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Measuring the 'new balance of rights and responsibilities' in labor market policy: A quantitative overview of activation strategies in 20 OECD countries

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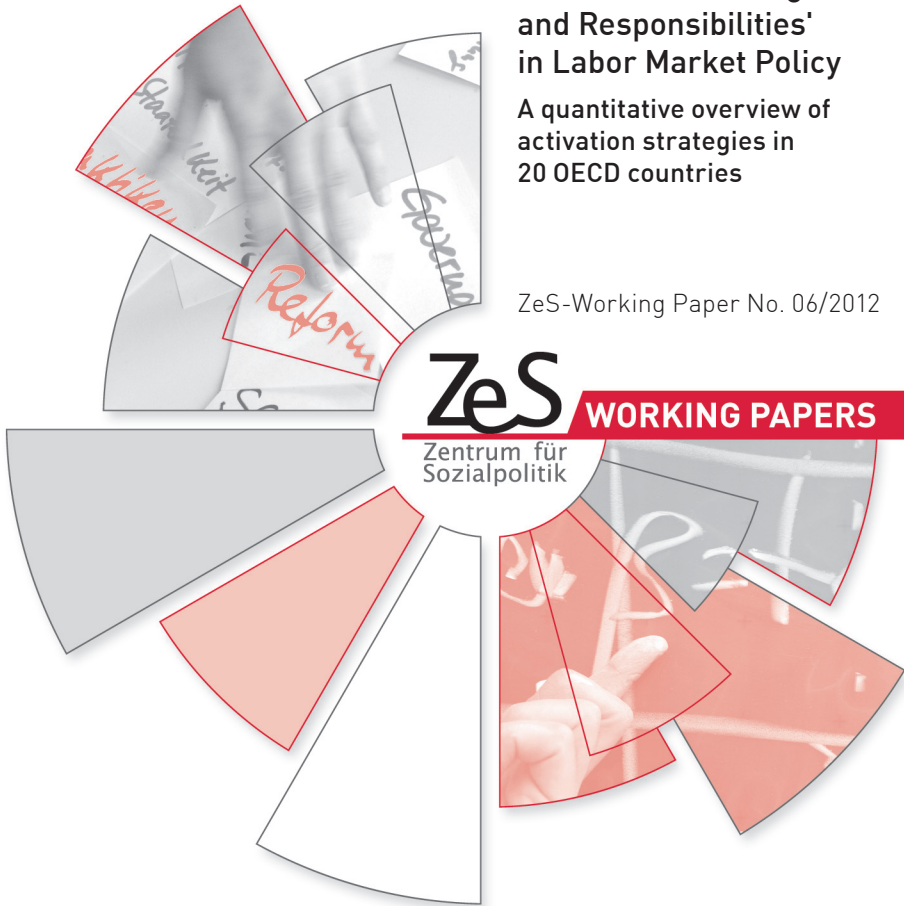
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Carlo Michael Knotz

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A quantitative overview of
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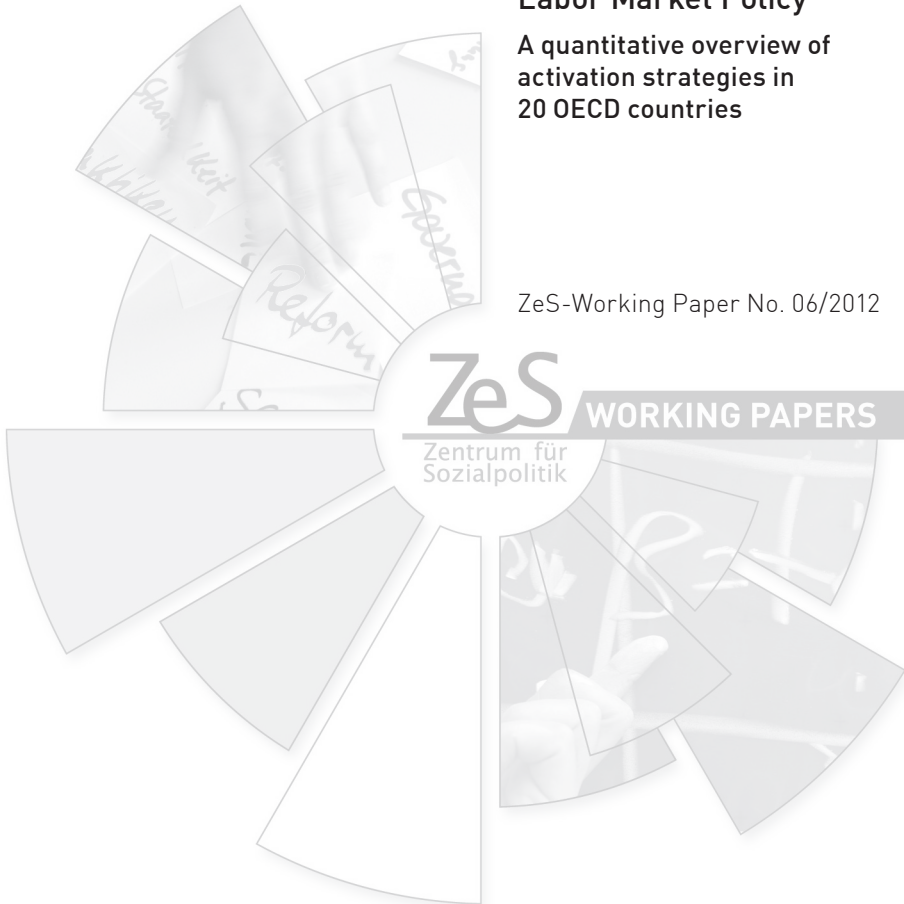
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Measuring the 'New Balance of Rights and Responsibilities' in Labor Market Policy

**A quantitative overview of
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20 OECD countries**

ZeS-Working Paper No. 06/2012



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Labor market policies have been re-configured during the 'activation turn' in labor market policy-making in the 1990s. This included restricting behavioral requirements for job seekers and benefit claimants, but also improving services (e.g. better placement services). In a nutshell, the 'rights and responsibilities' of jobseekers and labor market participants were re-balanced. To date, there is no indicator that could capture this in a quantitative way. This paper sets out to fill this gap. Using a number of quantitative indicators for 20 core OECD countries, it is shown what instruments countries use and how they balance instruments that either enforce labor market participation or enable to participate. It is shown that countries are overall rather similar with regard to the degree of enforcement (responsibilities), but differ with regard to the support (rights) they offer. Despite similarities and differences transcending welfare regimes, three 'worlds of activation' can be distinguished.

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Im Zuge des 'activation turn' wurden während der 1990er Jahre zahlreiche Arbeitsmarktreformen durchgeführt. Dies umfasste strengere Verhaltensregeln für Arbeitslose und Leistungsbezieher, aber auch Verbesserungen von Sachleistungen (bspw. verbesserte Arbeitsvermittlung). Kurz gesagt, die Rechte und Pflichten von Arbeitslosen sowie Personen auf dem Arbeitsmarkt wurden neu austariert. Derzeit gibt es nur wenig Möglichkeiten, dies quantitativ zu erfassen. Dieses Papier stellt einen Versuch dar, diese Lücke zu füllen. Unter Verwendung einer Reihe von quantitativen Indikatoren für 20 Kern-OECD Länder wird gezeigt, welche Instrumente von diesen Ländern in welchem Umfang verwendet werden, und in welchem Verhältnis 'fördernde' und 'fordernde' Instrumente stehen. Es wird gezeigt, dass sich die Länder bezüglich des Ausmaßes des 'Forderns' (Pflichte) generell recht ähnlich sind, jedoch deutliche Unterschiede beim Umfang des 'Förderns' erkennbar sind. Trotz Ähnlichkeiten und Unterschiede über die Grenzen der Wohlfahrtsstaats-Regime hinweg können drei Welten der Aktivierung Arbeitsloser unterschieden werden.

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1. Introduction

It is well documented that there has been a re-orientation of labor market policies in Western countries during the last two decades (Barbier/Ludwig-Mayerhofer 2004; Bonoli 2010; Dingeldey 2007; Torfing 1999; Weishaupt 2011). Reforms of benefit systems for persons of working age can be arranged along three dimensions: support homogenization, policy coordination, and activation (Clasen/Clegg 2006a; b; 2011). Probably the most prominent of these three is the new orientation towards activation. Possibly fueled by campaigns of international organizations such as the OECD Jobs Strategy (1994) or the European Employment Strategy (Goetschy 1999; Rhodes 2005), countries now seek to increase levels of employment and economic activity instead of encouraging economic inactivity by 'labor shedding' (Esping-Andersen 1996b). Reforming labor market policies means to re-balance the 'rights and responsibilities' (Dingeldey 2007, 844) of job seekers. However, countries do balance these rights and responsibilities differently (Dingeldey 2007; OECD 2006a, 190-2; Torfing 1999): while some countries (e.g. Denmark) combine rather generous benefits with a range of services that enable job seekers or inactive persons to take up paid employment, others (e.g. the United Kingdom) provide rather low, means-tested benefits with strict behavioral requirements, thus forcing job seekers into employment. Other countries, an example is Germany, have been latecomers in reforming benefit and tax systems so as to increase incentives to

take up work, and in providing sufficient services (e.g. access to childcare) to enable all persons to take up employment.

Lane Kenworthy (2010, 444) recently declared that so far "there have been no attempts to score or rank countries according to [labor market] activation effort". Studies that describe or explain this 'activation turn' (Bonoli 2010) often use the level of expenditure on active labor market policies (ALMPs) as an indicator for the 'activation effort' of a country (e.g. Burgoon 2001; see also Rueda 2007)¹. Yet ALMPs are but one instrument governments have to activate the unemployed and increase incentives for economic activity. Other studies analyze these developments in a more encompassing way (Dingeldey 2007; Weishaupt 2011), yet they cover only a limited number of countries and/or rely on qualitative case studies. Pfeifer (2012) has combined indicators for the generosity of unemployment insurance schemes and social assistance and minimum income protection schemes to show how entire benefit systems for working-age persons are configured. This is, of course, highly relevant. Yet, focusing only on configuration of benefit systems is still too narrow. In order to be able to conduct better quantitative analyses on labor market reforms, researchers will need data that takes into account all rele-

¹ Rueda does this in one chapter of his book. However, he complements this by qualitative case studies.

vant aspects of labor market policies. This paper sets out to fill this gap, following the examples of similar endeavors such as Höpner et al. (2011) (regulatory policies), Siaroff (1999) (corporatism), or Gornick et al. (1997) (family policies). Mostly, however, the inspiration comes from Esping-Andersen's (1990) de-commodification score. While the task cannot be completed in this paper, the long-term goal is to construct an indicator for 'activation effort' that can be used alongside de-commodification scores to show how welfare states are positioned and have changed along the two dimensions. This would improve the possibilities to investigate how these two aspects can be combined and why they are combined in certain ways (cf. Bradley/Stephens 2006; Huo et al. 2008).

