

Enio Mateo Totić¹

Zoran Vavan²

UDC 331.31

Review article

Received: 31/01/2024

Accepted: 11/03/2024

WORKING TIME: HUMANIZATION OF WORK PRINCIPLE

ABSTRACT: Work, as an indispensable social category, serves as a cornerstone and pillar for the survival of humanity. Each period of human civilization has, in its own way, approached work in line with its own level of understanding of equality and humane treatment. Therefore, in the early developmental epochs (slavery and feudalism), the issue of favourable working conditions was incompatible with societal structures marked by clear class divisions. Such systems prevented workers from engaging in employment relationships as we know them today; in fact, employment relationships did not exist because workers were considered the property of their employers. Only with the development of capitalism did favourable conditions emerge, allowing workers to gradually achieve equality with employers and start to assert rights that were previously unimaginable. First and foremost, these rights embody the humanization of work principle, which recognises workers as equal participants in the work process alongside employers. The results of this new approach became more evident over time, with workers being guaranteed rights such as limited working hours, fair wages, rest, occupational protection, and more, at both international and national levels. Working time, therefore, represents a component of humane treatment and a guarantee of respect for the employee as a person who must not be exploited in the work process. The right to limited work-

¹ Associate Professor, Faculty of Business Studies and Law, Union Nikola Tesla University, Belgrade, Republic of Serbia, e-mail: enio.mateo.totic@fbsp.edu.rs

² Assistant Professor, Faculty of Law and Business Studies Dr Lazar Vrkatić, Union University, Belgrade, e-mail: zoran.vavan@yahoo.com

ing time was among the first demands by workers to protect themselves from employer despotism, so it is not surprising that the International Labour Organization dedicated its first convention, adopted in 1919, to this very issue. Given the importance of these labour law institutes for the successful functioning of both employees and the teams they work in, this paper explores the definition of working time and the need for its legislative protection. We also examine the advantages of rational use of working time as well as the disadvantages of poor work time management. The aim of the paper is to demonstrate the immense contribution that working time has made to the functioning of employment relations in the contemporary world.

KEYWORDS: working time, humanisation, legislation, employees, protection.

1. Introduction

The term *work* typically refers to the application of an individual's physical and intellectual abilities, consciously and intentionally directed toward the production of goods, wealth, or a product with either individual or general use (Istituto Nazionale di Statistica, 2019, p. 13). Work has been a fundamental aspect of human life since the dawn of history. Through physical and intellectual labour, humans have not only gradually overcome many obstacles encountered in nature but have also made significant strides in the struggle for survival (D'Amico & D'Amico, 2009, p. 299).

Work is a fundamental aspect of human existence and advancement; it is a domain where individuals demonstrate their value to society. Work enriches human life by providing the means necessary for survival and well-being, both for oneself and for others. It influences every aspect of human life (public and private, free and open, hidden and intimate) (Šijaković, 2008, p. 263). Work has been an essential companion to humanity since the time of early civilizations, when it was carried out with primitive tools that produced just enough to ensure survival, without generating any surplus. The shift to slavery led to a di-

vision between owners – those who possessed the means of production – and workers, who were enslaved and laboured for the benefit of their owners. Workers faced a similar situation during the Middle Ages in the feudal era, when they were serfs exploited by landowners for whom they laboured. Under slavery and feudalism, workers were in an extremely disadvantaged position, dependent on the will of their employers, who were also their masters. Such a disadvantaged position of workers precluded any possibility of improving working conditions; therefore, these two epochs are often cited as clear examples of the absence of modern employment relationships.

Significant changes in improving working conditions began in the mid-nineteenth century, when the labour movement expanded internationally. Workers realised that it would be very difficult to effectively challenge employers on an individual or national level. The fact that governments of the time were highly supportive of employers, as they upheld the existing social order, further complicated matters. Consequently, workers chose to unite on an international level as the most logical and strategic solution to strengthen their negotiating position. Therefore, by uniting their efforts, workers became a significant threat to social stability and security and the governments were compelled to gradually recognize certain labour rights. This marked the end of a long period of unjust exploitation of workers of all ages and the beginning of a gradual process of balancing the interests of employees and employers, which continues to this day.

