

Non-standard Working-time Arrangements in Australia and New Zealand

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In the post-World War II period, working and social life has been organised around the concept of a standard day and week with premium payments for work undertaken during unsocial hours. In recent years, this standard model for organising working-time has been placed under pressure from a range of supply- and demand-side factors. This paper reports on the findings of 1995 survey into the extent and nature of non-standard working-time arrangements in Australia and New Zealand. This paper seeks to assess whether employers in the more deregulated New Zealand system have instigated a vastly different non-standard working-time regime from their Australian counterparts. The article concludes that there are only minor differences in the distribution of non-standard working hours in Australia and New Zealand. It appears that production and operational demands are the central imperative in the structuring of working-time within firms, not the system of labour regulation.

Introduction

Since the mid to late 1970s, there have been increasing demands for changes in the standard working-time model based on the uniform eight hour day five-day working week. Unions have sought a gradual reduction in working hours to provide employees with greater opportunities for leisure and to share work in periods of high unemployment. They have also sought to achieve employee-oriented time flexibility to allow workers to better balance work, home and other activities. Employers, on the other hand, have sought greater employer-oriented flexibility in the use of labour (Campbell, 1993:12,13). Working-time has become an area of 'contested terrain' for both unions and employers. The current era represents a major discontinuity with many aspects of the standard working-time model being eroded by an employer offensive against working-time standards and regulations. Current developments represent a potential encroachment of work into periods traditionally reserved for leisure and renewal (Hinrichs, Roche and Sirianni, 1991:4, 14).

In the 1980s and 1990s, the nature of debate about working-time has changed. Much of the recent discussion has been driven largely by employer demands for greater control over the timing of work and a reduction in the penalty rates attached to working unsocial hours (Campbell, 1996; 1993:12,13). Employers have sought more discretion in matching working-time to production or service delivery schedules. In response to employer pressure for greater labour flexibility, governments in Australia and New Zealand have decentralised their industrial relations system in two quite fundamentally different ways. In 1991, New Zealand abolished the arbitral system of industrial relations and replaced it with a voluntary system of individual and collective contracts. The Federal Labor Government in Australia, on the other hand, attempted to gradually decentralise its arbitration system to provide greater scope for enterprise bargaining while retaining the main award system (Bray, and Haworth, 1993).

Given the historical economic and industrial relations similarities between the two countries, it is interesting to speculate whether their divergent systems of industrial regulation have resulted in a markedly different pattern of non-standard working arrangements between the countries. Based on the results of a survey undertaken in 1995, we seek to establish the extent of unsocial working time in New Zealand than Australia. The main conclusion of this study is that there are few differences in the organisation of unsocial working hours between Australia and New Zealand despite major difference in the system of industrial regulation.

The rest of the article is divided into three sections. The first section reviews the nature of the standard working time model and the factors leading to its revision. The next section explores how Australia and New Zealand have pursued two different routes to decentralise their industrial relations systems in response to employer demands for greater labour flexibility in matters such as working-time. In the main section of paper, evidence is provided of the extent of non-standard working-time, by industry, gender, workplace size and ownership in the two countries. The conclusion draws the main findings of the paper together.

The standard working-time model

For many industrialised countries in the Post W.W.II period, much social, economic and industrial policy has been based on the 'standard working-time model' (Buchanan and Bearfield 1997:17). This model is based on a standard of eight hours work per day, during daylight hours Monday to Friday, for a total of 40 hours per week (Bailey and Kelman, 1988:3). The standard working year was of 11 months' duration with the standard working life of approximately 45 year (Buchanan and Bearfield 1997:17). The origins of this model are rooted in the campaigns of male industrial and white collar unions (Hinrichs, Roche and Sirianni, 1991:22, 23). It should be noted that this standard working-time model is explicitly a male model and has never really represented the working-time patterns of females.

Within the standard working-time model, nights and weekends were considered to be private time when employees could be with their families to enjoy social and educational activities or for religious practices (CAI, 1988:3). Work outside the normal span of hours was subject to penalty rates to deter employers from working outside standard hours and to compensate employee for the disabilities associated with such work (Bailey and Kelman, 1988:3). If employers infringed on employees social time then employees were to be compensated for the inconvenience. Commonly, workers were paid time and half for Saturday morning work, double time for Sundays and Saturday afternoons, and double time or double time and a half for public holidays. Shift work also attracted a loading, normally 10 per cent for the afternoon shift, 15 to 18 per cent for the evening shift (6 pm to midnight), and 15 to 30 per cent for the night shift (6 pm to midnight). Continuous night shifts workers sometimes also received an additional week of annual holidays (Dawkins, 1985:vii-ix).