This paper will make two contributions. First, it provides quantitative data on the mix of 'rights and responsibilities' in 20 industrialized OECD countries in the mid-2000s and thus provides a snapshot of the situation after the 'activation turn' that took place during the 1990s. It is shown that, overall, the OECD world is quite similar regarding the responsibilities of job seekers - despite the fact that countries differ in their use of single instruments. Countries do differ with regard to the support they offer to job seekers. Hence, while almost all countries place significant obligations on job seekers, the main discerning feature is whether these obligations are balanced by rights or not. Second, it provides operationalizations and data sources that can serve as a starting point to assemble a more encompassing (both in space and time) dataset. This would improve the possibilities to find

the causes and determining factors for this development using quantitative techniques. It would also improve possibilities to examine the outcomes of these reform policies.

This paper will proceed as follows. The first section will discuss the specific features of employment-friendly or 'activating' policies and formulate expectations about how rights and responsibilities have been reconfigured. The second section presents the 'activation toolbox'. This list of labor market policies includes the configuration of active and passive unemployment benefits and related policies that can be manipulated in order to increase incentives and abilities to take up work or to create jobs. The third section presents descriptive statistics in order to provide a first picture of how countries combine different elements from this toolbox. Fifth, these indicators are combined into two composite indicators that measure the mix of rights and responsibilities across countries. A final section concludes.

2. 'Activation' - what's so new about it?

Are we dealing with a new phenomenon here? Is it not the case that the Nordic countries, but also the Continental European countries have been providing training schemes for the unemployed (Halvorsen/Jensen 2004; Ludwig-Mayerhofer/Wroblenski 2004), and have there not always been conditions that benefit claimants had to adhere to in order to continue to receive benefits? In this section, it is argued that there has been a change in two important respects: first, while full employment is not a new goal, the goal to maximize economic activity and to increase employment is new. Second, in order to achieve this, the entitlements of the unemployed are no longer inalienable social rights, but increasingly conditional on certain behaviors or attitudes of the unemployed. The crucial differences in how this has been implemented lie not so much in the strictness of these criteria, but in whether these requirements are balanced with support or not. Despite terminological differences, three dominant 'activation regimes' can be discerned.

The activation turn has to be seen against the backdrop of labor market policies during the 1980s (Bonoli 2010): the focus of active labor market policies in the 1980s used to be to keep participants occupied and reduce the deterioration of their human capital, hoping that the next economic upturn would 'suck' them out of unemployment and back into the labor market. Concomitantly, those with fewer chances in the labor market were led out of it via early retirement or disability pen-

sion schemes. At the beginning of the 1990s, this was increasingly perceived as a wrong way to deal with the unemployment problem. At the heart of the activation turn of the 1990s lies the recognition that unemployment can be structural in nature (cf. Serrano Pascual 2007a; Torfing 1999, 10). Political discourses and reform agendas, exemplified by, but not limited to, campaigns of international organizations, have adopted a broad perspective. Rather than introducing new policies or adjusting single programs, entire welfare states are supposed to be made more employment-friendly.

First, it was recognized that unemployment cannot be eliminated by macro-economic management alone. Even in the presence of favorable economic conditions, tax-benefit systems may disincentivize economic activity, for instance in cases where the difference between net wages and net benefits is too small or even negative (when taking up a job reduces the net income). In this regard, tax-benefit systems set 'unemployment and inactivity traps' (Lindvall 2010; OECD 2007b) and lead to structural unemployment. From a certain ideological standpoint, the unemployed were seen as unable to find employment because they lack the necessary skills and motivation to compete in the labor market. They require treatment (thus the term moral-therapeutic intervention) to raise their self-esteem, to overcome personal problems, and to maintain a life independent of government support. This is supposed

to be achieved by a stricter monitoring of their behavior, increased conditionality, and tightened behavioral requirements to discipline the unemployed. This constituted a paradigmatic change of labor market policies. More than just helping the unemployed back into employment, it was aimed at adjusting the attitudes of individuals towards employment, thus 'producing' a kind of worker that is compatible with the requirements of a modern labor market. Most importantly, it does so by altering social rights. It redefines how a 'fair' treatment of job seekers is supposed to look like, what behavior can be expected from job seekers, and what a government can do to induce that kind of behavior (Handler 2003; 2009; Serrano Pascual 2007b; Weishaupt 2011).

Second, this trend towards activation has not been confined to the area of unemployment benefit systems. As Barbier and Ludwig-Mayerhofer (2004) argue, there has been a trend towards a systematic re-structuring of entire welfare states with the aim of making them more employment-friendly (see also Dingeldey 2007; Kenworthy 2010; Torfing 1999; Weishaupt 2011). It is argued that

"the domains of social protection potentially activated are not only the programmes for the assisted or the unemployed. They comprise (i) benefit programmes (unemployment insurance and various 'assistance' schemes for working age groups (including disability and other family related benefits)); (ii) pension systems, and most particularly, early retirement programmes;

(iii) employment (or active labour market - ALM) programmes; but also (iv) policies involving traditional social policy and tax policy, which aim at reforming the 'tax and benefits systems'" (Barbier/Ludwig-Mayerhofer 2004, 426).

This is best exemplified by reform discourses triggered by international organizations like the European Union's European Employment Strategy, that aim to coordinate labor market policies among its member states (Kok 2003; 2004; Rhodes 2005), or the OECD Jobs Strategy (OECD 1994) both make recommendations for reforms in a number of policy areas, starting with unemployment benefits but including also tax and family policies. Even if one does not believe that these campaigns are actually causing reforms (for a discussion see Zeitlin 2005; 2009), the contemporary political discourse on labor market reforms involves more policies than just unemployment insurance benefits. Hence, in order to fully grasp the change that has occurred and what its effects were, one needs a perspective that is not limited to a subset of policy areas or benefit schemes.

How were welfare states actually re-shaped? One might expect that a common 'activation paradigm' dictates the development of labor market policies into a common direction. In fact, looking at the development over time, there are signs of common reform trends. While Bonoli (2010) argues that paradigms directed the development of labor market policies in common directions, irrespective of welfare regimes, Weishaupt (2011)

finds convergence but also ongoing differences. While countries continue to differ regarding the generosity of benefits, they show signs of convergence regarding the conditionality and duration of benefits but also regarding services to persons of working-age. Hence, as a first expectation of what could be found when analyzing comparative data, one can expect signs of convergence in these aspects: increased conditionality but improved services. However, the available data do not allow to analyze developments over time. But rather than looking for convergence, one can expect to find similarities.

It should, however, not be news that the effect of functional pressures has always been transposed via political actors and institutions (Myles/Quadagno 2002), thus shaping different welfare regimes (Esping-Andersen 1990). In fact, looking at studies that emphasize cross-sectional differences (Barbier/Ludwig-Mayerhofer 2004; Clasen/Clegg 2006a; b; 2011; Dingeldey 2007; Serrano Pascual/Magnusson 2007), at least two different 'activation regimes' can be identified. Despite slight differences, there is consensus that activation strategies re-balance rights and responsibilities of job seekers so as to increase work incentives. The main finding is that the responsibilities have been increased and there have been cuts to social rights. However, the main differences lie in the rights that are granted to job seekers. While retrenchment has been quite unilateral in a range of countries (mostly in the Anglo-Saxon world), cutbacks or increased duties have been balanced by improved services and support. Hence,

as a second expectation, one can expect to find ongoing differences regarding the extent to which increased obligations are paired with rights or not.

There is, of course, always a third option: doing nothing. Serrano Pascual (ibid.) argues that the Southern European countries (Spain, Portugal) do not place many obligations, but do also not grant many rights to job seekers. Dingeldey (2007), Clasen and Clegg (2006a; b; 2011), and Clegg (2007) find that there have been reforms of labor market policies in Continental Europe, but they have been done in a selective and incremental manner. As a final expectation, there might be a group of countries where activating reforms were not or only incrementally introduced. Benefit provision is still largely passive, i.e. there is little enforcement in the form of benefit cutbacks, but also little enablement in the form of services and support to job seekers.

3. The 'activation toolbox'

The analytical range of this paper lies in between analyzing single policies or types of policies on the one, and analyzing entire policy paradigms (Hall 1993) on the other hand. This paper focusses on activation strategies. These are defined as configurations of ALMPs, passive benefit systems, and related policies (e.g. family or tax policies) to activate unemployed and inactive persons and increase incentives to look for and take up paid employment (Barbier/Ludwig-Mayerhofer 2004; Dingeldey 2007). Several authors (Bonoli 2010; Dingeldey 2007; Kenworthy 2010; Torfing 1999; Weishaupt 2011, 69: table 4) have already assembled lists of activation tools², i.e. elements of an activation strategy. It is these lists that are used to construct the 'activation toolbox'. The final list of 'activation tools' is presented in table 1 (p. 14). The elements are distinguished by whether they increase incentives to take up employment by increasing social rights (enablement) or by reducing social rights (enforcement) (using the terminology by Dingeldey 2007). They are further distinguished by whether they have a direct financial effect or whether this effect is more indirect (cf. Weishaupt 2011).

All elements are included in at least one of the aforementioned author's lists. Their lists include 'traditional' ALMPs such as training, public employment, or

wage subsidies, as well as policies that are usually not directly labelled as 'active labor market programs'. These include family and tax policies, passive unemployment benefits, and policies related to economic policy such as wage policies or the flexibilization of employment regulations. All these authors include re-configurations of passive benefits (limiting the duration, increasing conditionality, lowering levels), training and 'upskilling', and increased job placement efforts (either via increased obligations on the part of the job seeker or improved services). The configuration of passive benefits (e.g. unemployment insurance or assistance) can (dis-)incentivize employment. Therefore, while it is certainly true that passive benefit reception is quite the opposite of activation, it is still important to include them. Active measures and passive benefits interact with each other (see also Calmfors 1994, 28-9; Martin 2000; Rueda 2007; Saint-Paul 1998)³. Wage subsidies, for instance, may be quite useless if unemployment benefits are so generous that taking up a subsidized job actually lowers the income of recipients. Accordingly, cuts in unemployment benefits can be seen as part of an activation strategy since they increase incentives to take up work.

