetCode=TEMP\\_I#](http://stats.oecd.org/Index.aspx?DatasetCode=TEMP_I#)

<sup>2</sup> OECD statistics: [http://stats.oecd.org/Index.aspx?DatasetCode=FTPTC\\_I](http://stats.oecd.org/Index.aspx?DatasetCode=FTPTC_I)

characterised by Internal Labour Market careers (Scott-Marshall, 2005). The Internal Labour Market constituted a set of employment practices created to tie employees to firms, guaranteeing improvements in wages, social security benefits, career-advancement opportunities and job security to loyal employees (Scott-Marshall, 2005). Moreover, the SER was embedded within an expanding welfare state, offering a generous social security net (Esping-Andersen, 1990). From the 1970s onwards, this system witnessed a process of crisis and subsequent transformation (Jessop, 1994; Rubery & Grimshaw, 2003).

Often, approaches of non-standard employment refer to the SER as a point of reference (Clarke, Lewchuk, de Wolff, & King, 2007; Hannif & Lamm, 2005; Lewchuk, Clarke, & de Wolff, 2008; Rodgers, 1989; Tucker, 2002; Vosko, 2006). Most of the multidimensional approaches assert that in order to grasp into the de-standardisation of SER-employment, concepts of employment precariousness should concentrate on different aspects of the employment conditions and relations. In a landmark publication Rodgers (1989) introduces a multidimensional precarious employment approach to the de-standardisation of employment, involving (1) uncertainty of continuity of work (instability), (2) low control over working conditions, wages and the pace of work, (3) lack of protection in terms of discrimination, unfair dismissal, unacceptable working practices, low social protection and benefits or collective organisation, (4) and low income. These dimensions of precarious employment inspired other scholars, such as Tucker (2002), Vosko (2006), Tompa et al. (2007), Scott-Marshall and Tompa (2011), Standing (2011), Amable et al. (2006), Vives et al. (2010), and Eurofound (Eurofound, 2013; Vandenbrande et al., 2013).

The approach used in this study is largely based on the Eurofound (Eurofound, 2013; Vandenbrande et al., 2013) approaches that integrate the dimensions of the other above-cited multidimensional approaches in one approach. The dimensions of precariousness are presented in Table 1. Our concept includes five dimensions of employment conditions and two dimensions of employment relations. The employment conditions concern the agreements between employees and their employer about the organisation of employment. It assesses issues such as employment stability (e.g. contracts), material rewards (e.g. income, fringe benefits), workers' rights and social protection, working time arrangements (e.g. overtime work, flexible working hours, weekend work), and training and employability opportunities (Eurofound, 2013; Vets, De Witte, & Notelaers, 2009). The employment relations assess the way all stakeholders at work interact with each other, both formally – i.e. employee representation (such as collective bargaining processes), and informally – i.e. interpersonal power relations with employers, supervisors, colleagues and clients (Eurofound, 2013; Vandenbrande et al., 2013; Vets et al., 2009).

Table 1: Dimensions of precarious employment

<b>Employment conditions</b>
1. <b>Employment instability</b> Type of employment contract, threats to the continuation of employment
2. <b>Low material rewards</b> Low earnings, lack of fringe benefits
3. <b>Erosion of workers' rights and social protection</b> Paid vacation, health insurance, pension plan, etc.
4. <b>De-standardised working time arrangements</b> Unsustainable working times (e.g. involuntary part-time employment), intensive working times (e.g. long working hours), flexible working times
5. <b>Limited training and employability opportunities</b> Training provided by the employer, training about health and safety at work, opportunities for career advancement
<b>Employment relations</b>
6. <b>Lack of possibilities for employee representation</b> Availability of an employee representative, collective negotiation procedures
7. <b>Imbalanced interpersonal relations</b> Interpersonal power relations (with superiors, colleagues and clients), capacity to exercise rights (knowledge about rights, the possibility to obtain mandatory rights), vulnerability (fear of arbitrary dismissal, authoritarian behaviour of superiors)

From the literature we already have indications about the employment arrangements in which precarious employment dimensions are often manifested: e.g. temporary employment (Vosko, 2011), casual employment (Tweedie, 2013), temporary agency employment (Bosmans, Hardonk, De Cuyper, & Vanroelen, 2016; Underhill & Quinlan, 2011), part-time employment (Kim, Kim, Park, & Kawachi, 2008) and subcontracting (Hasle, 2007; Wise, 2013). In this article, we reveal which employment arrangements are particularly vulnerable for precarious employment in Flanders.