The breakdown of the standard model?

Since the mid to late 1970s, there have increasing demands for changes in the standard working-time model. On the demand side, there are a number of reasons why employers have sought greater flexibility in the utilisation of labour outside the standard model. Extending capital utilisation by working nights and weekends allows employers to fully exploit their available production capacity. This allows greater utilisation of technologies over their lifespan which lowers the capital cost per unit of output. The use of shiftworking also reduces costs as the premia associated with shiftworking premia are lower than overtime. There are also technical reasons for expanding non-standard working with the growth of continuous industries such as chemical manufacture, steel making and paper making. In these industries there are high costs associated with start-ups and shut downs. Finally, the expansion of non-standard working is also due to social and economic factors such as the growth of the service sector and the provision of extended or continuous services to the public. Example of this include extended shop trading hours or the provision of many services such as health, communication, energy or emergency services which are now offered on a 24-hour basis (Blyton, 1985:65). Moreover, employers have sought greater control of the deployment of labour to improve the match between market demand and labour use (Tergeist, 1995:10). Employers have also sought to replace expensive forms of working-time with cheaper ones (Bosch, 1995:18).

There have also been a number of changes on the supply side that have placed pressure on the standard working-time model. There has been significant growth in the participation of women in the labour force. Women's working-time preferences are intimately related to their

role in the domestic division of labour. Women still provide the vast majority of child care and domestic labour and hence their working-time preferences do not easily fit within the standard work-time model. However, as more women have entered the workforce, it has become increasingly evident that their working-time preferences have not been met. The growth of female participation has also been mirrored by a rapid expansion of students undertaking higher secondary and tertiary education. This group is seeking work outside school and university hours such as evenings, weekends and holidays (Bosch, 1995:23). The modern workforce has also developed a more 'individualised' concern for the balance between work and leisure. Additionally, the decline of the nuclear family with the male as the sole breadwinner and the growth of one- and two-person households without children have resulted in less dependence on tight domestic scheduling (Bailey and Kelmen, 1988:6-9; Tergeist, 1995:11). These factors have led to a fragmentation of working-time preferences on the supply side and created dilemmas for trade union seeking to retain the benefits of standardisation while meeting the diverse preferences of employees (Campbell, 1996).

Industrial regulation in Australia and New Zealand

Until the early 1990s, the standard working-time model was firmly embedded within the award system in Australia and New Zealand. Both countries had similar industrial relations systems. The arbitration system played a major role setting and maintaining wages, hours of work and conditions, codified as awards (Brosnan and Burgess, 1993:61).

In the 1980s, employer groups in Australia and New Zealand began to criticise the arbitration system as a major impediment to greater labour market flexibility. The issue of reforming working-time arrangements was an explicit employer demand (Bailey and Kelmen, 1988; Dawkins, 1985; BCA, 1988; CAI, 1988) and part of a broader campaign to deregulate the industrial relations system. The main employer aim was to reduce external forms of regulation to provide management with greater discretion to adjust labour requirements to suit market circumstances (Buchanan and Callus, 1993). Unions, government and the arbitration system were argued to be unnecessary fetters on the managerial prerogative to organise production and service delivery (Campbell, 1993:13). Employers' preferred option was to decentralise and deregulate the industrial relations system so that matters such as hours of work, pay and working conditions could be determined at the workplace level. The Business Council of Australia and New Zealand Business Roundtable have been the most vocal employer advocates of deregulation of the labour market to promote greater labour flexibility.

Comparing the two approaches

By 1995, Australia and New Zealand had embarked on divergent paths. Australia had retained a relatively centralised arbitral model based on a combined system of awards and collective agreements. New Zealand, in contrast, had abandoned the award system and replaced it with a decentralised system of collective and individual contracts. The question to be asked is whether the deregulated New Zealand system has provided employers with more working-time flexibility than the modified arbitral system in Australia? That is, did New Zealand employers take advantage of the more deregulated industrial relations system to extend production into traditional unsocial working hours. Conversely, was the more regulated Australian system a major impediment to employers in their search for greater working-time flexibility?

The remainder of this paper seek to answer these questions using working-time data gathered in a cross-national survey conducted in 1995. When the survey was undertaken in 1995, the New Zealand *Employment Contracts Act, 1991* had been in operation for several years. New Zealand employer would thus have had ample opportunity to negotiate and implement their preferred working-time regimes in a much less regulated environment than their Australian counterparts.