² Instead of a lengthy summary of each of these lists, the main groups of tools and the rationale for including them are described.

³ I am also thankful to Pablo Beramendi for pointing this out to me.

Table 1: The ‘activation toolbox’

Enforcement		Enablement	
Financial	Non-financial	Financial	Non-financial
Low benefit level and short duration	Obligation to job-search activities	Wage subsidies (for employers and employees)	Job counseling
Unavailability of exit-options (early retirement, disability pensions, direct job-creation)	Strict work availability criteria	Tax credits & tax-/contribution breaks	Training & investment in human capital
	Strict benefit eligibility	Employment-friendly family taxation & parental leave schemes	Family services
	Strict sanctions		Part-time and flexible work
	Low employment protection		

Exit-options such as public employment (where the government acts as an ‘employer of last resort’), or early retirement and disability benefit schemes can have similar effects. That is, they set incentives to withdraw from the labor market. Closing these exit-routes is a reduction of social rights, but increases incentives to look for and to take up work. Hence, the (partial) abolition of early-retirement, disability pensions, and public job-creation is a case of enforcement (activation by reducing social rights).

An alternative or complement to cuts in levels and duration is to increase the conditionality of benefits. In order to continue reciprocity, job seekers often have to prove that they have been actively looking for jobs, they also have less valid rea-

sons to refuse job offers, and they may face sanctions in case of non-compliance (Clasen et al. 2001; Hasselplüg 2005; Ministry of Finance 1998; Venn 2012). Reductions in the strictness of employment protection legislation (EPL) limit the rights of workers, but may increase the likelihood of finding a job for job seekers (see Bradley/Stephens 2006; Saint-Paul 2002).

Wage subsidies for employers and employees limit labor costs or increase the payoff from taking up work. Tax credits and limits in contributions work in the same way, that is they reduce the costs for employers to hire and they increase revenues for employees. The abolishment of tax regulations that favor the male single-earner family model aims at encouraging

female employment. Paid maternal or parental leave schemes help women to reconcile work and family responsibilities and increase their ability to take up employment.

Increased assistance for jobseekers, e.g. through individualized counseling and advice, is an element that increases the rights of jobseekers. More investment in human capital enables persons with low or obsolete skills to participate in the labor market. Improved access to training and re-training thus constitutes an increase in social rights. The same applies to services for families. For instance, childcare services free women from care responsibilities at home and thus increase possibilities for taking up employment. Regulating part-time or flexible employment, for instance by guaranteeing equal wages or benefits, increases incentives to take up work for persons who chose not to take up full-time employment, e.g. second earners in couples.

Not all of the elements in the mentioned author's lists are included here, however. Weishaupt (2011, 244) reports that start-up subsidies play only a very minor role among labor market programs and there is almost no change comparing the 1990s to the 2000s. Accordingly, they are left out. So called 'other services' provided for persons with substance abuse or mental health problems, mobility assistance, and so called 'career ladders' are also not included here. Social services for persons with various health problems are excluded since they do not actually set incentives, but make people fit to adequate-

ly respond to incentives. The same applies to mobility benefits for residents of rural areas with limited employment opportunities. Career ladders are "small in scale" (Kenworthy 2010, 443) and, more importantly, they incentivize upward mobility within or between jobs, but not the behavior of inactive or unemployed persons. Put another way, they affect already employed, not unemployed or inactive persons. Kenworthy and Weishaupt also include incomes policy (reductions of real wages, minimum wages). Lowering real wages might increase the incentives of employers to hire less-qualified job seekers, while higher minimum wages might increase the wedge between wages and benefits and thus increase incentives to take up a job. They are excluded here for the following reasons. First, it is unclear whether high wages have a positive effect on employment by increasing the wedge between benefits and wages, or whether they have a negative effect by increasing labor costs and thus reducing demand for labor. Second, it is hard to operationalize political efforts to reduce real wages. Reduced real wages may be achieved by lowering social assistance or unemployment benefits (thus lowering the reservation wage). Kenworthy argues that governments have only limited influence over the development of wages. They may form a pact with the social partners in order to limit wage increases. However, the effect of these pacts on the actual incentives of job seekers are then rather indirect. Furthermore, other instruments are

conceivable⁴. Thus, because the effect is theoretically unclear and the operationalization is bound to be incomprehensive, incomes policy is not included here.

Referring to the argument of the previous section, the more (less) rights and the less (more) responsibilities, the more pronounced the enablement (enforcement) approach to activating labor market policy. For instance, a country may provide only limited unemployment benefits, no exit-options, low real wages, strict conditions for benefit recipients, and low employment protection on the one, and limited services and protection on the other hand. This would not set incentives to continue benefit reciprocity longer than possible, but it would also not provide help that would enable persons to be economically active. Vice versa, a country can provide generous benefits and high real wages and combine this with services that enable everyone to participate in a high-skill/high wage economy. The former would be a 'market-reliant' way, the latter would be more 'service-reliant'. A third way is to rely on 'labor-shedding' (Esping-Andersen 1996a) (yet according to recent studies (Bonoli 2010; Dingeldey 2007; Weishaupt 2011), countries have

left this route or are on their way), or to provide low, but unconditional benefits, i.e. to maintain a passive policy stance. The following sections will present data on all these elements and on composite indices combining all these elements. The operationalization of each of these elements is discussed in the appendix.

⁴ The case of the United Kingdom during the 1980s is illustrative. The central government was unable to implement a successful incomes policy aimed at reducing wages. The response of the Thatcher governments was to adopt a hard currency policy to channel the effect of increased real wages on employment. Increasing real wages would, in the absence of expansionary monetary policies, have the effect of increasing unemployment. A hard monetary policy had thus a disciplining effect on unions, leading to reduced wage increases without adopting an incomes policy (Rhodes 2000).

4. Balances of rights and responsibilities

This section will proceed in two steps. First, descriptive statistics of all elements are shown to give an overview over the different configurations of labor market policies. Second, two indices will be constructed. One will measure the strength

of enabling, the other one the strength of enforcing elements in each country. The comparison of both indices will reveal the different balances of rights and responsibilities in activating labor market policies.

4.1 DESCRIPTIVE STATISTICS

This subsection will present descriptive statistics of each of the indicators and thus give a first impression of which elements are used and how they are combined.

Financial enforcing elements For the first three columns in table 2, low scores signal strong reliance on enforcing elements by (re-)commodifying labor whereas in the last two columns, high scores indicate more enforcement.

The first column in table 2 (p. 18) displays the generosity of unemployment insurance schemes (measured as the average net replacement rate times the duration, i.e. the 'full-time equivalent replacement rate'). The obvious leader is Belgium. The duration of the scheme is unlimited but since it is hard to interpret 'infinite generosity', a duration of five years is assumed (see appendix). Together with an average replacement rate of 61 percent⁵, this amounts to a generosity score of 158.6 weeks in which one hundred percent of the previous wage is re-

placed. Next in line is Denmark with a still comparatively high benefit generosity. Norway, Sweden, Portugal, and Switzerland are also countries with relatively high scores. The Anglo-Saxon world and Japan form the bottom group with around 11 to fifteen weeks of fully replaced wages. As mentioned above, Australia and New Zealand do not provide unemployment insurance, hence their scores are set to zero. Ireland and Canada are more generous, but still surpassed by most of the Continental European countries with around 60 to 70 weeks. Only Austria, Italy, and Germany have relatively low scores here.

Looking at the generosity of social assistance and minimum income schemes (measured as the ratio of net social assistance benefits to the net average income in 2003), it is again the Nordic countries that take the lead. Denmark, Norway, Finland, and Sweden all belong to the top group. This group does also include Switzerland. Swiss social assistance benefits are relatively generous (cf. Champion 2011, 130), but reciprocity may be very stigmatizing (Obinger 1999). Japan also

⁵ Not shown. See source of data.

belongs to the top group. Not far behind are the Antipodean countries, which signals that they compensate the lack of unemployment insurance to some degree. Continental Europe forms a heterogeneous group; only Spain and Portugal stand out as very ungenerous. The Anglo-Saxon countries, first and foremost the United States, operate schemes with low benefit levels. Except for Ireland (and the Antipodeans), they do not even grant half the average income of the country's population to their social assistance claimants.

The following two columns show the extent to which countries rely on exit-

options (measured as spending on early retirement and direct job-creation in percent of GDP). Most countries do not spend any money on early retirement and all countries that do report spending are European, most of them Continental and Southern European, countries. Yet, Denmark and Finland are the second and third biggest spenders. Direct job-creation is more widespread around the OECD countries. Again, Belgium is the top spender on this exit-option. As with early retirement expenditures, most numbers are rather low. Overall, these two programs play a larger role in some countries, espe-

Table 2: Financial enforcing elements

Country	Unem. insur. generosity	Social assist. generosity	Early Retirement	Direct job- creation	Disability
Australia	0.00	0.57	0.00	0.08	29.00
Austria	22.68	0.51	0.26	0.04	28.00
Belgium	158.60	0.46	0.94	0.42	23.00
Canada	22.68	0.44	0.00	0.03	22.00
Denmark	134.40	0.77	0.77	0.00	39.00
Finland	64.40	0.66	0.51	0.09	.
France	69.00	0.41	0.09	0.34	24.00
Germany	33.12	0.59	0.04	0.12	35.00
Ireland	29.40	0.54	0.06	0.23	.
Italy	12.96	0.58	0.10	0.03	18.00
Japan	14.88	0.66	0.00	0.00	.
Netherlands	71.04	0.50	0.00	0.23	30.00
New Zealand	0.00	0.58	0.00	0.01	.
Norway	97.92	0.71	0.00	0.06	31.00
Portugal	79.68	0.34	0.14	0.04	16.00
Spain	56.28	0.32	0.02	0.11	27.00
Sweden	84.00	0.62	0.00	0.00	33.00
Switzerland	73.92	0.73	0.00	0.00	23.00
United Kingdom	12.96	0.41	0.00	0.00	27.00
United States	12.96	0.24	0.00	0.01	23.00
Total	52.54	0.53	0.15	0.09	26.75

Notes: Unemployment insurance benefit generosity is measured as the duration times the replacement rate, i.e. the number of weeks the entire previous wage is replaced. The generosity of social assistance and minimum income schemes is measured as the share of net social assistance benefits of the net average income. Reliance on early retirement and direct job-creation schemes is measured as the expenditures in percent of GDP; the effort to integrate disabled persons is measured using OECD (2003) data where 50 is the maximum score, 0 is the lowest score.

cially in Europe. Yet, in most countries the numbers are comparatively low.