Undoubtedly, workers will always be in a subordinate position relative to employers; however, the scope of labour rights that workers have secured (and continue to secure) cannot be compared to what existed before the development of capitalism. Capitalism, as a modern economic system, has enabled a gradual but steady balancing of the rights, obligations, and responsibilities of employers and workers within the framework of employment relationships. Thus, the modern employment relationship is primarily an interest-based relationship in which workers, in addition to their obligations to employers, also enjoy a broad range of legally guaranteed rights.

At the beginning of its international efforts, the labour movement primarily focused its strength on protecting workers from inhumane working conditions. At that time, employers did not consider circumstances that could ease workers' daily and exhausting work duties to be relevant and thus focused solely on their own interests. Their activities were focused exclusively on maximising production, which would guarantee high financial returns and further increase their private capital. Therefore, it comes as no surprise that in such a system, employees had no opportunity to fight for better conditions at work, which was so fundamental to their own and their families' survival. Workers often endured inhumane conditions without any protective equipment and were pushed to the limits of their physical endurance, this included working long hours throughout the day and sometimes even at night. The jobs they did paid very little, barely enough to meet basic living needs. Despite their limited physical ability and endurance, young people, women, the elderly, and, unfortunately, even children were subjected to such labour. Such conditions sparked a revolt among the labour movement, which, dissatisfied with the overall situation of workers, justifiably began to push for improving employees' status. The issue of working time, which had previously depended solely on the employer's will and the needs of the business, became one of the first workers' demands. Long and exhausting workdays had a definitive negative impact on workers' health, and, consequently, their performance. Therefore, workers emphasised the need for reasonable working time that would ensure adequate productivity while also allowing sufficient time for rest., which is essential for meeting future work obligations effectively. This implies that working time, as an institute of labour law, has multiple important advantages. Firstly, it protects workers from exploitation, with a particular focus on their health, and enables them to address essential life needs beyond their work responsibilities. The number of working hours is one of the key factors in assessing whether work aligns with family responsibilities and personal life (Oficina Internacional del Trabajo, 2019, p. 8).

Finally, regulated working time benefits employers as well, since workers who are not exhausted by their duties tend to perform better. This improved performance continuously contributes to increasing the employer's revenue. Therefore, working time represents an important

institute of labour law that has historically evolved as workers, the economically weaker party, have sought to limit their working time to a defined duration (Rajić Čalić, 2018). From today's perspective, working time is the period during which employees not only have the obligation but also the right to work (Jovanović, 2015, p. 222).

2. Early efforts to limit working time

The issue of working time is undoubtedly one of the most relevant aspects of every individual's working life (Darioli, 2014, p. 3). The humanization of work is directly related to the conditions in which employees perform their tasks. It refers to the system of protection provided to workers to preserve their health and enable them to meet other life needs. It refers to the system of protection provided to workers to preserve their health and meet other life needs. Although working time is one of the most important aspects of an employment relationship, it had not been formally recognized as a fundamental workers' right in legal documents until the early nineteenth century, when the first significant regulatory event occurred.

England was the birthplace of legislative regulation of working hours, with the first such implementation occurring in 1802 through the Act for the preservation of the Health and Morals of Apprentices and others employed in Cotton and other Mills, and Cotton and other Factories. The law introduced by Sir Robert Peel applied to Great Britain and Ireland and set a maximum length for the workday for children under nine years old. It required that workspaces be washed twice a year with quicklime and water and that proper ventilation with fresh air be maintained. Apprentices were required to have two work uniforms, which were to be provided to them annually. Working time was limited to twelve hours a day, and from June 1, 1803, no apprentice could be forced to work between nine at night and six in the morning. In the following decades, English lawmakers gradually reduced working hours for more vulnerable categories of workers. This resulted in children, women, and young people first being granted the right to a maximum of

ten working hours per day. However, under the influence of the labour movement, this right gradually became extended to all workers.