To explore the extent to which Australian and New Zealand employers undertook production outside standard working-times, four questions were included in the survey. The incidence and distribution of weekend work was investigated by asking respondents to nominate the number of men and women who regularly worked on Saturday or Sunday. Various forms of night work were also examined: work before 7 am; work after 6 pm but finished before midnight; and work undertaken past midnight.¹ The results presented in this paper are based on a survey of employment practices and labour use within workplaces in Australia and New Zealand in 1995.

Results

Table 1 indicates that a significant proportion of workplaces work unsocial hours in Australia and New Zealand. Approximately a quarter of workplaces operated between 6 pm and midnight with 40 per cent of workplaces undertaking weekend work. A much lower percentage of workplaces in both Australia (13 per cent) and New Zealand (15 per cent) start work before 7 am. The scheduling of working hours after midnight is the least common form of unsocial working. There is a great deal of similarity in working-time arrangements between Australia and New Zealand.

¹ These definitions do not correspond with definitions of shift work, night work and weekend work used by the Australian Bureau of Statistics (1988) and hence are not directly comparable.

Table 1: Proportion of workplaces working non-standard hours, Australia and New Zealand, incidence (percentage)

Item	Australia	New Zealand
Work Before 7 am	13	15
Work after 6 pm, Finish before Midnight	25	22
Work Past Midnight	5	7
Work on Saturday or Sunday	40	39

The actual proportion of workers affected by unsocial working hours, however, is much lower (see Table 2). In both countries, workers are most likely to be working on weekends or working into the night but finishing before midnight. Indeed, a significant proportion of the workforce in Australia (16 per cent) and New Zealand (18 per cent) work on the weekends. These findings for weekend work in Australia are much lower than ABS (1988) estimates (44 per cent) and is due to differences in definitions. Our survey captured only regular weekend workers as opposed to anyone who in any of the four weeks prior to the ABS interview, worked on either Saturday or Sunday, or both. In both countries, starting work before 7 am or working past midnight are the least popular forms of unsocial working-time. Both countries display a similar overall pattern of working-time arrangements.

Table 2: Proportion of labour force working non-standard hours, Australia and New Zealand, distribution (percentage)

Item	Australia	New Zealand
Work Before 7 am	6	7
Work after 6 pm, Finish before Midnight	11	10
Work Past Midnight	3	4
Work on Saturday or Sunday	16	18

Gender

Likewise, the gender distribution of working-time arrangements is similar between countries. Table 3 indicates that in both countries men are more likely than women to be working at night and early in the morning, before 7 am. For weekend work, women's working pattern closely approximates that of men. Australian women (25 per cent) are just as likely as men (24 per cent) to be working on weekends whereas in New Zealand men (30 per cent) are slightly more likely to working weekends than women (23 per cent). These data indicate that both employers' and women's preferences are for working daylight hours. This working pattern allows women to undertake domestic responsibilities, particularly childcare, during the evenings. On the weekends, though, a significant proportion of women undertake paid work, presumably as partners or other carers are available to look after children.

Table 3: Proportion of labour force working non-standard hours, by gender, Australia and New Zealand, distribution (percentage)

Item	Australia		New Zealand	
	Male	Female	Male	Female
Work Before 7 am	12	5	13	5
Work after 6 pm, Finish before Midnight	21	15	17	13
Work Past Midnight	4	3	6	3
Work on Saturday or Sunday	24	25	30	23

Workplace size

As can be seen from Table 4, the likelihood of firms using non-standard working hours increases with workplace size in both New Zealand and Australia. In New Zealand,

approximately a third to a half of large workplaces (50 plus) operate outside standard hours. The proportion in Australia is also substantial at between a third and two-thirds of respondents. The use of weekend work is the most popular form of non-standard hours for all workplaces, regardless of size, in both countries.

Table 4: Proportion of workplaces working non-standard hours, by employment size, Australia and New Zealand, incidence (percentage)

Item	Australia			New Zealand		
	Employees			Employees		
	2-9	10-49	50+	2-9	10-49	50+
Work Before 7 am	10	24	46	11	22	44
Work after 6 pm, finish before midnight	21	35	55	18	33	50
Work Past midnight	2	12	29	4	12	37
Work on Saturday or Sunday	38	47	64	37	45	52

While larger workplaces are more likely to use unsocial hours, it is employees in smaller workplaces who are most likely to be working unsocial hours. Table 5 shows that the likelihood of weekend work is inversely related to workplace size, with a significant proportion of small-workplace employees in Australia (23 per cent) and New Zealand (21 per cent) working at the weekend. In Australia, the same inverse relationship holds for work between 6 pm and midnight. In New Zealand, employees in all sizes of workplace are as just as likely to be working between 6 pm and midnight. For work undertaken before 7 am and past midnight, employees in larger workplaces are more likely to be affected. The overall pattern between Australia and New Zealand is once again quite similar.