Most effort to integrate disabled persons into the labor market (measured using the indicator on integration effort in disability pension schemes provided by the OECD (2003)) is made in Denmark, Norway, and Sweden, but also in Germany and the Netherlands. The reforms of the disability pension scheme in the Netherlands (van Oorschot 2002; van Oorschot/Abrahamson 2003) seem to be reflected in this score. Furthermore, the high scores for the three Nordic countries show the orientation towards full-employment and integration in these countries. Most other countries have values that are fairly close to the mean. The only exceptions are Portugal and Italy, where only little integration effort is made.

Non-financial enforcing elements Table 3 (p. 20) shows the countries' scores on enforcing elements that do not work by directly influencing the income of job-seekers but by conditioning the access to benefits, the continuation of benefit payments, and the stiffness of employment protection legislation. Here, in all columns but the last, high scores signal heavy reliance on these instruments.

Job-search requirements (measured using data from Hasselpflug (2005)) are the strictest in the United Kingdom, the United States, and Australia - all countries that belong to the Anglo-Saxon group. Ireland and Japan have rather strict requirements as well. Unfortunately, Canada, New Zealand, and Switzerland are not included in Hasselpflug's data. The Nordic and the Continental European countries are quite similar in that they all have rela-

tively low scores, i.e. a low conditionality when it comes to job-search activities. That means, apart from the Anglo-Saxon countries, this instrument is not that widespread.

The picture is different when the extent of reasons to refuse employment opportunities (using data by Hasselpflug (2005)) is taken into account. The United States and the United Kingdom have rather low scores, yet Australia, Ireland and the Netherlands have strict requirements. Norway, Denmark, Sweden have comparatively high scores, not far behind is Finland. Germany and Austria have the strictest scores of all Continental European countries. Their scores are clearly above those of Continental France and Belgium, or Southern European Spain or Italy, as well as Japan.

The Continental and Southern European countries and Japan display a comparatively strong work-relatedness of benefits (measured as the ratio of minimum employment record to qualifying period (cf. Clasen et al. 2001)) as their eligibility criteria are rather strict. Countries such as New Zealand and Australia with their means-tested schemes (see source of data) and the United Kingdom with its 'de-differentiated' (Clasen/Clegg 2006b) unemployment scheme are coded as zero. Nordic Sweden and Finland, but also the Netherlands do not link their benefits as much to the recipient's employment history as the Continental and Southern European countries do.

The sanctions in case of non-compliance with obligations (using data by Hasselpflug (2005)) are strictest in Portugal, France, the Netherlands, and the United

Table 3: Non-financial enforcing elements

Country	Job-search requirements	Work-availability criteria	Eligibility criteria	Sanctions	EPL
Australia	5.00	3.75	0.00	2.33	1.47
Austria	5.00	4.50	0.54	1.67	2.15
Belgium	2.00	2.75	0.62	3.00	2.50
Canada	1.06
Denmark	1.00	4.25	0.33	2.00	1.90
Finland	2.00	3.25	0.17	3.00	2.12
France	1.00	2.50	0.30	4.67	2.89
Germany	1.00	4.00	0.31	2.33	2.37
Ireland	3.00	3.50	0.75	1.67	1.32
Italy	1.00	2.25	0.50	3.67	2.33
Japan	4.00	2.25	0.50	1.67	1.45
Netherlands	5.00	4.00	0.12	5.00	2.27
New Zealand	.	.	0.00	.	1.29
Norway	2.00	5.00	.	2.33	2.61
Portugal	3.00	.	0.80	5.00	3.53
Spain	2.00	3.25	0.16	2.67	3.01
Sweden	1.00	3.25	0.22	2.33	2.49
Switzerland	.	.	0.46	.	1.60
United Kingdom	5.00	2.00	0.00	2.67	1.10
United States	5.00	2.25	.	4.67	0.65
<i>Mean</i>	2.82	3.30	0.34	2.98	2.01

Notes: Job-search requirements, work-availability criteria, and the strictness of sanctions are measured using the data by Hasselpflug (2005), that is a 1 to five scale with five signaling strictest conditions. Benefit eligibility is measured as the ratio of the required weeks in employment to the length of the entire qualifying period. The strictness of employment protection legislation is measured using the indicator by the OECD that measures obstacles for individual and collective dismissals.

States. The Nordic countries Sweden, Denmark, Finland, and Norway display rather low scores - so do Ireland, the United Kingdom, Austria, Spain, Germany, and Japan. Accordingly, there is no clear pattern corresponding to welfare regimes.

Finally, employment protection legislation (measured using the EPL score provided by the OECD (cf. Venn 2009)) is strictest in the Continental and Southern European countries, with the Nordic countries ranging somewhat lower but not far behind. The Anglo-Saxon countries (and Denmark) all have scores of less than two. The United States are the clear leader with the prototype of a hire-and-

fire labor market.

To sum up the presentation of enforcing elements, the Anglo-Saxon countries seem to be leading when it comes to enforcing labor market participation and re-commodifying labor. Yet, the Nordic countries combine relatively generous benefits with relatively strict conditions on the part of the claimants when it comes to the availability to job offers. The Continental European countries tend to be rather regulated in terms of employment protection, rather generous and not too strict towards benefit claimants, and they are relying more on exit-options. However, their benefits are more work-related than others.

These findings are in line with previous studies (Clasen/Clegg 2006b; Dingeldey 2007; Esping-Andersen 1996a).

Financial enabling elements Descriptive statistics of enabling elements that affect the income of persons directly are shown in table 4. Higher numbers in the first and last column signal more effort, higher numbers in the two middle columns signal less effort (i.e. a higher tax and contribution burden).

The first column shows how much countries rely on subsidies to increase in-

centives to take up work or to employ job seekers (measured as the percentage of spending on subsidies of the GDP). Sweden, Denmark, but also Italy and Spain take the lead. With the exception of Ireland, all Anglo-Saxon countries report nil or very low spending. It is again mostly European countries that set incentives via spending. Spending levels in the Anglo-Saxon countries and Japan are rather low. While the Continental European countries are mostly clustered around the mean, Italy and Spain as Southern European

Table 4: Financial enabling elements

Country	Subsidies	Tax-/ contribution burden	Family taxation	Parental leave generosity
Australia	0.01	0.00	62.16	0.00
Austria	0.06	-0.01	82.62	38.24
Belgium	0.17	-0.00	56.17	13.53
Canada	0.01	-0.00	78.89	28.60
Denmark	0.36	0.33	66.68	48.80
Finland	0.13	0.13	63.34	30.30
France	0.10	0.07	80.30	58.20
Germany	0.11	0.00	65.45	25.40
Ireland	0.10	0.00	89.95	15.00
Italy	0.37	0.00	.	20.40
Japan	0.07	0.00	51.44	8.40
Netherlands	0.03	0.17	57.65	16.40
New Zealand	0.04	0.08	76.95	6.00
Norway	0.05	0.13	45.44	66.00
Portugal	0.15	0.00	32.10	18.00
Spain	0.28	0.04	.	16.40
Sweden	0.39	0.23	41.16	62.00
Switzerland	0.07	0.14	80.58	16.00
United Kingdom	0.01	0.00	89.50	12.50
United States	0.00	0.03	73.55	0.00
<i>Mean</i>	0.13	0.07	66.33	25.01

Notes: Reliance on in-work subsidies is measured as expenditures in percent of the GDP. Tax- and contribution credits (and breaks) for low income earners are measured as the average tax and contribution burden for persons earning two thirds of the average wage, averaged over two family types. Family taxation is measured as the implicit tax on returning to work for a second earner earning two thirds of the average wage. The generosity of parental leave schemes is measured as the summed up full-time equivalent duration of parental, maternal, and paternal leave schemes (see also unemployment benefit generosity in table 2).

countries spend as much as the Nordic 'big spenders'.

Anglo-Saxon countries are leading when it comes to encouraging low-income earners to seek employment by relieving them from high taxes and contributions (measured as the tax and contribution burden for persons earning two-thirds of the average wage, averaged over two family types). New Zealand levies eight percent, the United States three, but all other Anglo-Saxon countries do not collect taxes from low-income earners. The Nordic countries have the highest tax and contribution burdens with Denmark taking the overall lead with 33 percent and Sweden achieving rank two with 23 percent. Norway and Finland both belong to the countries with the highest burdens with both 13 percent. Except for Spain, the Netherlands, Switzerland, and France, the Continental and Southern European countries do not levy taxes or contributions. And even in those four countries, the burden is relatively low, compared to the Nordic countries.

In no country in the OECD world⁶ does a second income actually lower the overall household income (the tax burden on a second household income is measured as the 'implicit tax on returning to work' for a second earner at 67 percent of average earnings). However, some countries place a higher burden on a second income than others. This is shown in the third column of table 4. Quite surprisingly, the Anglo-

Saxon countries do have a comparatively high tax burden. The United Kingdom and Ireland 'tax away' almost 90 percent of the additional income, in the United States and New Zealand the loss amounts to around 75 percent, in Canada to around 80 percent. This can be explained by the fact that private childcare provision plays a bigger role in these countries (Bahle 2008, 113). Since childcare costs are included in the calculation of the tax burden, high costs lower the income of dual-earner families. This is not to say that these values are exceptional. Austria, France, and Switzerland have very similar tax burdens. Other Continental countries are not far behind, for instance Germany, Belgium and the Netherlands with around 60 percent. Denmark and Finland belong to the same group. The two other Nordic countries and Portugal form the top group with the lowest tax and contribution burdens for second earners.