In the decades that followed, other European countries, such as Germany and France, gradually adopted the English practice of regulating working time; however, this applied to women, children, and young people only. The well-known labour movement slogan advocating for eight hours of work, eight hours of rest, and eight hours of sleep originated during the First International (International Workingmen's Association) in 1866. At that time, more serious proposals began to emerge for implementing an eight-hour workday. This concept was later adopted in the United States and England, but initially only for certain categories of employees, such as those in public service. At the 1889 meeting of the Second International in Paris (International Workers Congresses of Paris), communist parties and trade unions from around the world agreed to select May 1 as the day for the first international general strike for an eight-hour workday. This date was chosen in honour of those who lost their lives during the workers' demonstrations in Chicago in early May 1886. On May 1, 1890, demonstrations were held successfully in numerous cities around the world. The impact of this collective trade union action became evident throughout the twentieth century, with the adoption of a broader range of social rights, including the eight-hour workday, personal income rights, holidays, and pension and social security benefits.

The "three eights" slogan was first legally defined in the Soviet Union in 1917 with the Decree on the Eight-Hour Workday (*Декрет о 8-часовом рабочем дне*), which established that the maximum length of the workday must not exceed eight hours. According to Article 3 of the Decree, workers are entitled to a break for rest and meals after a maximum of six hours of work, with the break lasting no less than one hour. During this break, workers are free to use their time as they wish and have the right to leave their workplace (<https://constitution.garant.ru/history/act1600-1918/5306/>).

The founding of the International Labour Organization (ILO) represents, without a doubt, the most significant milestone in improving the overall conditions for workers worldwide. Established under Part

XIII of the Treaty of Versailles in 1919, the ILO was created to advocate for social justice and internationally recognized human and labour rights, based on the belief that universal and lasting peace can only be achieved through social justice – *si vis pacem, cole iustitiam* (Živkovski & Rubežić, 2016). After World War II, in 1946, a specialised United Nations agency was established to promote independent workers' organisations and employers' associations and provide them with training and advisory services. This agency is unique within the United Nations system due to its tripartite structure, which includes workers and employers as equal partners with governments in the organisation's governing bodies (Lađevac & Đukanović, 2011). At its first General Conference in 1919, the ILO adopted Convention No. 1, which defined the eight-hour workday and forty-eight-hour workweek for industry. According to Article 2 of the Convention, working time in any public or private industrial enterprise, or any of its branches, where employees are not exclusively family members, must not exceed eight hours per day and forty-eight hours per week, with specified exceptions as outlined below:

1) the provisions of this Convention shall not apply to individuals in supervisory or managerial positions, nor to those employed in confidential roles.

2) if, by law, custom, or agreement between employers' and workers' organisations – or, where no such organisations exist, between employers' and workers' representatives – the working time on one or more days of the week is less than eight, the eight-hour limit may be exceeded on the remaining days of the week, provided that approval is granted by the relevant public authority or agreed upon by the organisations or representatives and under no circumstances should the daily limit of eight hours be exceeded by more than one hour.

3) for multiple shift work, it is permissible to exceed eight hours in a single day and forty-eight hours in a week, provided that the average number of hours over a period of up to three weeks does not exceed eight hours per day and forty-eight hours per week.

Under Article 4 of the Convention, working time limits set in Article 2 may be exceeded in processes that must run continuously due to their nature, provided that the average workweek does not exceed fifty-six hours. This regulation should not impact any rest days guaranteed by

national law to these workers as compensation for their weekly rest day. The eight-hour workday, as a goal for countries around the world to strive toward, became a standard practice in labour law after World War II. Between the two World Wars, the ILO adopted a series of conventions and recommendations to regulate working time, primarily focusing on specific industries or categories of workers. The ILO's activities focused on reducing working time for particularly demanding and strenuous jobs (e.g., mining) and on precisely defining working time limits for specific categories of workers, such as drivers, who were prohibited from driving continuously for more than five hours. In 1962, the ILO adopted Recommendation No. 116 (Reduction of Hours of Work Recommendation), which urged countries to promote and implement shorter working time, with the ultimate aim of achieving a forty-hour workweek. All activities undertaken in this regard must be implemented in a way that will not result in a decrease in workers' wages. The Recommendation also stipulates that its provisions do not apply to sectors such as maritime transportation or agriculture. It is explicitly required that the reduction in working hours be implemented in a manner that does not negatively impact worker productivity and overall production. It is emphasised that the focus should primarily be on jobs in industry and other sectors that, due to their working conditions, pose increased risks to workers' health in the form of work-related injuries or occupational diseases, as well as increased fatigue.