## Methods

Key informants/experts are persons with privileged access to information about groups of persons or decision processes (Gogner, Littig, & Menz, 2005). In this study we searched for experts with an extensive knowledge on precarious employment in the

Flemish labour market. We aimed at interviewing a range of experts with different views and opinions to get a broad picture of the manifestations of precarious employment in Flanders, and different views on defining jobs/situations as precarious. The experts in our study were recruited through snowball sampling (Patton, 2002). Entry points were contact persons from the trade unions and the occupational health sector. Through exploratory conversations we were able to locate relevant categories/disciplines/services where experts could be contacted. Later on our method was altered from snowball sampling to intentional sampling of relevant expert profiles that were not surveyed yet. Therefore a saturation scheme with relevant characteristics (expertise, profession, sector, organisation) was constructed. In total 14 interviews with experts have been conducted in the period from November 2010 until June 2011. One of these interviews was a collective conversation with three experts with similar expertise. As a result, in total 16 experts from various backgrounds were interviewed: (1) a physician working in a working class neighbourhood, (2) a human resources management specialist, (3) a trade unionist specialised in among others working conditions, health and safety at work, and collective bargaining, (4) a policy maker and scientific researcher specialised in sustainable work, (5) an occupational health physician, (6) an expert working at the research department of a trade union, (7) a representative of the temporary agency employment sector, (8) an occupational health physician, (9) an academic researcher/expert in labour legislation, (10) a trade union representative from the cleaning sector, (11) a civil servant and policy maker of the governmental department of employment, labour and social dialogue, (12, 13 and 14) social legislation inspectors, (15) an academic researcher specialised in working conditions, health and safety, and (16) a representative of a large employers' organisation.

The interviews were semi-structured, guided by a topic-list inspired by our conceptual knowledge on employment precariousness. Open questions were used in order to give the experts freedom to give their view on precarious employment. Our main questions were 'which perspective/criteria they employ to define a job as precarious' and 'in which categories/groups of workers precariousness is more prevalent in Flanders'. The topic-list was adjusted during the interview process, as more information was gathered. All interviews were digitally recorded, followed by verbatim transcription.

Thematic content analysis is applied to the interviews. This method is based on categorising recurrent or common themes (Green & Thorogood, 2004). It is a useful approach for answering questions about salient issues for particular groups of respondents or identifying typical responses (Green & Thorogood, 2004). In thematic content analysis qualitative information is coded, in the format of a list of themes. We applied a combined approach in constructing themes, i.e. based on theory about precarious employment (deductive) and on new issues that occurred from the data (inductive) (Green & Thorogood, 2004). Codes included different dimensions (e.g. employment instability, low material rewards) and manifestations (e.g. temporary

agency employment, informal work) of precarious employment, and criteria/perspectives on how to decide whether a job is precarious (e.g. household composition, perspective/feelings of the employee). Subsequently, the coded themes were organised into a codebook, which allows for mutual combinations in later analyses. Our codebook was conceived as a work in progress until the end of the interview process. Accountability of coding was further improved through the application of analytical triangulation to some interviews. This implies that different researchers developed the coding scheme independently, and afterwards compared and discussed the similarities and differences (Patton, 2002).

## **Results**

### *The manifestations of precarious employment*

Ten manifestations found in the experts' statements are discussed regarding their features in terms of precariousness. These manifestations are the following: temporary work, seasonal work, temporary agency work, on-call work, part-time work, the service voucher system, informal work, bogus self-employment, subcontracting and posting.