The last element to be presented is the generosity of maternal, paternal, and parental leave schemes (shortened to parental leave schemes; measured as the cumulative full-time equivalent duration of all three leave scheme payments). Since these schemes are usually complementary (see above), the original full-time equivalent durations for each scheme as reported by the OECD are summed up to show how many weeks parents can stay at home to take care of their kids. Australia and the United States do not operate these schemes, accordingly their generosity is zero. New Zealand, the United Kingdom, Ireland (for the Anglo-Saxon group) and also Belgium, Switzerland and the Netherlands (for the Continental group) have

⁶ This applies, of course, only to the countries covered here. The OECD (2007b, 108) shows that some Central and Eastern European countries do actually have burdens of above 100 percent.

rather short durations. Southern European Spain, Portugal, and Italy are not far ahead with durations of 17 to 20 weeks. With the exception of Finland, the Nordic countries (especially Norway and Sweden) are by far more generous than the rest with over one year of payments in Norway and Sweden and still almost one year in Denmark. Austria and especially France are exceptionally generous in comparison to the other Continental European countries.

Non-financial enabling elements

The last table in this subsection (table 5, p. 24) reports non-financial elements that have an enabling effect - basically public services and legal protections. Except for the first column, higher values indicate more effort.

The quality of labor market services is measured as the ratio of counselors at the public employment service (PES) to registered job seekers. The ratio of counselors to job seekers is by far the lowest in the United Kingdom, only around 8 jobseekers are cared for by one counselor. Sweden and Norway do come relatively close, yet all other countries have much worse ratios. Three countries (Austria, Ireland, Netherlands) have ratios of around 70 jobseekers to one counselor, five further countries (Switzerland, Portugal, France, Finland, and Denmark have ratios of between 100 and 120 jobseekers for each counselor. Far behind are Germany and Spain with 350 and 460 jobseekers per counselor, respectively. It should be mentioned that the number of missings is particularly high for this indicator. Yet, these results are confirmed by other studies (see

Dingeldey 2007, 834-5 for a brief review).

The reliance on training and human capital development is measured as spending on training schemes in percent of the GDP. Confirming expectations, the Nordic countries are the top spenders on training schemes. Denmark is by far the biggest spender. France, Germany, Austria, Switzerland have quite similar spending levels to Sweden and Finland. This reflects the catching-up process in Continental Europe (Bonoli 2010, 442-3) - which did not take place that much in Belgium and the Netherlands - and the tradition of training schemes in Germany and Austria (Ludwig-Mayerhofer/Wroblenski 2004). The Southern European Countries remain on a lower level. The, again, spending-reluctant Anglo-Saxon countries (the exception is New Zealand) form the bottom group, together with Japan.

The Nordic countries, with the notable exception of Finland, take the lead when it comes to providing employment-friendly family services (enrollment rates in childcare and early childhood education and care [ECEC]). Enrollment rates are presented as full-time equivalents, i.e. the rate of enrollment were all children attending care facilities for 40 hours a week (cf. OECD 2011c). Denmark is the undisputed leader with around 60 percent of all children in full-time childcare. Next in line is Portugal with almost half of all children below the age of 3 in full-time care. Norway and Sweden provide full-time care for about a third of all children in this age group, together with Belgium and France. Most of the other countries provide care for about 20 percent of all children. The

Table 5: Non-financial enabling elements

Country	Counselor-to-jobseeker ratio	Training	FTE enroll. rate (0-2)	FTE enroll. rate (3-5)	Part-time and flexible empl.
Australia	.	0.01	11.02	53.82	5.00
Austria	71.56	0.31	6.04	56.10	4.00
Belgium	165.33	0.15	31.28	33.68	5.00
Canada	.	0.09	19.20	17.75	0.00
Denmark	111.38	0.62	59.93	124.71	3.00
Finland	110.77	0.36	21.88	60.25	4.00
France	118.66	0.30	32.18	87.50	5.00
Germany	350.44	0.46	11.66	55.88	5.00
Ireland	74.96	0.26	15.75	24.30	1.00
Italy	.	0.25	21.45	75.00	2.00
Japan	.	0.04	.	43.85	0.00
Netherlands	70.83	0.14	22.91	36.25	6.00
New Zealand	.	0.20	18.95	29.53	0.00
Norway	30.88	0.43	27.36	92.86	7.00
Portugal	106.82	0.26	43.60	54.11	5.00
Spain	461.87	0.14	23.73	61.06	7.00
Sweden	21.53	0.36	31.90	122.91	6.00
Switzerland	96.10	0.28	.	48.40	1.00
United Kingdom	7.57	0.03	17.86	28.28	3.00
United States	.	0.05	24.33	35.34	0.00
<i>Mean</i>	128.48	0.24	24.50	57.08	3.45

Notes: Counseling effort is measured as the ratio of PES counselors to registered jobseekers. Reliance on training schemes is measured as expenditures in percent of the GDP. The availability of family services is measured using full-time equivalent (FTE) enrollment rates of 0-2 and 3-5 year olds. The intention to encourage part-time and flexible employment is measured as the number of laws regulating equal treatment and protections for part-time and flex-workers using data by Hegewisch and Gornick (2008) and Hegewisch (2009).

bottom group includes Ireland, Germany, Australia, and finally Austria with 10 percent or less children in full-time care.

Enrollment rates are significantly higher for 3 to 5 year olds, yet the differences between the countries persist. Enrollment rates for this age group look a lot more similar than enrollment rates for below-3 year olds (Adema et al. 2009, 448-50) unless the intensity is accounted for. Almost all countries provide universal care in the form of kindergartens or pre-schools. However, while most care for below-3 year olds is full-time, the intensity of care for 3-5 year olds varies significantly (Lambert 2008). This is reflected in the numbers in the penultimate column in table 5. The fact that Denmark and Sweden

achieve FTE enrollment rates of above 100 percent stems from the fact they provide services for more than 40 hours per week and still have high enrollment rates. Since the intensity was only approximated, these numbers should be interpreted as possible FTE enrollment rates (given the operating hours of the facilities), not actual rates. Again, the usual suspects are in the top group: Denmark, Sweden, Norway, and France. Finland and two Southern European countries (Spain, Italy) do not reach the same levels, but still achieve noticeably high rates. Belgium belongs, surprisingly, to the bottom group. Germany and Austria perform significantly better now and form a middle group together with Switzerland, Portugal, Japan,

and Australia. The Anglo-Saxon countries, most notably Canada, form the bottom group. This, however, should not be taken to mean that there is no childcare - it is just that public provision is much less prevalent and preference is given to market-based service provision (OECD 2006b, 46).

Finally, the degree to which part-time and flexible forms of employment are encouraged is shown in the last column (measured by the summary indicator measuring the presence of regulations of part-time and flexible employment). Norway and Spain provide the most regulations that support and protect 'irregular' employment. Sweden and the Netherlands are close. Next, there is a large group of countries that implemented at least half of the regulations that Hegewisch (2009) and Hegewisch and Gornick (2008) argue to be important. These are Australia, France, Germany, Belgium, and Portugal. The United Kingdom, Denmark, and Austria provide some protection, Italy only little. With the exception of Australia, all Anglo-Saxon countries provide none or only very little (Ireland) protection for part-time and flex-workers.

In sum, the results for enabling elements are more mixed in that no group of countries seems to be clearly superior to the others. The Nordic countries place more effort on financial elements than the others, yet they also have higher tax burdens. However, some Southern and Continental European countries are leading with regard to the provision of childcare services (although the laggards in this regard are also in part Continental and Southern European countries), and some

Anglo-Saxon countries have quite similar scores. Overall, the Nordic countries have consistently high values for most enabling elements, yet most of the time other countries report the highest values for single elements. The Continental and Southern European and the Anglo-Saxon countries do indeed score high on single elements, yet the overall performance is rather mixed.

4.2 COMPOSITE INDICES

To summarize the different indicators into one coherent scheme and to so display the different emphases countries put on either enablement or enforcement, composite indices for each dimension are constructed. The first part of this subsection will present how they were constructed and what adjustments were made. Second, the results are presented and are compared with the findings of other studies.

Following Gornick et al. (1997, 54-5), all indicators are rescaled to measure the level of policy effort. For each indicator, maximum effort is defined. Accordingly, each country is given a value that displays the percentage of maximum policy effort this country achieves. The scores are averaged over the two dimensions (enforcement and enablement) to measure the effort each country spends in each of the two dimensions. This is easier for some indicators (for instance enrollment rates, replacement rates, or expenditures that are already measured in percent) than for others (categorical variables and indicators with no theoretical maximum, e.g. durations of payments). This is solved by - again - following Gornick et al. (1997). For instance, benefit durations are standardized as percentages of 52 weeks (i.e. one year). Some indicators are reversely scaled, that is a value of 0 represents maximum effort. For instance, given the fact that second earner employment is nowhere tax-neutral, a tax burden of 0 (neutrality) is the logical maximum effort (the same applies to EPL strictness).

For those elements that are measured using expenditure data (training, subsidies, early retirement, direct job-creation), meaningful effort maxima have to be defined. As shown above, their numbers all range between zero and one percent of GDP. By simply taking this number as a measure of effort, one would define expenditures of 100 percent of the GDP on, say, training schemes as maximum effort. This is clearly unrealistic. In addition, both the enforcement- and the enablement-scores would be biased upwards and downwards, respectively. This is because all countries would get scores of around 99 percent for the two (reversely scaled) exit-option indicators and less than 1 percent for training and employment subsidies. As a remedy, maximum effort for training and employment subsidies is defined as expenditures per program worth of one percent of GDP. The reverse applies to early retirement and direct job-creation. This is also justified by the fact that expenditure on any single program very rarely exceeded one percent during the entire period from 1985 to 2009⁷.

Further adjustments are made to control for unlimited and means-tested systems. This concerns Belgium, Australia and New Zealand. The Belgian system is genuinely unlimited, but since it is impossible to assign it the value 'infinity', it is given a duration of 260 weeks, that is five

⁷ See OECD.Stat or Rueda (2007, 73-5).

years⁸ (see appendix and above). Categorical indicators, first and foremost the benefit conditionality indicators (Hasselpflug 2005), are rescaled to fit the percentage scale. This is somewhat unsound as they are originally not metric. A transformation into a metric variable is actually not permissible. Also, it is equally not really sound to interpret a five percent increase in, say, enrollment rates as an actual five percent increase in policy effort. Accordingly, the final enforcement/enablement scores should not be interpreted as metric but as categorical, despite the fact that they have a rather large range. In a nutshell, rather than ‘upscaling’ categorical indicators, metric and nominal indicators are ‘downscaled’. The enforcement and enablement scores are computed as averages of the effort scores for each dimension. Missing information within individual countries was ignored. There was no information on these indicators for a number of countries⁹. These cases should be treated with caution.