3. Working time in Serbian labour legislation

Historically, there has been a trend towards progressively reducing working hours, evident in several changes: the workday has been gradually shortened, the workweek has shifted from six to five days, the work year has been reduced, paid vacation has been introduced, and overall working time throughout a person's life has decreased, along with extensions in education and the introduction of pension schemes (De Spiegelaere & Piasna, 2018, p. 12). Regulating standard daily and weekly working hours is crucial for preventing excessive work and mitigating its adverse health effects, as well as balancing paid work with personal and family life (Yanez, 2016, p. 17).

In the labour law theory of the Republic of Serbia, working time is most commonly defined as the period during which an employee is obligated or available to perform duties according to instructions from the employer, at the place where the work is performed. This is the time that an employee owes to the employer based on the employment contract, which is bilateral and involves rights and obligations for both parties (Minaya, 2009). When defining the concept of working time, two key aspects are observed. First, working time refers to the employee's obligation to perform tasks for the benefit of the employer during a specified period. Second, working time must also be seen as a right of the employee, as it represents the realisation of the humanization of work principle. An important aspect of defining working time is that it represents the time during which the employee is obligated to perform work for the employer, this results in work output that reflects the employee's knowledge, expertise, and skills. In the modern age, employees are not required to work exclusively at the employer's premises. However, they must still adhere to the prescribed working time, even when working from a location of their choosing. Therefore, during working time, the employee must be available to the employer. Accordingly, working time does not include the time an employee is merely on call and ready to appear at the workplace upon the employer's request, as the employee is not present at the work site. This period is thus referred to as on-call time rather than working time. The primary difference is that employees earn a salary during working time, whereas they receive compensation for on-call time, as regulated by law, general acts, or employment contracts. However, working time does include any time spent working while on call if the employee is actively performing tasks when requested by the employer. As a crucial institute of labour law, working hours are designed as a guarantee against exploitation by ensuring that employees are not overworked and have sufficient time to restore their physical and mental capacities. In this way, by being available to the employer during agreed hours and able to rest afterward to prepare for future tasks, workers are guaranteed dignified and humane working conditions. Labour law, both in theory and practice, recognizes various types of working time, including full-time, part-time, reduced hours, and overtime.

Full-time work is typically defined as forty hours per week unless otherwise specified by law. In specific cases, a general act (usually a regulation) may set a shorter workweek, but it must not be less than thirty-six hours per week. If an employee works thirty-six hours per week, they are entitled to all the rights of full-time employment. Due to the protective nature of labour law, minors in employment are limited to a maximum of thirty-five hours per week, while their daily working time must not exceed eight hours. On the other hand, part-time work is defined as working time that is shorter than full time and is applicable in cases where the type of the employer's business allows for it. Unlike full-time employees, those working part-time have their employment rights proportionate to the hours worked, which results in a reduced scope of rights. Therefore, the law grants part-time employees the right to enter into additional employment relationships with one or more other employers to achieve full-time hours and access the full range of employment rights and benefits.

The primary characteristic of reduced working time is the protection of employees. This working time is shorter than full time but is considered equivalent to it due to the specific nature of the tasks performed under this work schedule. These are particularly demanding and strenuous jobs that adversely affect employees' health. Regulated by law or general acts, they continue to have harmful effects on workers' health despite the implementation of necessary safety measures. To implement reduced working time for certain jobs, an expert analysis must first be conducted. Reduced working time is often confused with part-time work, so it is useful to highlight the fundamental difference between these two types of working time. An employee working reduced hours / working time is entitled to the full range of employment rights as if they were working full-time. In contrast, a part-time worker must find additional work to achieve the equivalent rights of a full-time employee. Consequently, an employee on reduced working time does not need to seek additional employment. Typically, working time is reduced in proportion to the harmful impact on health, with a maximum reduction of ten hours per week. From the perspective of worker health and safety, reduced working time has proven to be a highly effective solution in practice. It has played a significant role in reducing workplace accidents, which often occur towards the end of shifts when fatigue leads to decreased concentration.