*Temporary work.* A frequently returning issue about temporary contracts is their instability. Such contracts cause insecurity about future employment and in case of (company) restructuring, temporary workers are the first to be laid off. However, some of the experts argued that employees with an open-ended contract do not necessarily enjoy more job security. Expert 4 gave the example of the reorganisation of a big company: the employer just counted the days of absence in the last year to decide who would get fired. Further, the period of notice for employees is very short in some sectors. Furthermore, expert 7 stated that temporary employment still constitutes only a small part of the workforce in Belgium:

Temporary employment is less developed in Belgium, compared to other countries. 8% in Belgium, while 14% in Europe... So the mean for Europe is about twice the percentage of Belgium...

*Seasonal work.* Seasonal work can be conceived as precarious, because of its temporary character and the related exposure to constantly new risks. Moreover, horticulture and agriculture for example are sectors that use many people who do not speak the local language, which implies higher vulnerability regarding knowledge about social rights or adverse employment and working conditions. Very often in Belgium, people from abroad are recruited to perform seasonal work.

*Temporary agency work.* Most experts argue that temporary agency employment is always characterised by instability in Flanders/Belgium. In that context expert 1 mentioned that daily and weekly contracts, which are often used in temporary agency

employment, can be regarded as 'the highest degree of precariousness'. In contrast, according to expert 3 temporary agency work can be seen as a 'good form of precariousness' since there are a lot of rules that are regulating this type of employment arrangement in Belgium. Moreover, expert 7 pointed out that temporary agency workers are not less paid compared to other workers, because Belgian legislation states that temporary agency workers should receive wages and benefits equal to those of permanent employees at the beginning of their contract. However, expert 3 mentioned that some companies try to skirt the law by giving rights and benefits only after a minimal tenure. Therefore, temporary agency employees often differ from permanent ones regarding pay and benefits. Furthermore, they have sometimes less or inferior personal protection gear at their disposal. Some temporary employment agencies provide second-hand protection gear, although this is prohibited.

According to expert 8 medical surveillance is not well organised for temporary agency workers, largely because the surveillance system is not adapted to temporary agency work. In general, many experts state that basic safety regulations are often inadequately explained to temporary agency workers (see infra: health, well-being and safety perspective). Some connect this to the fact that temporary workers need to be as productive as possible during a short period. The resulting accumulation of risk factors was explained by expert 3:

The safety instructions are lacking, they are inexperienced, they are young, these are already risk factors: being young, being inexperienced, no seniority,... Those people do more dangerous things on the shop floor... but if they are deployed in a hazardous environment, and they have no previous safety training, no proper safety framework, this results in problems.

However, expert 7 stressed the investments in training and education by the temporary agency sector. He argued that temporary employment agencies take prevention seriously because they are legally liable for *their* workers. Further, many experts argued that temporary agency workers receive almost no training that is useful for their further career development. This is due to the temporary character of the work. On the other hand, expert 7 remarks that many temporary agency workers become permanent employees after some time. In cases where temporary agency work is used as a way of recruitment, it is in the client's best interest to invest in training.

Although the trade unions find it important to defend temporary agency workers' interests, it is a difficult task (expert 3). Many temporary agency workers do become trade union members, especially when they need assistance in solving problems, e.g. with regard to social security or unemployment benefits. However, their connection with the trade union representatives on the shop floor is weak, because of their unstable employment situation. In that regard expert 4 mentioned the following:



There is also a corporatist reflex. Because of course, if an organisation is built around a core group of workers, supplemented by precarious workers, in case of restructuring the latter are the first to be laid off, thereby securing the jobs of the former. So, I believe laying off temporary agency workers will seldom result in strikes that disrupt the operations of an entire company.

Expert 7 disagreed, arguing that trade unions in Belgium are strong and that agency workers are not as vulnerable as many people claim.