Table 6 (p. 28) shows each country’s score on the enablement and enforcement indices. It hardly comes as a sur-

prise that the United States and Canada take the lead when it comes to enforcement with scores of around .8. The other Anglo-Saxon countries are not far behind with scores of around .7. Equally confirming previous findings is the fact that the Continental European countries form a heterogeneous group with Belgium as the least enforcing country of all and the Netherlands, Portugal, and Austria achieving scores equal to Anglo-Saxon countries. With the exception of Norway, all the Nordic countries score rather low on the enforcement index. Far from forming a very de-commodifying bottom group, they range somewhere around the lower half of all countries. This is again consistent with other studies showing that the Nordic countries do sacrifice de-commodification to some degree in order to achieve a high level of employment (Huo et al. 2008).

The Nordic countries, especially Sweden, Denmark, Norway have the highest enablement scores. France does actually come close to their levels, while Finland falls behind. The lowest scores can be found in the non-European countries. The United States are the least enabling country, New Zealand is only slightly ahead. Japan, Australia, and Canada have higher scores, but they are still clearly below average and there is still a tremendous difference between their scores and the scores of the Nordic countries. Continental and Southern European countries cluster around the mean.

Enablement scores are generally lower than enforcement scores. Only Sweden and Denmark have slightly higher enablement than enforcement scores. The dif-

⁸ This might sound unrealistic as maximum generosity would mean getting one’s former wage fully replaced for five years. However, consider that Denmark (for instance) has an unemployment insurance system that replaced 90 percent of the former wage for up to nine years in 1990 (Goul Andersen 2011). This would amount to a score of about two-thirds more than the average score assumed here.

⁹ Out of 19 indicators in total, information on five indicators was missing for Canada and New Zealand, on four for Switzerland, and three for Japan. One or two indicators were missing for several other countries (as shown in tables 2 through 5).

Table 6: Enablement and enforcement scores

Country	Enforcement	Enablement	Difference
Australia	0.69	0.29	0.40
Austria	0.71	0.47	0.24
Belgium	0.48	0.41	0.07
Canada	0.78	0.28	0.51
Denmark	0.52	0.57	-0.05
Finland	0.55	0.46	0.09
France	0.58	0.55	0.03
Germany	0.62	0.42	0.20
Ireland	0.69	0.36	0.33
Italy	0.61	0.37	0.24
Japan	0.68	0.28	0.40
Netherlands	0.71	0.40	0.31
New Zealand	0.70	0.23	0.47
Norway	0.66	0.63	0.02
Portugal	0.70	0.48	0.22
Spain	0.61	0.34	0.27
Sweden	0.58	0.65	-0.07
Switzerland	0.66	0.37	0.30
United Kingdom	0.68	0.36	0.33
United States	0.83	0.20	0.62
<i>Mean</i>	0.65	0.41	0.25

Notes: The difference between enforcement and enablement scores is simply calculated as enforcement minus enablement scores. Positive values indicate stronger enforcement than enablement, and vice versa.

ference in Norway, Finland, France, and Belgium is only slightly positive. It is in these five countries where rights and duties are more or less balanced, notwithstanding differences in the levels of both scores. Norway and Sweden have clearly high scores on both indices while Belgium scores low on both. Denmark and France look rather similar, contrary to other studies portraying Denmark as one of the leading countries in activation policies and France as a laggard (Bonoli 2010; Clasen/Clegg 2006a; b). However, France has taken steps towards activating benefit recipients in recent years, albeit in a selective way (Clegg 2007; 2011). Nonetheless, one should also keep in mind that the different elements have

not been weighted according to any assumed importance in the calculation of the index. Not all these elements have the same effect on actual employment levels (Bradley/Stephens 2006), hence the different outcomes in terms of labor market performance in France and Denmark. It is not really surprising that the Anglo-Saxon countries, led by the United States and including Japan, are very clearly leaning towards enforcement. It is especially the non-European countries that exhibit this strong tendency towards enforcement. This tendency is pronounced in the United Kingdom and Ireland, but significantly less than in the other countries of the Anglo-Saxon group. Continental Europe is again rather heterogenous. While the

Netherlands and Switzerland exhibit the same tendency towards enforcement that is also found in the Anglo-Saxon countries, Belgium and France look rather like the Nordic countries. Austria, Germany, Portugal, Italy, and Spain form a middle group.

What about the expectations formulated earlier? Again, an analysis of cross-sectional data cannot reveal signs of convergence. But there are similarities. Only a handful of countries still relies on early retirement. Direct job-creation is a little bit more prevalent, but the majority of all countries uses this instrument only to a small extent, if at all. The Nordic countries and the Anglo-Saxon countries are rather similar when it comes to the work-relatedness of benefits and to certain behavioral requirements of benefit claimants. Access to benefits is more universal than in Continental Europe, but more conditional on a certain behavior. There are also differences that cross-cut welfare regimes. This applies to the quality of placement services (counsellor/job seeker ratio), tax levels, obligations and sanctions, and to some degree the regulation of part-time and flexible employment (where it is the Anglo-Saxon countries that stand out as the least-regulated countries). Despite these similarities, the analysis of the composite indices showed strong support for the presence of three 'worlds of activation', with the Anglo-Saxon countries relying on enforcement, the Nordic countries balancing both enforcement and enablement, and Continental Europe forming a heterogeneous middle group. What is most notable is that there are no countries that are leaning towards

enablement in the same way than the United States or New Zealand are leaning towards enforcement. It seems as if some degree of enforcement has become the standard - the main question is whether this is balanced or not. An entirely supportive and enabling approach without any obligations and with generous benefits cannot be found anywhere. There are also differences regarding the level to which activation in general has been pursued. It is Belgium, rather than the Southern European countries, that comes closest to the 'do-nothing' approach. Both enforcement and enablement are balanced, but on a low level. France, and surprisingly, Finland and Denmark are also the countries with the lowest overall scores. As already mentioned, one should keep in mind that different elements of the 'activation toolbox' may have stronger effects on actual employment levels than others (Bradley/Stephens 2006; Martin 2000; Martin/Grubb 2001). Just because Denmark has relatively low scores does not mean it is not successful at activating the unemployed. It seems to have high scores where it matters most.

5. Conclusion

During the 1990s, there has been a number of reforms of labor market policies in Western, industrialized countries. This has led to a reconfiguration of social rights via reforms of unemployment benefit systems, but also due to changes in related policies. This paper has shown a way to operationalize and compare the different mixes of rights and responsibilities across countries. The present data capture the situation around the mid-2000s - that is, the situation in the OECD world after significant reforms have taken place.

The findings are consistent with other (qualitative and quantitative) studies. First, there is no one-size-fits-all approach. Countries use different elements in different ways to achieve the same objective. Second, there are still differences in how 'kind and gentle' labor market policies are. Countries balance enforcing and enabling elements differently. The overall level of enforcement is quite similar around the OECD world. The Anglo-Saxon countries are frontrunners when it comes to enforcing activation. Economic activity is to be maximized by providing as little alternative to market employment as possible. They combine rather low benefits with strict behavioral requirements and few social rights (for instance services) to compensate. The Nordic countries place strict conditions in one respect: there are few reasons not to accept a job offer. Apart from that, benefit levels are quite high and services are comprehen-

sive. They do not many offer exit-options in the form of early retirement. As in the Anglo-Saxon countries, employment is to be maximized, but not by complete commodification. Benefit claimants are required to be active, but these obligations are balanced with rights, for instance access to childcare services or training schemes. The Continental European countries exhibit a mixed pattern. Reflecting social insurance principles, benefit levels are relatively high, but the access to these benefits is quite restricted. Continental European countries score high on single elements, yet are overall surpassed by the Nordic countries when it comes to the social rights of benefit claimants and job seekers. All in all, the results are generally in agreement with other studies, showing that an operationalization of activation policies using quantitative data is possible. The countries can be grouped into the familiar 'worlds of welfare capitalism' (Esping-Andersen 1990). However, this welfare state typology seems to fit less well on a few indicators, most notably placement services, job-availability requirements, the regulation of flexible and part-time jobs, and 'exit-routes'. Reforms (or the absence thereof) in these areas seem to cross-cut welfare regimes. Short of proving the 'convergence'-thesis, one can nonetheless diagnose significant similarities between countries of different welfare regimes. The regime typology can explain the main overall differences, yet

patterns on a few indicators remain to be explained.

Of course, the job is not done yet. So far, the dataset covers 20 OECD countries, yet there are more countries that need to be taken into account. Some OECD countries were left out due to data unavailability (Greece, for instance). It would be especially worthwhile to see how the Central and Eastern European countries now balance rights and responsibilities. Most importantly, this dataset needs to be expanded to cover more years. By in-

cluding the years from 1990 on, the data could show how labor market policies developed throughout the activation turn and provide the empirical basis for explanations. On the other hand, by including later years, the data could show how the OECD world reacted to the financial and economic crises in the last half of the last decade (e.g. Hörisch/Weishaupt 2010). Finally, the existence of different 'worlds of activation' should be tested using statistical techniques such as cluster analysis (Everitt et al. 2011)

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Appendix

Operationalization

This section will present how these elements are measured. The present data displays the situation around the mid-2000s in most of the core OECD countries (some missing observations are unavoidable, however). A note of caution at the beginning: it will not be possible to measure every last detail of every country's unemployment benefit system and related policies since

"activation strategies encompass a large number of policies and programmes, which are combined in myriad ways" (Kenworthy 2010, 444).

Even single policies are often very complex as, for instance, entitlements may be differentiated by age, income level, or previous occupation. Care was taken to measure the characteristics of these policies as accurately as possible. In some cases (the indicators concerning benefits or taxes and contributions), average values or values for one representative group were taken in order to deal with the complexity.