Table 5: Proportion of labour force working non-standard hours, by employment size, Australia and New Zealand, distribution (percentage)

Item	Australia			New Zealand		
	Employees			Employees		
	2-9	10-49	50+	2-9	10-49	50+
Work Before 7 am	5	7	6	5	6	9
Work after 6 pm, finish before midnight	14	11	10	10	11	10
Work Past midnight	1	3	5	2	2	6
Work on Saturday or Sunday	23	17	12	21	18	16

Ownership²

Table 6 provides details of the pattern of non-standard working hours by ownership type. A unique feature of this study is that it explicitly identifies the under-researched not-for-profit (NFP) sector. On an inter-country basis, we see that there are few differences between the private sectors in Australia and New Zealand. Australian public sector organisations are more extensively engaged in unsocial working than New Zealand organisations for all categories except working before 7 am. A similar pattern is evident in the NFP sector with Australian workplaces more likely to be working outside standard hours except for work between 6 pm and midnight. These data indicate that despite a more liberal regulatory environment in New Zealand, Australia organisations, with minor exceptions, are equally or slightly more likely to be operating outside standard hours - particularly so in the public and NFP sectors.

Indeed, the high incidence of unsocial working hours in the public and NFP sectors is a distinctive finding of this survey (Table 6). As could be expected, workplaces in the private sector in Australia (41 per cent) and New Zealand (40 per cent) are more likely to be working

² The data in Tables 6 and 7 only includes firms that could be classified as either private, public or not-for-profit (NFP).

weekends than public and not-for-profit (NFP) organisations. However, on the remaining three items, the incidence of unsocial working is roughly equally to and in some cases greater in the public and NFP sectors than in the private sector. In Australia, the public and NFP sectors are more likely than the private sector to be working before 7 am and past midnight. In New Zealand, NFP workplaces are equally or more likely than private sector workplaces to be working before 7 am, between 6 pm and midnight and past midnight. Organisations in the New Zealand public sector are slightly more likely than the private and the NFP sector workplaces to be working before 7 am; but for the remaining items the public sector has the lowest incidence of unsocial working hours.

The high incidence of NFP organisations in Australia and New Zealand using these working arrangements is probably due to the important role of charitable institutions in the provision of 24 hour per day medical and community care for the elderly, the sick and the disadvantaged. The Australian public sector also offers comparable services which may account for the high proportion of public organisations working unsocial hours.

Table 6: Proportion Of Workplaces Working Non-Standard Hours, By Ownership, Australia and New Zealand, incidence (percentage)

Item	Australia			New Zealand		
	Private	Public	NFP	Private	Public	NFP
Work Before 7 am	13	15	16	14	18	15
Work after 6 pm, finish before midnight	24	24	16	23	16	23
Work Past midnight	4	10	16	7	6	9
Work on Saturday or Sunday	41	27	35	40	24	28

As noted earlier, the proportion of the labour force working non-standard hours is much lower than the incidence of organisations working those hours. A further breakdown of this data, by ownership type, is shown in Table 7. The major exception to this pattern is the large proportion of employees in the NFP sector in Australia working outside standard hours. Employees in this sector are far more likely to work non-standard hours than employees in all other sectors in Australia and New Zealand. Again, this is probably due to the extensive provision of health and community services by large Australian NFP organisations.

In the public and private sectors, the proportion of employees working unsocial hours is quite similar between Australia and New Zealand. New Zealand employees are only slightly more likely than Australia employees to be working most types non-standard working-hours. The only significant comparative difference is the higher propensity for private sector New Zealand employees and public sector Australian employees to be working on weekends compared to their trans-Tasman counterparts.