In their daily work practice, persons with daily or weekly contracts are confronted with a lot of arbitrariness, for example with regard to the evaluation of their work performance. Consequently, workers with daily or weekly contracts are often reluctant to report problems or to say 'no', because of the risk of not being asked to come back the next day/week. Expert 1 argued that temporary agency workers' weak position increases the risk of dangerous situations and pushes them to accept flexible working hours:

At a certain moment I saw people around me doing double shifts: an early shift followed by a late shift... so a stretch of 16 hours. At first I thought 'this is a choice they make, because they want to earn more, or because they want to get some time off, but you are not obliged to do it'. But then the temporary employment agency called me, they said 'We need someone for tomorrow to do a double shift'. Until then I thought it was the workers' decision, but it appeared that it was requested by the employer. So that left me with a choice: either I say 'yes', but then I put my health at risk. Imagine 16 hours of staying focused, 16 hours of work, 16 hours of standing in the dust, is that healthy? I do not think so. Or I say 'no' and stay loyal to my health and my principles... But then they will ask another candidate and if he says 'yes'... you just don't come back anymore...<sup>3</sup>

For the same reasons, expert 1 noticed that workers under short-term contracts are often scared to call in sick. Sickness presenteeism then comes on top of the stress faced as a consequence of 'permanent performance pressure' (e.g. accepting long or flexible working hours).

In addition, temporary agency workers find it often difficult to know their rights as a worker. According to some experts temporary employment agencies take advantage of workers' lack of knowledge by holding back holidays, bonuses and sick leave, or by purposefully making 'mistakes' in the pay slip. In that way, only the well-informed receive what they are entitled to.

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<sup>3</sup> Experts 1 and 10 had experience with precarious employment themselves: expert 1 deliberately engaged in precarious employment to study the subject and expert 10 is a trade union representative. Therefore, these experts also make reference to their own experiences of precarious employment.

Finally, also imbalanced power relations with co-workers are a specific issue. Expert 1 testified that in some cases the relationship between temporary agency workers and permanent employees is problematic, with the former being given the least favourable tasks. Furthermore, sometimes permanent employees have to evaluate the temporary agency (co-)worker. The division between permanent employees and temporary workers can extend to social activities as well. Expert 1 mentioned experiences where a barbeque or a football match was organised only for permanent workers. However, expert 7 considered lower quality of social relations among temporary agency workers as normal, because they experience difficulties integrating themselves with co-workers in the short period of employment. This expert stressed the importance of a company's management for the well-being of its temporary agency workers. For example by avoiding that they think of themselves as being workers of second choice. Moreover, because of job insecurity a competition in terms of productivity can arise among temporary agency workers: 'If he works harder than me, I cannot come back, so I have to work harder' (expert 1). By doing so, pressure for higher productivity is placed on all co-workers.

*On-call work.* The experts only briefly mentioned on-call work. On-call contracts are illegal in Belgium, unless the employee is paid also when not working. Although illegal, it seems to exist and it is mentioned by some experts as a manifestation of precarious employment:

They have to be paid while being on-call, but of course this does not happen in reality. Employers can skirt this law. How do you check this? How do you prove that the employee is systematically on-call without being paid? The employer will say 'It was only for one time, inspector'. It is the word of the employer against the word of the employee. (expert 11)

*Part-time work.* Whether part-time work is precarious or not, depends on the broader situation, according to expert 7 (see *infra*: situational perspective). When the spouse of a man who earns enough money decides to work part-time, it should not be characterised as precarious. However, should they divorce, the woman can find herself in a precarious situation very quickly because of insufficient earnings, especially if she has children. Some experts considered only involuntary part-time work as precarious. Expert 4 gave the example of employers in the distribution sector, who seldom offer full-time contracts, because it enables them to deploy their employees in a flexible way. Moreover, underemployment can cause an income shortfall.

*Service voucher system.* The service voucher system was implemented by the Federal Government of Belgium with the purpose of creating new jobs for low-skilled people. It allows individuals to buy home services such as cleaning and meal preparation at attractive rates, using government subsidised service vouchers (Idea Consult, 2014). Expert 9 mentioned that the positive point about this system is that the domestic

workers are protected by labour and social security legislation in contrast to many informally employed domestic workers. Expert 4 mentioned that many women like to get paid with service vouchers. The system gives them a lot of freedom to plan their work, but according to this expert they exploit themselves in the long run. A problem with workers in the service vouchers system is that they almost always work alone, cleaning private homes. This is regarded as a potentially risky situation. In addition, although related, they constantly work in different places, with different products, often without knowledge about necessary safety precautions. Another problem related to the casualness of service voucher employment is insufficient health and safety screening. Further, the service voucher system is characterised by a tripartite employment relationship between the cleaner, the service voucher company and the client. This can cause problems, e.g. concerning responsibility between the 'two employers'. Finally, the experts point at the rather low wages and lack of benefits in the service voucher system.