4. Overtime work and work schedule

Under the working time institutes, the law permits certain exceptions. One such example is overtime work, which is a specific type of work that deviates from the rule that work should not exceed full-time hours. However, an employer cannot consider overtime as an option if the tasks necessitating it can be performed more efficiently through other means, such as the redistribution of working time. The law mandates that employees are required to work beyond full-time hours if the employer deems it necessary in specific situations. This applies to unforeseen circumstances such as force majeure or a sudden increase in workload, where completing unplanned tasks within a specified timeframe becomes necessary. However, to prevent overtime work from leading to worker exploitation and the erosion of the right to limited working time, the law stipulates that overtime work must not exceed eight hours per week, and that employees cannot work more than twelve hours per day, including overtime. Employees working reduced hours are generally not permitted to work overtime unless otherwise specified by law. When introducing overtime, it is imperative to make sure the situation is justified or extraordinary, as such circumstances inevitably reduce the workers' capacity and leave them with less rest time during the day. Thus, overtime is characterised as an exceptional measure rather than a regular practice (Kovačević, 2013, p. 290).

The law also addresses work schedules. A work schedule, or the distribution of working time/hours over a specific period (such as a week or a day), refers to the specific times/hours during which work activities occur (Cuixart, Cuixart, & Fabrega, 2013, p. 3). The workweek typically consists of five working days, which are defined as periods when the worker does not fully enjoy their time, as he or she is available to the employer (Henao, 2008, p. 56). Therefore, the workday represents the measure of work benefit gained by the employer (Alarcon Caracuel, 2008). The employer determines the work schedule, with the standard workday typically lasting eight hours. In making decisions about the work schedule, the employer primarily considers the nature of the business and the circumstances that allow for the most efficient use of available

work resources. The standard workweek generally consists of five eight-hour workdays. However, since the decision regarding the work schedule is solely within the employer's authority, they may opt for different arrangements. Consequently, it is not uncommon for the workweek to extend to six days, which implies that the workday is shorter than the usual eight hours. Regardless of the work schedule, the rule is that the workweek cannot exceed forty hours, with the requirement that one day (24 hours) must be reserved for rest. According to the law, if an employer decides to change the work schedule, he or she is obligated to inform employees at least five days in advance, except in cases involving the introduction of overtime work. Additionally, the employer may inform employees within a shorter timeframe than the one mentioned, but it must be no less than forty-eight hours.

Due to the various work schedule modalities, there are different types of working time. Single shift involves the completion of the total number of working hours in a day without interruption, except for a designated rest period, which is regarded as working time. Single interrupted shift, on the other hand, entails dividing the daily working hours into two segments: morning and afternoon. The period between these segments (temporary cessation of work) is not counted as working time but is used for employee rest. Conversely, simultaneous work means that all employees at a single employer work concurrently, typically during the morning hours. Multiple shift work denotes a system where employees at a single employer do not work simultaneously; instead, some workers are assigned to morning shifts, while others work in the afternoon or night shifts. This work modality is applied when tasks must be performed continuously and involves rotating workers through the same tasks and equipment at various times of the day. However, working conditions are not identical across all shifts, as night shifts are undoubtedly the most challenging. It is well-known that the human body does not maintain consistent levels of physical and mental functioning throughout all hours of the day. At night, physical and mental capacities decrease, memory deteriorates and then gradually improves during the daytime (Calera, 2004). This is also logical and easily explained, as the human body is specifically oriented towards alertness during the day and sleep at night (Rodriguez Oliveros & Contreras, 2012). Night