It is important to make sure the empirical data matches the theoretical concept. In this regard, one needs to be aware of the difference between outputs and outcomes (Green-Pedersen 2004; 2007). Outputs are actual government policies, e.g. the rules that govern benefit schemes. Outcomes are the effects of these policies, e.g. the expenditure on or take-up rate of

a scheme. Since the theoretical concept here are policies, that is outputs, they should be measured as directly as possible. This is not always possible, however. The very obvious reason is that there is simply a lack of data. In some cases, one is faced with the choice between measuring outputs with existing outcome data, or not to measure at all (when extensive data collection and coding is not an option due to a lack of resources and time). Hence, output data is used wherever possible. Where this is not possible, outcome data is used.

The available data sources cover different years. Many of them cover the years 2003 or 2004, yet in some cases the only available data refer to earlier or later years. This is of course only one cross-section and policies have continued to change, but this cross-section reflects the labor market policy choices and priorities of the last years. The OECD Employment Outlook (OECD 2006a, 69-71) shows that different spending priorities on ALMPs introduced during the crucial period from the early 1990s on are reflected in different spending patterns in the early 2000s. What remains to be problematic (at least as far as outcome data is concerned) is that the influence of other factors cannot be controlled for by averaging over a longer time period. Moreover, the data do not allow to pinpoint specific points in time when reforms were implemented.

Enforcing financial elements

Benefit levels and duration: Measurements of the generosity of benefits for unemployed persons have to take the multi-tiered structure of unemployment benefit systems into account (Kvist 1998; Pfeifer 2012). An earnings-related unemployment insurance scheme is usually combined with one or more means-tested social assistance schemes. Both benefits need to be taken into account, especially since the 'lower tier', social assistance, has become the regular tier for a number of unemployed persons due to the expansion of precarious, low-paid employment (Clasen/Clegg 2006a; b; 2011).

The generosity of unemployment insurance benefits is measured as 'full-time equivalent' payments of unemployment benefits, using OECD (2006a, 60: table 3.2, p. 20) data. In particular, the level (net replacement rate) and the duration of benefit payments are multiplied to calculate the amount of time that the previous wage is fully replaced. Net replacement rates are averaged over three income levels (67, 100, 150 percent of the average production worker's wage (APW)), two family types (single, one-earner couple; no children, two children) and including housing benefits and net of taxes and contributions. Net replacement rates are used since benefits are often taxed and gross replacement rates do not always inform about the actual disposable income (Obinger/Castles 2007). Net replacement rates differ with earnings, unemployment duration, and family type (OECD 2007b, 62). Therefore, replacement rates are usually calculated for the 'average production

worker' or persons at different levels of his or her earnings, as well as for different family types. The problem is that it is only possible to capture replacement rates for these groups while leaving others out (Kvist 2002, 230). At least, averaging takes progressiveness and exemptions for families into account (even if this may hide differences in the treatment of different income groups). In addition, it is mostly less educated people that have a higher risk of becoming unemployed, so taking the average production worker should be somewhat representative (Kvist 2002, 230). The duration of unemployment benefits is measured as the length of payments in weeks.

The generosity of social assistance schemes is measured as the 'replacement rate' of social assistance benefits. This is calculated using the level of social assistance benefits (including additional benefits such as housing or child supplements and tax credits, if applicable) relative to the average wage. Data on social assistance benefits was taken from the Social Assistance and Minimum Income Protection (SaMip) dataset by Nelson (2007; 2008; 2010); data on average wages was taken from the OECD. Social assistance benefits are generally flat-rate and means-tested, therefore they do not actually replace a previous income. The ratio of benefit level to average wage indicates the level of the reservation wage and is hence illustrative of the wage social assistance recipients are expected to accept. In addition, they are usually not time-limited, hence the duration of benefit payments is irrelevant.

Not all countries do actually have a multi-tier system. Australia and New Zealand do not have an unemployment insurance scheme; Belgium does have a two-tier system, yet the unemployment insurance scheme is practically unlimited in duration. In Belgium, cohabitants can receive unemployment benefits, and they are the only ones that can have their benefits suspended after an overly¹⁰ long period of unemployment (singles or heads of households are included since 2004, yet they can re-instate their eligibility by participating in activation programs (De Deken 2011, 114)). Since it is impossible to interpret or compare ‘infinite duration’, and since it would result in ‘infinite generosity’, Belgium is assigned a duration of five years (260 weeks)¹¹. Handling the Antipodean cases is less straightforward. Both do not have an unemployment insurance scheme, but while New Zealand has only one main benefit scheme for all un-

employed, Australia has a more differentiated system including unemployment assistance schemes and additional schemes for particular groups (Nelson 2007; OECD 2004b; 2007b)¹². Nelson’s SaMip dataset includes the Special Benefit scheme as the main social assistance scheme for Australia and does not include the two unemployment assistance schemes (Newstart & Youth Assistance). However, since Special Benefit claimants are constantly tested for eligibility to an unemployment assistance scheme, it is assumed here that unemployment assistance is the regular scheme for Australians. Hence, Australia and New Zealand are both assumed not to have an unemployment insurance scheme. Instead of using the Special Benefit as provided in SaMip, the Australian benefit level for unemployment assistance was taken from the OECD¹³.

Direct job-creation, disability pensions, & early retirement: The reliance on ‘exit-options’ is measured as expenditures on these programs in percent of the GDP. This is of course not as good an operationalization as actual output

¹⁰ The criterion (the Article 80) was introduced in 1991 and restricted in 1996 and 2004. At first, ‘overly long’ was defined as twice the amount of the average duration of unemployment spells, controlling for age, gender, and region of residence. This was reduced to 1.5 times the average duration in 1996. Since 2004, regional differences in unemployment duration do not matter anymore (De Deken 2011). In practice, this leads to benefit suspensions after three to four years, but it may take up to eight years until the termination process is initiated (Marx 2007, 131).

¹¹ This is, of course, an arbitrary choice and it does affect the score Belgium is assigned. Would it be assigned with a duration of 10 years, it would get a significantly higher score. Five years seems reasonable, however, since it is still one year longer than in second-longest duration (in Denmark) and way longer than in most other countries, but it also accounts for the fact that at least a part of all claimants can be excluded.

¹² See also the Benefits & Wages country-specific files on Australia and New Zealand for 2003.

¹³ The average replacement rates for the family types corresponding to the ones in SaMip as provided by the OECD (<http://www.oecd.org/dataoecd/60/54/49970915.xlsx>; last access on June 18, 2012). Note that the assumed children’s ages differ. The calculated benefit payments amount to 16318.3 (single, no children), 25917.3 (single, two children), and 30716.8 (couple, two children), assuming an average wage of 47995 AUD (as documented in the 2003 Benefits and Wages country-specific file for Australia). The replacement rates for these three cases were multiplied by the average wage to retrieve the absolute amounts.

data would be. However, the comparison of expenditure profiles across countries shows what role single programs play in each country compared to others. For example, a country that spends twice the amount on early retirement schemes than most others relies more on these schemes than other countries (see Castles 2002). Furthermore, Bonoli (2010) found that these expenditure profiles are consistent with qualitative findings in other studies. That means, even if they are not perfectly accurate measures, they display the situation correctly.

Direct job-creation schemes cover “measures that create additional jobs, usually of community benefit or socially useful, in order to find employment for the long-term unemployed or persons otherwise difficult to place” (Grubb/Puymoyen 2008, 19). Participants in early retirement programs are fully or partially retired older workers “who are assumed to have little chance of finding a job” (OECD 2011b, 4).

Unfortunately, expenditure on early retirement does not include disability pensions (Grubb/Puymoyen 2008, 18). Some countries, for instance the Netherlands, did rely to a large extent on disability pensions to allow the exit from the labor market, and considerable effort was placed on closing these exit routes (van Oorschot 2002; 2004; van Oorschot/Engelfriet 2000). The OECD (2003, chapter 6) has generated two indicators that measure the strength of the orientation towards inclusion of disabled persons and the orientation towards compensation. The country scores (covering the situation around 2000 on the integration

dimension are taken as a measure for the activation effort in disability policy. The higher these scores the less can disability benefits be taken as an exit route from regular employment. Instead, the higher these scores, the more effort is made to re-integrate disabled persons into the labor market.

Enforcing non-financial elements

Sanctions The strictness of sanctions is measured using the data provided by Hasselplüg (2005). This stems from a survey on unemployment benefit availability criteria conducted by the Danish Ministry of Finance (see also Ministry of Finance 1998). Hasselplüg provides data on the strictness of sanctions in three different situations (voluntary unemployment, first refusal of ALMP participation or a suitable job, and following refusals). The average strictness of these three sanction types is used here. This approach is also used elsewhere (Allard 2005; Kvist 2002). The fact that benefit withdrawal can only be partial, for instance 30 percent for the first unjustified refusal, is also taken into account. Hasselplüg calculates sanctions equivalent to a full withdrawal. For instance, “[t]he 26 weeks of reduction of 18 percent in Australia equals around 5 weeks of temporary withdrawal” (Hasselplüg 2005, 8). There are some shortcomings that have to be noted (Grubb 2000, 157-63; Kvist 1998, 43-5; Trickey 2000, 276-8). The actual strictness of sanctions may depend on the implementation practices. Legal stipulations may only be necessary if the public employment service (PES) does not already have sufficient competences (stipulated in, say,

administrative and not labor legislation). Thus, lenient requirements do not necessarily mean less sanctioning. In addition, in case laws are vague and unclear, courts may prescribe the actual implementation. To cover all this is extremely difficult. It is hardly possible to take all these problems into account and assemble all this information in one indicator. This means, one has to be aware of these problems when interpreting data on sanctions. Yet, there are reasons why one can use legal stipulation to measure the orientation of activation policies. Even if the actual strictness depends on the implementation or on other factors,

“legal stipulations do give an important signal to both administrative authorities and claimants, and can be seen as a reflection of politician’s stance on the issue of obligations” (Kvist 2002, 231).

Even if there may be differences regarding the actual application, sanctions can serve as a credible threat to enforce a certain behavior.