*Informal work.* Informal work is often seen as highly precarious. It implies an unstable employment relationship, almost automatically leading to high vulnerability of the worker. It has adverse implications for social security coverage. Problems may also occur when only part of the working hours is performed informally:

Some employers are disregard social security legislation. They try to pay their employees (partly) in an informal way. In this case, the employer does not built up social security rights, for example no pension rights (or to a lesser extent). Some workers are even ignorant about this, and in this way this can be considered as precarious. (expert 2)

In case of illness, for example, disability insurance coverage is only based on the official number of working hours. Often illegal workers are forced to work very long hours or a lot of days in a row, or they are paid less than they are officially entitled to. Expert 11 however adds that informal work is not only characterised by workers' lack of knowledge about their rights: 'It goes from ignorance to complicity' (from the part of the employee). In this regard, he points at individuals who receive unemployment benefits and combine this with their income from informal work.

*Bogus self-employment.* Bogus self-employment is seen as a category of special interest. Bogus self-employed are in reality employees, because they only work for one client. Therefore they are lacking the employment stability and social security of an employee, while still having to operate under the authority of a boss (expert 2). Bogus self-employment is common among foreigners coming to work in Belgium. In some cases they are made 'associates' of a company without actually having any real economic power.

*Subcontracting/outsourcing.* When non-core tasks are outsourced to another company (mostly from another sector), subcontracted workers can be bound to less beneficial

regulations on wage-levels and other employment conditions. According to the experts, some important sectors with a lot a subcontracting firms are the cleaning industry, the building industry and the surveillance sector. The competition between subcontractors is high as explained by expert 10:

I work for a cleaning company subcontracted to company X. I started working there 26 years ago, but during that period I worked for a lot of different subcontracted companies. Because of the competition between subcontractors, the staff has to change from subcontractor to subcontractor frequently. One subcontractor offers a better price than the other, and so on...

As a consequence, the cleaners in the company of expert 10 have to clean the same areas in a shorter time period, so their workload increased substantially in the last years. Subsequently, as expert 1 argues, this can also result in pressure on the wages and the workload of workers belonging to the contractor.

Subcontracted workers have also weaker trade union representation, as their representatives often work at another site. According to expert 10 a lot of workers do not know their trade union representatives or find them not easily accessible. Moreover, many subcontractors are small to medium-sized enterprises, without trade union representation.

Subcontracted workers often work at different sites and with different materials and products. Combined with their lack of knowledge of safety regulations, this may lead to dangerous situations. Moreover, they often work in dangerous or unsafe working conditions, performing less favourable tasks. Bypassing risks (technical, chemical,...) for safety and health for their own 'core workers' is in fact one of the reasons for companies to introduce subcontracting (expert 6). Some experts explained that subcontractors can work cheaper, in part because they economise on safety and health protection. This is surprising, because Belgian legislation prohibits companies to engage unsafe subcontractors. However, according to expert 11, this rule is not put into practice. He elaborates on the problems with subcontractors:

Work is often subcontracted for a price of which you know that it is impossible to secure the health and safety of the workers. It is subcontracted to 'cowboy-companies' who do not have the intention to provide health and safety measures. Sometimes work is subcontracted to companies having a large labour turnover, that are bankrupt after let's say one year, that kind of dodgy companies... In this way, the most risky work is done by companies with the least health and safety measures, of which the employers are not interested in the health and safety of their employees.

Expert 16 stresses that employers' organisations are taking measures to tackle the problem of unsafe subcontractors. Further, expert 15 nuances the degree of 'precariousness' in subcontracting:

For example, it is very common now that some IT-services are subcontracted, or even services for banks. There are some subcontracted companies with very high profile workers: lawyers, economists, IT specialists,... They have very good conditions of work and stable employment. But this is not the major part of subcontracting...