work is characterised by its negative impact on workers' health, which is why employers are required to periodically rotate employees' shifts. This model is an effective means of preserving worker health, as it ensures that the burden of night work is shared among all employees rather than falling on a single group. Therefore, multiple shift work is inherently a form of worker protection, as it prevents favouritism or undue burden on any individual employee. Worker protection also entails that an employer must not allow the same employee to work continuously in the night shift for more than one workweek. In any case, the employer is required to offer the employee the opportunity to change shifts, unless the employee explicitly requests in writing to continue working the night shift for a longer period. Daytime working hours span from six in the morning to ten at night and are carried out during the day, while night shifts typically cover the period from ten at night to six in the morning the following day. The distinction between these two types of working hours is necessitated by the specific characteristics of night work. Night work can only be implemented after meeting the necessary conditions and the employer is required to first seek the opinion of the trade union regarding the measures that need to be taken to ensure employee safety in the workplace. In practice, some employers opt for flexible working time, which reflects their right to independently determine the start and end times of the working day. Typically, the start and end times of working hours are the same for all employees. However, an employer may designate different working hours for specific groups of employees. As a result, not all employees start or finish work simultaneously. The introduction of flexible working hours depends on various factors (traffic, geography...) and is adopted by employers when it aligns with the nature of the work.

It is also important to highlight the option of redistribution of working time, which deviates from the standard work schedule. Typically, under a standard schedule, working hours are evenly distributed across five days of the week, with eight hours of work each day. This arrangement satisfies the full forty-hour workweek requirement and fulfils the prescribed number of hours for full-time employment. Redistribution of working time involves an alternative approach where, during certain periods of the year, employees work longer hours, while in other peri-

ods, they work shorter hours than originally agreed. It is implemented under specific conditions and for various reasons, but it does not increase the total number of working hours. Namely, working longer hours during certain periods of the year constitutes overtime work. The reasons for redistributing working time vary; it may be done to optimise resource utilisation, meet project deadlines, or adapt to the nature of the work (e.g., seasonal jobs, favourable weather conditions, etc.) (Kla-jić, 2020). Still, due to the protective character of labour regulations, redistribution of working time cannot be applied to particularly arduous, strenuous, or health-damaging jobs where reduced working hours are already in place. In the context of the period during which working hours can be redistributed, two practical solutions are commonly employed in practice. The first, which is more frequently used, spans six months within a single calendar year. The second involves a period of up to nine months, which does not necessarily need to fall within the same calendar year. During the redistribution of working time, the maximum duration of working hours in a single workweek is sixty hours. Additionally, there must be a minimum continuous rest period of eleven hours between two working days. Thus, the redistribution of working time has two main characteristics. First, it can be fixed term, as the redistribution is associated with a specific time period. Second, it involves the averaging of working time, which means that during certain parts of the year, working hours may exceed the agreed amount, while in other parts, they may be shorter. However, the total working hours over these periods do not exceed the number stipulated for the entire period in the employment contract.

5. Working time as a factor of work efficiency

Every line of work requires a specific amount of time, which makes the latter a general, external, and natural condition of human labour (Milošević, 1994). Factors such as autonomy, high job demands, external pressure to work overtime, and low rewards (e.g., lack of overtime bonuses) mediate the relationship between overtime work and health

and safety at work. However, reducing excessive working time is likely to lead to positive effects on occupational safety and health (Messenger, 2018, p. 12). Protecting workers' health is a prerequisite for their ongoing efficiency in performing job tasks and contributing to the employer's success. A great deal has been achieved in this regard, particularly over the past one hundred years, with the ILO playing a crucial role. The ILO is especially instrumental in setting norms for the protection of workers' health worldwide. Working hours are a key mechanism for protecting workers, as they effectively eliminate the exploitative practices of employers that were prevalent in the past. It is now well established that limiting working time benefits all parties involved in the employment relationship. Workers are no longer subjected to inhumane conditions designed solely for maximising employer profit, where other aspects of their lives were relegated to secondary importance. Employers have also quickly recognized the advantages of regulated working hours, despite initial scepticism about their implementation. This is because efficient and productive workers could be retained for longer periods due to the improved health outcomes resulting from adequate rest and relaxation time. In such circumstances, governments have recognized that substantial financial resources could be redirected from managing individuals who had become unable to work due to inhumane working conditions. Therefore, the labour movement's struggle for improved working conditions, particularly through limiting working time and ensuring fair wages, has proven to be worthwhile. It is clear that only a healthy worker can be effective and productive in the workplace.