Table 7: Proportion of labour force working non-standard hours, by ownership, Australia and New Zealand, distribution (percentage)

Item	Australia			New Zealand		
	Private	Public	NFP	Private	Public	NFP
Work Before 7 am	6	4	17	7	6	8
Work after 6 pm, finish before midnight	11	8	20	11	9	8
Work Past midnight	2	3	19	4	5	6
Work on Saturday or Sunday	16	15	23	21	11	13

Industry

Disaggregated data, by industry, shows a common pattern of working-time arrangements for workplaces in both countries, with only minor exceptions (Table 8). In Australia and New Zealand, the proportion of workplaces working unsocial hours is generally greater in primary and tertiary sectors than the secondary sector. In the primary sector in both countries, the use

of weekend work and work commencing before 7 am is common. In New Zealand, a significant number of workplaces also work between 6 pm and midnight. Working-time patterns for workplaces in the tertiary sector is very similar for Australia and New Zealand: weekend and night work, till midnight, are used in many establishments. The secondary sectors in both countries also exhibit few differences except that Australian workplaces are considerably more likely to be working weekends.

Table 8: Proportion of workplaces working non-standard hours, by industry, Australia and New Zealand, incidence (percentage)

Item	Australia			New Zealand		
	Primary	Secondary	Tertiary	Primary	Secondary	Tertiary
Before 7 am	14	15	13	27	14	13
After 6 pm, Finish before Midnight	4	16	30	14	13	26
Past Midnight	1	3	6	1	5	8
Saturday or Sunday	40	28	44	51	19	42

In terms of the proportion of the labour force in each sector working unsocial hours, the pattern between countries is remarkably similar (Table 9). Tertiary sector workers are likely to be working on weekends and at night, until midnight. Primary and secondary sector workers are most commonly found to be working early in the morning, before 7 am, and on weekends. Hence, it appears that the more regulated Australia in industrial relations system in 1995 was not a significant impediment to employers wishing to operate during unsocial hours.

Table 9: Proportion of labour force working non-standard hours, by industry, Australia and New Zealand, distribution (percentage)

Item	Australia			New Zealand		
	Primary	Secondary	Tertiary	Primary	Secondary	Tertiary
Before 7 am	17	9	5	15	11	5
After 6 pm, Finish before Midnight	7	5	13	6	8	11
Past Midnight	5	3	3	3	6	3
Saturday or Sunday	21	10	18	27	14	19

Conclusion

Australian and New Zealand employers have made a concerted effort to restructure the standard working-time model in the 1980s and 1990s. The gradual reforms introduced by the New Zealand Labour Party and the ALP in Australia stimulated many employers to do so. Alterations to working hours was the most popular item in agreements negotiated under the period of ALP administration in Australia (DIR, 1996; DIR, 1995). Similarly, with the introduction of the *Labour Relations Act* in 1987 in New Zealand employers were able to wrest considerable concessions relating to working time from trade unions (Harbridge and McCaw, 1989; Harbridge and Dreaver, 1989:258). New Zealand employers were given further encouragement to change working-time with the deregulation of the New Zealand labour market in 1991. By 1995, employers in New Zealand and Australia were operating in quite different industrial relations systems.

However, one of the striking findings of this study is the remarkable degree of similarity in unsocial working patterns between New Zealand and Australia in 1995. A large number of workplaces worked unsocial hours but this affected a much smaller percentage of workers employed by those firms. Workplaces and employees were most likely to be working weekends and at up to midnight, and least likely to be working past midnight. Men were more likely than women to be starting work before 7 am and to be working at night with both men and women commonly working on weekends. While larger workplaces were more likely to be working unsocial hours, employees in small workplaces were more likely to be found working those hours. Employees engaged in the private sector were only slightly more likely than

public sector employees to be found working outside standard hours. The secondary sector workplaces and employees were the least likely to be working these hours. The only really substantial difference between the countries was the high propensity of NFP firms and employees in Australia to be working at unsociable times.

Despite quite substantial differences in the system of labour regulation between the two countries in 1995, there were only minor differences in working-time arrangements. This is not surprising as there are many similarities between the structure of the Australian and New Zealand economies. It may be that the system of labour regulation does not have a major effect on the distribution of working hours during the day or week. Production or service delivery requirements necessitate that firms operate at given times of the day or week and working-time is scheduled accordingly. Hence, the distribution of working-time is primarily driven by product market demand patterns and the nature of technology.

Perhaps more importantly, the findings of this paper suggest that the system of labour regulation is not a critical factor in determining whether or not particular employers choose to use particular working-time arrangements. This finding poses an interesting problem for policy makers with either Left or Right perspectives. For those who favour stronger regulation, the results suggest that regulation may not be very effective - or that to be effective, regulations must be much stronger than those currently in place in Australia and New Zealand. For those who favour less regulation, again the case is not well made; deregulation seems to have made little difference. This issue - the potential efficacy of regulation - is one that is vital for both economic policy and social policy. The results here pose a challenge for conventional thinking. Clearly much more research of this type is needed to tease out the threads of this vital issue.

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