*Posting.* A worker is 'a posted worker' when he is employed in one EU Member State but sent by his employer on a temporary basis to carry out his work in another Member State (European Commission, 2011). According to the experts, posting appears to pop up mostly in the building industry, the food industry, horticulture and agriculture. Labour legislation requires that posted workers should be paid according to Belgian wage standards, but this is often not the case. Furthermore, holidays, holiday pay and end-of-year bonus are often not paid. Sometimes employers do not pay the wages or pay them in dribs and drabs, preventing workers from leaving. Most posted workers do not know the Belgian legislation. Their legal status in the country and their entitlement to social security benefits can be a problem, which makes them particularly vulnerable. Legislation is lacking concerning this issue:

With the form 'A1', in the past it was the form 'E101', they have to prove that their social security is paid in their country of origin. But, for example in Germany, everybody can pick those forms from the Internet. And in the host country, the social inspection is not allowed to control whether the form is authentic. That's the European legislation... So, Europe is organising fraud. That's what is happening today... (expert 11)

Furthermore, posted workers are often lowly skilled, do not speak the local language, are not unionised, and not seldom have to work long hours. In addition, the employment contracts can be unclear, incomplete, in a language that is not understood, or signed under pressure. This potentially maintains a lack of formal ties between the worker and the employer, which makes it difficult to prove abuses. Expert 14 explains the vulnerable status of posted workers:

Those posted workers are here for a short period. Even if they instigate legal proceedings, there will never be a trial, because they will already be in their country of origin by then. Moreover, they are not a member of the trade unions, they even don't know the trade unions...

*Combinations of manifestations.* Finally, from the discourses of the experts it appears that some manifestations overlap in the same employment situation, e.g. temporary part-time work or seasonal work through posting. Some 'combined manifestations' can

make employees very vulnerable. Regularly, posted workers are employed by foreign temporary employment agencies without a Belgian license, or employers use grey-zone or clearly fraudulent constructions of 'subcontracting':

Many Dutch (from the Netherlands) companies are working in Belgium with employees from Poland, Romania and Bulgaria. Actually, this kind of labour is defined as temporary agency employment, but they disguise it and present it as subcontracting. (expert 14)

I give you an example from the sector of horticulture. What is the task of the subcontractor? They put mushrooms in bins, they put covers on those bins, they put labels on those bins, and they pile the bins on top of each other on a pallet. Here the task of the subcontractor stops. So, a piece of the tasks was 'subcontracted' to a subcontractor, a Polish firm with Polish employees, who worked in Belgium for 2,5 euros per hour. (expert 14)

Other problems regarding the combination of posting and (false) subcontracting are that it is often difficult to reveal the real employer of an employee, that posted workers often do not pay social security because they are ignorant about this, and that the contractor is not responsible for the employment conditions (e.g. wages) of the employees employed by his subcontractors. Expert 12 explains the difficulties in revealing the real employer in subcontracting chains:

You have to try to find a beginning and an end in the subcontracting chain. 'For whom does this employee actually work?' If you have to book because of an infringement, you should know the real employer. An employee can drive with a minibus from a certain employer, so you think 'that will be his employer'. But he uses the material of another employer... and that employer appears to have some authority over the employee...

Another fraudulent construction is the use of mailbox companies that actually do not exist. Further, bogus self-employment is frequently used while the actual employment situation is an illegal form of temporary agency employment or subcontracting.

### *The different perspectives on 'precarious employment'*

It quickly became clear that not all experts share the same understanding of the situations in which we can speak of 'precarious employment'. This is important, since it has considerable influence on how the experts talk about precarious employment. Of course their perspectives also depend on their (occupational) background.

A first perspective can be described as the *objective perspective*. Regarding this perspective, two approaches are found in the expert discourses. In the first approach, precarious employment presents itself as a legal or contractual status, a general term

equivalent to 'non-standard employment', used for different employment arrangements such as fixed-term contracts and temporary agency work. This implies, for example, that temporary employment is precarious, regardless of the family situation, the perception of the worker, the amount of training received, the wage, etc. An example is found in the interview with expert 4:

Then we think about temporary agency employment, temporary employment, bogus statutes, that kind of stuff. If you talk about 'precarious employment' with trade unions, they think about the kind of contract.

