

Table of Contents

Introduction	17
<i>Maria Luisa Vallauri</i>	
1. A Starting Point: Who Care for Those Who Care?	17
2. Objectives and Goals of the Project	18
3. The Consortium	19
4. The Outputs of the Project	19
5. The Methodology	20
6. Presentation of the Publication	20
<i>Acknowledgements</i>	21
Chapter 1	
Comparative Report on Care Workers' Job Quality and Inclusive Working Conditions	23
<i>Mia Rönnmär</i>	
1. Executive Summary	23
2. Methodology	24
3. ILO, Council of Europe, and EU Legal and Policy Framework	28
4. Care Work and Domestic Care Work	32
5. Fundamental Trade Union Rights, Social Partners and Industrial Relations, Collective Bargaining, and Employee Influence	35
5.1 Social Partners and Industrial Relations	35
5.2 Fundamental Trade Union Rights, Collective Bargaining, Employee Influence, and Whistleblowing	37
6. Employment Status, Flexible Forms of Employment, and Employment Protection	40

FUP Best Practice in Scholarly Publishing (DOI 10.36253/fup_best_practice)

Maria Luisa Vallauri, William Chiaromonte (edited by), *CARE4CARE - We Care for Those Who Care – Vol. 1. Care Work and Working Conditions: National Legal Frameworks and Comparative Insights*, © 2025 Author(s), CC BY 4.0, published by Firenze University Press, ISBN 979-12-215-0864-2, DOI 10.36253/979-12-215-0864-2

7. Wages and Benefits	42
8. Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	44
9. Social Security Coverage and Benefits	46
10. Concluding Remarks	47
References	49
Chapter 2	
French Report on Care Workers' Job Quality and Inclusive Working Conditions	53
<i>Isabelle Daugareilh, Guillaume Santoro, Haoussetou Traore</i>	
1. Introduction	53
1.1 Characteristic Features of the Law Applicable to Employment Relationships in France	53
1.1.1 Essential Features of French Labour Law	53
1.1.2 Characteristic Features of Civil Service Employment Law	59
1.2 The Industrial Relations System in France	62
1.3 The Welfare State Model	63
1.3.1 General Presentation of Social Security Legislation	64
1.3.2 Coverage of Dependency Risk Under French Social Security Law	65
2. Care Work and Domestic Work: Occupations, Labour Market Characteristics, Overall Regulatory Framework, and Current Debates	66
2.1 Characteristics of the Care Sector	66
2.1.1 The Care Sector, a Heterogeneous and Complementary Field of Activity	67
2.1.2 The Role of Domestic Work in Care Work	67
2.1.3 Undeclared Work	69
2.1.4 Outsourcing Practices in the Healthcare Sector	70
2.2 The Notion of Carer	70
2.3 The Impact of Domestic Work in Care and the Care Sector	71
2.3.1 Regulations Applicable to Care Workers	71
2.3.2 The Impact of Ilo Convention 189 on Domestic Workers	72
2.4 Labour Market Characteristics of Care Workers	72
2.5 The Overall Regulatory Framework for the Care Sector	73
2.6 The Main Debates on Working Conditions	73
3. Fundamental Trade Union Rights, Social Partners, Collective Bargaining, and Industrial Relations	74
3.1 Fundamental Trade Union Rights, Collective Bargaining and Collective Action	74
3.1.1 Freedom of Association	74
3.1.2 The Right to Collective Bargaining	76
3.1.3 The Right to Collective Action	77