Job-availability criteria

The strictness of job-availability criteria is measured by the average value of occupational and geographical mobility requirements, the extent of valid refusals of job offers, and the availability requirements during ALMP participation. As with sanctions, data provided by Hasselpflug (2005) are used to assess the strictness of job-availability criteria in 2002/3. In principle, unemployed benefit recipients should be ready to get back into paid employment

and become independent of benefits. Yet, there are differences between countries in how a ‘suitable job’ is defined (Clasen et al. 2001; Weishaupt 2011, 226). Recipients can be required to accept jobs at greater distances from where they live, they can be required to take up jobs in a different field of employment than they used to work in, and accept lower wages than they earned before. Clasen et al. (2001, 210) call this geographical, occupational, and wage mobility obligations. As they further argue, the availability to participate in ALMPs may also be more or less required. As with sanctions, actual implementation might depend on the characteristics of the respective job seeker and the current administrative practice, and they can vary even within countries (Clasen et al. 2001, 210).

Job-search requirements

Again, job-search requirements are measured using the data by the Danish Ministry of Finance (Hasselpflug 2005). Job seekers are often required to report their job-search efforts. For instance, they may have to show how many applications they did send or how many interviews they attended to in the last X weeks. This is also included in the Danish data on availability criteria. They measure the frequency of required reports and the demands on job-search activities. Yet, this might also vary with administrative conventions and individual characteristics.

Eligibility criteria

The ratio of minimum weeks in paid employment to the qualifying period is used to assess the strictness of eligibility crite-

ria. The data have been retrieved from the MISSOC comparative tables (European Union 2011) and the Social Security Programs Throughout the World database by the US Social Security Administration (2003; 2004). Access to unemployment benefits can be limited to people with a certain employment history (Clasen et al. 2001, 205-7). For instance, in order to qualify for benefits, one has to prove a minimum record of X weeks of paid employment or contribution payments within the last Y weeks. Furthermore, there may be specifications regarding the intensity of work (i.e. the number of hours worked per week). And there may be rules that exclude certain forms of activity, for instance periods of childcare.

However, the two sources do not report information regarding the intensity of work and which activities are usually considered as relevant. Since information on the latter might be hard to compare systematically across countries, and the former are often nonexistent, the most reasonable way is to calculate ratios of employment period to qualifying period. Where an intensity requirement existed, full-time (40h/week) equivalents were calculated.

Employment protection legislation

Fortunately, the OECD provides data on how hard it is to dismiss workers, that is, the strictness of employment protection legislation provisions covering the years from 1985 through 2008. Three different versions are available: version 1 covers EPL for regular and temporary contracts, version 2 adds regulations for collective dismissals. Version 3 is only available

for the year 2008 and adds three further items¹⁴. While it would be worthwhile to have the latest version of the indicator (Venn 2009), the fact that it is not available and “it is impracticable to accurately collect information about the new items prior to 2008” (OECD 2011a, ¹⁴), version 2 has to suffice.

Enabling financial elements

Tax credits

Lower taxes or tax credits for low-income earners are measured by the average tax and contribution burdens for people earning 67 percent of the average wage (averaged over the two family types¹⁵). Tax and social contribution burdens are reported by OECD.Stat (OECD 2002; 2004b; 2007b). Only the tax burden for low-income earners is used since the wedge between benefits and earnings should be most relevant for them. Tax credits or breaks should be reflected in a lower tax burden especially on lower incomes, and this should reflect the intention of governments to set financial incentives to take up work instead of relying on unemployment benefits. Family benefits are not included since it is not the extent of incentivizing family formation but the extent of incentivizing employment (independent of the family status) that is of interest here.

¹⁴ Whether an authorization is necessary for the set-up of a temporary work agency, whether there are regulations ensuring equal treatment of regular and agency workers, and the maximum time to make a claim of unfair dismissal (OECD 2011a).

¹⁵ See the paragraph on unemployment benefits.

Subsidies

The importance of subsidies to either low-wage earners or their employers is measured - like the reliance on 'exit options' (above) - as expenditures in percent of the GDP. Wage subsidies ('employment incentives' in OECD terms) are paid to employers or employees to increase incentives to take up jobs/hire new employees (Grubb/Puymoyen 2008, 16; Weishaup 2011, 67).

Family taxation & parental leave schemes

Tax and benefit systems may discourage employment of second earners in couples where one spouse is already employed. This can be the case when women want to return to work after having cared for children or frail relatives for some time. The burden on the income of second earners when moving from inactivity to employment is measured by the average effective tax rate (AETR) including costs for childcare, or 'implicit tax on returning to work' for second earners at an earnings level of 67 percent of the average earnings. The higher the implicit tax rate, the smaller the gain in net income from returning to work. Values above 100 percent indicate decreasing income (OECD 2007b, 107; 2007c, 99).

In addition to childcare services, maternal leave schemes¹⁶, combined with employment protection during the time of absence, can help to reconcile work and family life. Maternal leave schemes are

often combined with (mostly shorter) paternal leave schemes and supplementary parental leave schemes (OECD 2007a, 104-8). Maternal leave schemes in combination with job guarantees may increase the employment of mothers (Gornick et al. 1997). Following the approach of the OECD, the generosity of these three family policies is measured as the 'full-time equivalent' duration of payments parents are entitled to (OECD 2007a, 107)¹⁷.

Enabling non-financial elements Counseling

The intention to increase the quality and frequency of job-search counseling is measured by the ratio of jobseekers to counselors using data provided by the ILO and the OECD. The ILO (2003) provides data from the World Association of Public Employment Services (WAPES) 2002 and 2003 member surveys on the ratio of registered jobseekers to PES employees who work as actual job counselors¹⁸ The numerator is the number of registered job-

¹⁷ Full-time equivalent payments are defined as the duration of leave in weeks times the replacement rate (percent of average earnings).

¹⁸ Belgium has three different PESs, so the value for Belgium is the average of the ratios of the three PESs. For some countries (Australia, Canada, France, Ireland, Norway, Portugal, Sweden), only the total number of PES employees was available. According to the survey data, on average 57 percent of the total employees in PESs in the selected OECD countries are dealing directly with job seekers. The total number of PES employees in these countries was therefore weighted by 0.57.

¹⁶ The data can be downloaded under <http://www.oecd.org/dataoecd/15/47/39680843.xls>, last access on October 12, 2011.

seekers in 2003 as provided by the OECD and the ILO¹⁹.

It should be reasonable to assume that a counselor with a smaller caseload can monitor and aid more specifically and effectively than one who is basically overwhelmed by requests. Governments who wish for better placement services can increase the number of counselors. Yet, it does not measure the actual frequency of interactions between counselor and job-seeker, or its quality. An even bigger problem is that governments do also have the option of contracting-out placement services, and some countries have used this option (Bruttel 2005; Fay 1997). This does not show up in these statistics.

Training & investment in human capital

Equal to 'exit options' and subsidies (above), reliance on training schemes and investment in human capital is measured as expenditures on training schemes in percent of the GDP using OECD data.

Family services

The quality and availability of employment-friendly family services, most importantly childcare services is difficult to measure. This is mostly due to the fact that comparative data is relatively scarce (OECD 2006b, ch 8). The OECD Family Database (cf. Adema et al. 2009; data taken from Thévenon 2011) does provide data

on enrollment rates in formal childcare (0-3 years) and in early childhood education and care (ECEC) (3-5 years), as well as data on the the intensity care (hours/week) - but only for 0-3 year olds. Following the approach by Lambert (2008), the intensity of ECEC provision was approximated (for instance by using usual operating hours) using various qualitative sources²⁰. Hence, to measure the extent of the provision of public childcare and ECEC services, full-time equivalent enrollment rates were calculated²¹.

One might argue that low enrollment rates do not stem from missing facilities but from missing demand. However, except for countries with already highly developed family services (Denmark, Finland, Sweden),

"reports from all review countries indicate that demand for services for young children is significantly higher than the available number of places - including in countries that provide long parental leave, a measure that helps to reduce demand" (OECD 2006b, 87).

¹⁹ Some countries (Australia, Canada, Finland, Italy, Japan, the Netherlands, and the United States) are not included in the OECD Main Economic Indicators database. The numbers for Finland and the Netherlands could be retrieved from the ILO Key Indicators of the Labour Market database. The remaining countries had to be coded as missing.

²⁰ These sources include the OECD (2006b) Starting Strong II study, the OECD (2004a) Babies and Bosses Vol. 3 study, the Family Policy Database by Gornick and Meyers (2003), Sementini et al. (2004), the Clearinghouse on International Developments in Child, Youth and Family Policies (Kammerman/Kahn 2012), Adema (2006), Jones (2011), and the OECD Thematic Review of Early Childhood Education and Care (Doherty et al. 2003; OECD 2000; Press/Hayes 2000).

²¹ Another option would be spending on services per child as included in the same database. However, as the OECD (2006b, 103) itself admits, these numbers can be highly misleading.

Part-time and flexible work

Kenworthy (2010, 440-1) mentions two instruments to encourage part-time and flexible work. First, equal treatment of part-time workers in terms of wages and benefit status. Second, protections for persons with flexible work schedules. This is also what was introduced in the Netherlands, where a large part of the growth in employment was achieved by expanding part-time employment (see also van Oorschot 2004). Accordingly, the intention to encourage part-time and flexible work is measured on a 10-point scale²², using information by Hegewisch and Gornick (2008, 18: table 2) and Hegewisch (2009). Hegewisch and Gornick name seven statutes that enable 'alternative work arrangements'²³. Hegewisch names three further criteria²⁴. Legislation

that was implemented after 2004 was not taken into account. Japan is not included in these two surveys, but Higo and Yamada (2009) and Houseman (1995) provide comparable information²⁵.

²⁵ Japan is given 0 out of 10 points because the law to promote flexible work hours merely obliges employers to 'endeavor' to provide flexible hours. Similarly, until 2008 employers should merely endeavor to provide equal opportunities for part-time workers. Protection from dismissals is weaker for part-time workers, they may be excluded from collective agreements, and they are excluded from unemployment benefits (Higo/Yamada 2009, 9 & 11; Houseman 1995, 251-7).

²² Higher scores meaning more encouragement and protection.

²³ Universal access to reduced working hours; gradual return to work for parents; part-time parental leave; reduced working hours for parents; right to refuse overtime or shift patterns for parents; reduced hours for persons caring for other adults; reduced hours for persons participating in training schemes; the right to reduce hours when starting pension reciprocity was omitted since this is rather facilitating early retirement and therefore not activating.

²⁴ Equal treatment in terms of wages and benefit entitlements, access to full-time work for part-time employees, linkage of benefits to hours worked (here, a 'yes' means a score of 0).



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