Some experts argued that income should additionally be taken into account. For them low-paid work should be conceived as precarious. The second 'objective' approach, takes into account the different dimensions of precarious employment to define an employment situation as precarious. If a combination of the dimensions is present in an employment situation, it is defined as precarious, irrespective of the perception of the worker or his/her personal situation. So, a permanent job can also be precarious if it is for example accompanied by irregular working hours, a low wage, a lack of benefits and a lack of employee representation. According to this approach, employment precariousness is conceived in a gradational way: a specific job takes a certain position on the 'precariousness scale' depending on the different dimensions of precariousness present in the job. In sum, from the objective perspective, only the objective dimensions are the key criteria to qualify employment arrangements as precarious.

A *situational perspective* is different from the objective perspective because it takes into account for example social, financial and personal characteristics. Experts 7 and 16 mentioned that precariousness is dependent upon the situation:

In my opinion... I detest it if precarity is linked to legal statutes, contracts, formal elements... For me, it should be reflected in the facts. (expert 16)

Expert 7 argues for example that in Belgium people do not remain in temporary employment for a long time. A large proportion of these workers find a permanent job relatively fast. So, from a situational perspective short periods of temporary employment are not to be considered as precarious. By contrast, if people are unable to escape from temporary contracts their employment situation becomes precarious. A related point of view points at the relative character of contract types: a daily contract is not the same as a three year-lasting contract, while currently some open-ended contracts are also unstable. Similar arguments hold for subcontracting: subcontracted workers who always work in the same host company with an open-ended contract cannot be considered as precarious according to some of the experts. A clear example is the IT sector, where subcontracted workers often have high wages and stable employment. Also personal and family characteristics are considered from this perspective. Worrisome examples are workers faced with financial problems who need

to make quick money by engaging in precarious employment, or radical changes in a worker's private life affecting the employment situation or the need for labour market re-entry. Single mothers, migrants, persons with psychological problems or low intellectual abilities are specifically considered as groups prone to precariousness. Expert 7 explains the importance of a situational perspective in the case of part-time work:

I don't like the term 'precarious', because precariousness depends on the situation. I'll give an example: a single mother with two children in a temporary employment agency contract, and who is not able to escape from this situation, is in a precarious situation. Because with the system in Belgium that lady can usually better remain unemployed. These are the facts if you take into account the cost of child care... But if that same woman is married to a man who earns a lot of money, and that woman says 'I want to work a little bit, but I will particularly care for the kids. So I want to work mainly at times when it suits me, for example, not during the holidays, but a few months per year'. Is that precarious? It is absolutely not precarious!

In sum, the situational perspective stresses the need to consider not only the contractual aspects and other dimensions of 'precarious' employment, but also household composition, financial situation, personal characteristics, educational level, mastery of the local language, etc.

Third, the *subjective perspective* opposes the objective perspective. From this perspective, experts are stressing feelings, meanings, worker preferences, etc. regarding the employment situation. Consequently, defining precarious employment is based on the perception of a worker regarding his/her own employment situation. This perspective focuses on the meaning that is given to employment by the worker himself. In this perspective, a job can be defined as precarious if the employee occupying the job defines it as precarious. An example is found in the discourse of expert 15:

Some people who are working for subcontracted companies don't see themselves as precarious... because they earn amounts that I can't imagine...

The fourth perspective starts from the impact on *health, well-being and safety*. Here a job is defined as precarious, given that its employment characteristics affect workers' health and well-being. In that sense, a job is considered as precarious if, for example, its temporary contract and its low wage cause stress for the worker, affecting his/her mental health and well-being. Jobs that involve hazardous situations are not seen as precarious as long as workers have for example a long-term contract and get sufficient training, implicitly supposing that in that situation workers are well-informed about their risks and have access to appropriate protective gear. Precariousness only arises if the same job is for example done by a worker with a temporary contract, who did not



receive training and did not receive appropriate protective gear. Expert 8 explains:

Some work is inherently dangerous, but when people are well educated and prepared, those jobs are not necessarily that dangerous. Reversely some work is inherently not that dangerous, but when done by people who are not familiar with it, those jobs become dangerous. In sum, a job can be more or less dangerous depending on the organisation of work, the safety demands, and the training that is given.