3.2	The Social Partners in the Care Sector	77
3.2.1	Trade Unions and Employers' Organisations	78
3.2.2	Trade Union Density Among Nursing Staff	78
3.2.3	The Main Challenges Facing Trade Unions in the Care Sector	78
3.3	Employees Collective Representation In Company	79
3.4	The Legal Framework for Collective Bargaining	82
4.	Employment Status, Flexible Forms of Employment, and Employment Protection	86
4.1	Specific Features of Forms of Employment in the Private Sector	86
4.1.1	The Typical Employment Contract	86
4.1.2	Atypical Employment Contracts	89
4.1.3	Modification and Termination of Contracts and Job Protection in the Private Sector	92
4.2	The Particularities of the Commitment of Public Servants	93
4.2.1	Forms of Commitment by Public Employees	94
4.2.2	Modification and Termination of a Public Servant's Contract of Employment	95
5.	Wages and Benefits	97
5.1	Wages in the Private Healthcare Sector	98
5.1.1	The Minimum Wage	99
5.1.2	Wages Components	100
5.1.3	Wages Payment Arrangements	102
5.1.4	Wages and Overtime	102
5.1.5	Collective Bargaining Wage Scales	103
5.2	Wages and Benefits in the Public Healthcare Sector	104
5.2.1	Remuneration	104
5.2.2	Miscellaneous Benefits and Reimbursement of Expenses	106
5.3	The Compliance of French Law With The European Directive 2022/2041 of 19 October 2022 on Adequate Minimum Wages	107
5.3.1	The Purpose of Minimum Wages: to Ensure a Decent Standard of Living	107
5.3.2	The Means of Setting Minimum Wages Recommended by the Directive	108
6.	Working Time, Health and Safety, Implications of the Covid-19 Pandemic, and Training and Competence Development	109
6.1	Work Time	109
6.1.1	Links Between Working Hours and Employment Contracts: Part-Time Work	110
6.1.2	Working Hours (Daily, Weekly, Annual)	114
6.1.3	Organisation of Working Time	127
6.1.4	Night Work	130
6.1.5	Holidays	141

6.2	Health and Safety at Work for Carers	147
6.2.1	Occupational Risk Prevention	148
6.2.2	Workers' Rights to Health and Safety at Work	154
6.2.3	Health and Safety Risks Specific to Care Work	157
6.3	Vocational Training and Skills	157
6.3.1	General Considerations on Vocational Training Law	158
6.3.2	Vocational Training Schemes in the Private Sector	163
7.	Social Security Coverage and Benefits	171
7.1	Social Security Regulations	171
7.1.1	Main Features of Social Security Law	171
7.1.2	Evolution, Contemporary Challenges and the Role of Collective Bargaining	171
7.2	Social Security Benefits (Coverage of Social Risks: Sickness, Maternity, Disability, Death, Occupational Injuries, Unemployment)	173
7.2.1	Social Security Cover for Care Workers in the Private Sector	174
7.2.2	Social Security Cover for Public Sector Workers	178
7.3	Supplementary Social Protection Schemes	178
7.3.1	The Supplementary Health Insurance Scheme for Careers	179
7.3.2	Supplementary Pension Scheme for Care Workers	180
8.	Concluding Discussion	180
	Abbreviations	181
	References	182

Chapter 3

	German Report on Care Workers' Job Quality and Inclusive Working Conditions	189
	<i>Ziga Podgornik-Jakil, Dominic Andres, Eva Kocher</i>	

1.	Introduction	189
1.1	Main Characteristics of German Labour Law, Industrial Relations System and Welfare State Model	190
1.1.1	Labour Law System	190
1.1.2	Industrial Relations System: Dual System of Representation	191
1.1.3	Welfare State Model	192
1.2	Remarks on Research Methods	194
2.	Care Work and Domestic Work: Occupations, Labour Market Characteristics, Overall Regulatory Framework, and Current Debates	194
2.1	Main Characteristics of the German Care Sector	194
2.1.1	Care Providers and Actors: Overview	194
2.1.2	Care Occupations	196