Of course not all experts kept themselves strictly within one analytical perspective. Some experts combined different perspectives in their discourses and nuances can be phrased with regard to each of them.

## **Conclusion**

In general, the experts interviewed in this study attributed characteristics of precarious employment to ten types of employment arrangements on the Belgian (Flemish) labour market. First of all, it concerns temporary work, because of its inherent contract instability. Also seasonal work is inherently instable and often (foreign) seasonal workers are vulnerable for exploitation regarding wages, benefits, rights and social protection. Temporary agency work is also inherently instable employment, and is associated with a lack of benefits, lack of training and less supportive employment relations. On-call work lacks income and working hours stability and is characterised by a violation of workers' rights if they are not paid while being on-call. Part-time work is often associated with precariousness in case of involuntary part-time work that is often characterised by low earnings and flexible working hours. Employees employed in the service voucher system have low earnings, lack benefits and training. Moreover, this kind of employment is arranged in a tripartite employment relationship, which can cause problems. Informal work is regarded as highly precarious because it is characterised by instability, and workers are vulnerable because they lack rights and social protection. Bogus self-employment is seen as precarious because workers still work under the authority of a boss without the necessary social rights and protection. Subcontracting can be seen as precarious because (dangerous) work is often subcontracted for a low price, by which workers have lower wages, less benefits, and often lack health and safety protection. Moreover, employee representation is difficult in subcontracted companies. Finally, posted workers often lack rights and social protection and are vulnerable for exploitation concerning wages, benefits, long working hours, etc.

Furthermore, the definition of 'precarious employment' used by the experts reflected four kinds of perspectives. Firstly, the objective perspective consists of two approaches. The first approach defines an employment situation as precarious when it involves a non-standard type of contract. The second approach takes into account different

dimensions of precariousness to define an employment situation as precarious. One can speak of a degree of precariousness, dependent on the dimensions involved in a particular employment situation. Secondly, from the situational perspective it is argued that an employment situation is defined as precarious depending on the situation, e.g. family composition, financial situation, etc. According to this perspective, a temporary job is for example not precarious if it is done for a short period of time. Thirdly, from the subjective perspective precarious employment is defined from the meaning that is given to employment by the worker himself. Finally, according to the health, well-being and safety perspective, a job is defined as precarious, given that its employment characteristics affect safety at work or workers' health and well-being.

This study is innovative because of different reasons. First, it starts from a multidimensional approach on precarious employment in contrast to studies that only take contractual arrangements into account when studying precariousness. Second, it uses expert knowledge to explore the manifestations of precarious employment in a particular context, which is seldom done in former research. Third, this study explores precarious employment in a European continental welfare state, namely Belgium, which is a country that is seldom studied with regard to the subject of precarious employment. Fourth, the manifestations found in the expert discourses are an interesting tool for identifying employment arrangements that are prone to employment precariousness. Future research in Flanders can focus on these manifestations when developing a research agenda regarding employment precariousness. A weakness of this study is that it only focuses on Flanders. Therefore, it would be interesting, in future research, to detect the most important manifestations of employment precariousness in other economic contexts/countries as well. Knowledge on these manifestations is also useful for policy makers. It enables them to focus their policies to tackle precarious employment on the most vulnerable groups. This is important because we know from previous research that precarious employment is detrimental for the health and well-being of workers (Benach et al., 2014). Finally, the four perspectives are helpful to nuance the debate on precarious employment and can be taken into account in policy development.

## **Acknowledgements**

This research is facilitated by the research grant 'FWO1.1.B13.12N', that is assigned to the first author by the Research Foundation Flanders. The authors like to thank the experts for their participation in this scientific research.

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