2.1.3	“Quasi-Markets”: the Funding Framework for Social Care Services	199
2.1.4	General Regulatory Framework	201
2.2	Labour Market Characteristics in the German Care Sector	202
2.2.1	Composition of the Work Force in the Care Sector	202
2.2.2	Unemployment	203
2.2.3	Demographics	205
2.3	Domestic and Live-In Work	206
2.3.1	Market Incidence of Domestic Care Work	207
2.3.2	Forms of Employment in Live-in-Work	208
2.3.3	Labour Law Regulation for Live-in-Workers	208
2.3.4	Impact of ILO Convention no. 189 on Domestic Workers	210
2.4	Current Debates	210
3.	Fundamental Trade Union Rights, Social Partners, Collective Bargaining, and Industrial Relations	214
3.1	Collective Bargaining System in General	214
3.1.1	Trade Union Rights and Autonomy of Collective Bargaining	215
3.1.2	Mechanisms for the Extension and General Applicability of Collective Agreements	215
3.2	Collective Bargaining System in the Care Sector	216
3.2.1	Social Partners and Other Actors in the Care Sector	216
3.2.2	Organisation of Collective Bargaining	219
3.2.3	Extension of Sector-Specific Minimum Standards	220
3.2.4	Industrial Conflicts in the Care Sector	221
3.3	Works Constitution, Information, and Consultation	222
3.4	Regulation on Whistleblowing	223
4.	Employment Status, Flexible Forms of Employment, and Employment Protection	224
4.1	Employment Status	224
4.2	Fixed-Term Work	225
4.3	On-Call-Work	226
4.4	Temporary Agency Work	226
4.5	Part-Time Work	227
4.6	Other Aspects of Flexible, Casual, and Precarious Forms of Work, in Particular “Mini-Jobs”	228
4.7	Employment Protection	228
5.	Wages and Benefits	229
5.1	Minimum Wages	229
5.2	Legal Bases for Wages	230
5.2.1	Wages (TVöD)	230
5.2.2	Inconvenience Pay (TVöD)	232
5.2.3	Benefits and Wage Supplements (TVöD)	233

5.3 Average Wages	234
5.4 Promoting Compliance with Collective Agreements (“Tariftreue”)	234
5.5 Directive 2022/2041/Eu	235
6. Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	235
6.1 Regulation of Working Time	235
6.2 Regulation of Health and Safety	237
6.2.1 General Rules and Procedures	237
6.2.2 Violence and Harassment at Work	238
6.2.3 Care Work: Regulation of Staffing Levels	238
6.3 Implications of the COVID-19 Pandemic	239
6.4 Training and Competence Development	241
7. Social Security Coverage and Benefits	243
7.1 General	243
7.2 Care Sector	245
7.3 Maternity Protection and Paternity Leave	246
8. Concluding Discussion	247
Abbreviations	249
References	252

Chapter 4

Italian Report on Care Workers’ Job Quality and Inclusive Working Conditions

Maria Luisa Vallauri, William Chiaromonte, Giulia Frosecchi, Samuele Renzi, Michele Mazzetti

1. Introduction	263
1.1 Methodological Remarks	264
1.2 Brief Introduction to the Constitutional Allocation of Competences in the Healthcare Sector	265
2. Care Work and Domestic Work: Occupations, Labour Market Characteristics, Overall Regulatory Framework, and Current Debates	266
2.1 Care Worker and Care Occupations	267
2.2 Health Professionals With at Most a Bachelor’s Degree	268
2.3 Social and Care Workers	270
2.4 Basic Care Workers	271
2.5 Home Caregivers	272
2.6 Labour Market Characteristics of Care Workers and Key Current Debates	276
2.6.1 The Interplay Between Migration and Labour Law in the Care Sector	281

3. Fundamental Trade Union Rights, Social Partners, Collective Bargaining, and Industrial Relations	284
3.1 Trade Unions Rights	285
3.1.1 The Right to Strike and the Right to Strike in Essential Public Services	286
3.1.4 The Italian Industrial Relation System: Public Sector	288
3.1.3 Collective Agreements in the Private Care Sector	290
3.1.4 The Italian Industrial Relation System: Public Sector	293
3.2 Whistleblowing Legislation	295
4. Employment Status, Flexible Forms of Employment, and Employment Protection	296
4.1 The Status of Workers: Subordinate Employee and Self-Employed Person in Italy	297
4.2 The Employment Relationship and Protection	300
4.2.1 Resignation and Dismissal	302
4.2.2 Collective Redundancies	305
4.3 Temporary Agency Work	306
4.3.1 The Temporary Agency Work of Home Caregivers	307
4.4 Fixed-Term Employment	309
4.5 Job on-Call	310
4.6 Peculiarities of Care Workers: Home Caregivers	311
4.7 Elements of Italian Anti-Discrimination Law and Discriminations in the Care Sector	312
5. Wages and Benefits	314
5.1 Remuneration and Minimum Wage	314
5.2 Collective Agreements in the Private Sector	318
5.3 Collective Agreements in the Public Sector	319
6. Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	320
6.1 Working Time, Rest Periods, Holiday Leave and Night Work	320
6.1.1 Rest Period and Holiday Leave	321
6.1.2 Night Work	322
6.1.3 Part-Time Work	323
6.2 Sick Leave, Accident Leave, Maternity and Parental Leave	324
6.2.1 Domestic Workers and Home Caregivers	329
6.3 Occupational Safety and Health	330
6.3.1 Domestic Workers and Home Caregivers	331
6.4 Short-Term, Long-Term, and Post-Pandemic Implications COVID-19 Pandemic Measures	332
6.5 Training and Competence Development	335
7. Social Security Coverage and Benefits	336
7.1 The Italian Welfare State Model	336
7.2 Social Security	337
7.2.1 Domestic Workers and Home Caregivers	339

7.3 Social Assistance	340
7.4 National Health Service	341
7.5 Complementary Role of Collective Bargaining	342
8. Concluding Remarks	343
References	346
Appendix	353

Chapter 5

Polish Report on Care Workers' Job Quality and Inclusive Working Conditions	361
--	-----

Agata Ludera-Ruszel, Hubert Kotarski

1. Introduction	361
1.1 Main Characteristics of the Labour Law and Industrial Relations System and Welfare State Model in Poland	362
2. Care Work and Domestic Work: Occupations, Labour Market Characteristics, Overall Regulatory Framework, and Current Debates	364
2.1 Labour Market Characteristics	364
2.2 Occupations	365
2.3 Overall Regulatory Framework	368
2.4 Current Debates	369
3. Fundamental Trade Union Rights, Social Partners, Collective Bargaining	369
3.1 Fundamental Trade Union Rights	369
3.2 Social Partners	372
3.3 Collective Bargaining	373
4. Employment Status, Flexible Forms of Employment, and Employment Protection	374
4.1 Employment Status	374
4.2 Flexible Forms of Employment	375
4.3 Employment Protection	379
5. Wages and Benefits	381
6. Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	384
6.1 Working Time	384
6.2 Health and Safety	387
6.3 Implications of the COVID-19 Pandemic	389
6.4 Training and Competence Development	390
7. Social Security Coverage and Benefits	393
7.1 Social Insurance System	394
7.2 Disability Pension Insurance	395
7.3 Healthcare Insurance System	396
7.4 Unemployment Benefit	397

7.5 Family Benefits	398
8. Concluding Discussion	399
References	400
Chapter 6	
Spanish Report on Care Workers' Job Quality and Inclusive Working Conditions	405
<i>Ferran Camas Roda, Andrea Cano Redondo, Anna Molina García, Marc Saez Zafra, Dolors Juvinyà Canal, Maria Antonia Barceló Rado</i>	
1. Introduction	405
1.1 Main Characteristics of the Labour Law and Industrial Relations System and Welfare State Model in Spain	406
1.2 Relevant Aspects of Research Methodology and Availability and Selection of Materials	407
2. Care Work and Domestic Work: Occupations, Labour Market Characteristics, Overall Regulatory Framework, and Current Debates	407
2.1 Main Characteristics of the Care Sector in Spain, and the Role Of Domestic Work in Care Work	407
2.1.1 Main Characteristics of the Care Sector, Including Public and Private Care Elements	407
2.1.2 The Role of Domestic Service in Care Work	410
2.1.3 Existing Practices of Contracting and Subcontracting in the Care Sector, Carried out by Both Private and Public Care Providers	411
2.2 The Notion of Care Worker in Spain	412
2.3 The Impact of ILO Convention no. 189 on Domestic Workers in Spain	413
2.4 The Regulatory Framework in the Care Sector in Spain	414
2.5 The Key Current Debates on Working Conditions, Job Quality, Labour Law, and Labour Market Issues in Relation to Care Workers, Care Work, and the Care Sector in Spain	415
3. Fundamental Trade Union Rights, Social Partners, Collective Bargaining, and Industrial Relations	418
3.1 The Regulation of Fundamental Trade Union Rights in Spain	418
3.2 The Social Partner Relations and the Labour Market Organisation of the Care Sector in Spain	419
3.2.1 Trade Unions and Employers' Organisations Involved in the Care Sector	419
3.2.2 Rates of Union or Business Organisation Membership	419
3.2.3 Main Characteristics, Tasks, Strategies and Challenges of These Trade Unions and Employers' Organisations	420

3.2.4	Social Partner Relations in the Care Sector	421
3.2.5	Are Carers and/or Employers in the Care Sector Represented by Other Social Actors, Including Ngos?	421
3.3	The Practical Aspects and Regulation of Employee Representation and Employee Influence in Spain	421
3.4	The Collective Bargaining System and the Regulation of Collective Bargaining and Social Dialogue in Spain	422
3.5	The Regulation on Whistleblowing in Spain	423
4.	Employment Status, Flexible Forms of Employment, and Employment Protection	425
4.1	The Employment Status of Care Workers, the Extent to Which Care Workers are Employees or Self-Employed Workers, and the Regulation on Employee Status in Spain	425
4.2	The Incidence of Fixed-Term Work, on Call-Work, and Zero Hours- Contracts in Spain	427
4.3	The of Temporary Agency Work in Care Work in Spain	429
4.4	The Incidence of Part-Time Work in Care Work in Spain	431
4.5	The Main Elements of the Regulation of Employment Protection in Spain	432
5.	Wages and Benefits	434
5.1	The Regulation of Wages and Other Benefits, Including Over-Time Pay, Inconvenience Pay, Bonuses etc. in Spain	434
5.2	The Incidence and Regulation on Minimum Wages in Spain	435
6.	Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	436
6.1	The Regulation of Working Time in Spain	436
6.2	The Regulation of Health and Safety in Spain	438
6.3	The Short-Term, Long-Term, and Post-Pandemic Implications of the COVID-19 Pandemic for the Working Situation, Job Quality, and Working Conditions of Care Workers in Spain	440
6.4	The Regulation of Training and Competence Development in Spain	441
7.	Social Security Coverage and Benefits	443
7.1	The Regulation of Social Security in Spain	443
7.2	The Social Security Coverage and Benefits for Care Workers in Spain	445
8.	Concluding Discussion	446
	References	447

Chapter 7

Swedish Report on Care Workers' Job Quality and Inclusive Working Conditions	451
<i>Mia Rönnmar, Jenny Julén Votinius</i>	
1. Introduction	451
2. Care Work and Domestic Care Work	456
2.1 The Care Sector, Care Workers, and Domestic Care Work	456
2.2 Labour Market Characteristics	460
2.3 Current Debates	464
3. Fundamental Trade Union Rights, Social Partners and Industrial Relations, Collective Bargaining, and Employee Influence	466
3.1 Social Partners and Industrial Relations	466
3.2 Fundamental Trade Union Rights and Collective Bargaining	469
3.2.1 Freedom of Association and Right to Collective Action	469
3.2.2 Right to Collective Bargaining and the Collective Bargaining System	472
3.3 Employee Influence and Whistleblowing	478
4. Employment Status, Flexible Forms of Employment, and Employment Protection	482
4.1 Employment Status and Flexible Forms of Employment	482
4.2 Employment Protection	488
5. Wages and Benefits	490
6. Working Time, Health and Safety, Implications of the COVID-19 Pandemic, and Training and Competence Development	494
7. Social Security Coverage and Benefits	500
8. Concluding Remarks	503
References	504