Undoubtedly, work performance also significantly depends on the proper organisation of working time, a variable aspect present across multiple sectors. For instance, in public (governmental) institutions, the traditional eight-hour workday is implemented over a five-day workweek throughout the entire year, as the operational requirements of that line of work permit such an arrangement. On the other hand, work in factories necessitates a different arrangement of working time, which typically involves multiple shift work as the only means to efficiently meet job requirements. Despite the different scheduling approaches, in both cases there is an effort to align working time with other life needs of the employees, which in turn impacts their engagement and over-

all job performance. It is a fact that overtime generally has a negative impact on productivity, whereas standard working time tends to boost productivity, especially in the service sector. Whether working time affects productivity can depend on the specific characteristics of the job in question. Conditions under which work is performed positively influence productivity (Okugawa, 2021, p. 1) and the primary reason for decreased productivity with increased working hours is worker fatigue (Collewet & Sauermann, 2017, p. 7). Long working time primarily negatively impacts employees' mental health, which is often manifested in symptoms of depression, chronic stress, or anxiety, along with significant sleep problems. Therefore, it is imperative to understand how working time affects worker productivity so that management can design schedules that serve employees' best interests while simultaneously enabling the achievement of optimal performance and production goals (Vallo & Mashau, 2020). Therefore, flexible working time arrangements are frequently utilised in practice. This flexibility enables employees to adjust their working time to fit their individual needs, which positively impacts their personal satisfaction. However, flexibility eliminates a fixed end to the working day, whereas fixed working time has a clear start and finish. Daily changes or flexibility in working hours often lead to an extension of working time (Holly & Mohnen, 2012, p. 7). The quality of work schedules is most evident when evaluating the performance achieved.

In recent years, the four-day workweek has increasingly been discussed in comparative law as a potential modality for enhancing worker productivity. Some companies have experimented with this type of work schedule and the experiences have varied. We believe that the four-day workweek model should not be generalised or imposed as a standard across all sectors. Work environments vary greatly across different sectors and industries; therefore, it is essential to balance market needs with the general needs of society, while also protecting the interests of individual employees. Properly structured working time, which allows employees to fully engage in other areas of their lives, undoubtedly contributes to their overall satisfaction and fulfilment; this, in turn, positively impacts their job performance. Such an employee is less likely to experience workplace burnout and job dissatisfaction. Instead,

this individual will be motivated to pursue further development and improvement in their line of work. Therefore, well-structured working time embodies the principles of dignified work and ensures the continuous productivity necessary for advancement across all areas of life.

6. Conclusion

Working time constitutes one of the fundamental rights of employees that ensures dignified working conditions for all workers. At the same time, it represents an obligation for employees to be available to their employer during a specified period. This concept emerged from the struggle of the working class to improve working conditions and prevent the exploitation of workers by employers. Limited working time allows employees to meet a wide range of needs (family, social, cultural, recreational, etc.) and serves as a guarantee that they can pursue fulfilment in other areas of life. The humanization of working conditions, particularly in the context of working hours, preserves workers' health and upholds their right to daily rest, essential for replenishing vital physical and mental capacities. This approach ensures that employees remain consistently engaged in their work, which benefits both themselves and their employers. A healthy and fully capable worker, through employment, earns an income that sustains both themselves and their family. Employers benefit from such workers by gaining surplus products (profit) generated through their contributions at the workplace. In this scenario, the government need not allocate funds for individuals rendered unfit for work due to occupational injuries or diseases; instead, these funds can be redirected to other purposes (construction of roads, schools, kindergartens, etc.). Therefore, working time, as one of the most important institutes of labour law and a fundamental aspect of employment, plays a crucial role in the stability of modern society. It is therefore unsurprising that working time has been the subject of numerous conventions and recommendations adopted by the ILO, which is tasked with continually improving working conditions and promoting workers' rights on a global scale.

In the context of labour regulations concerning working hours, the Republic of Serbia has effective legislative measures that align well with international standards. The Labor Law regulates the types, modalities, and scheduling of working time, while also providing protection for specific individuals due to their psychophysical characteristics. Undoubtedly, the efficiency of performing work tasks and worker productivity at the workplace largely depend on the scheduling of working time. Working time must be organised in a way that allows employees to perform their tasks effectively, which, in turn, eliminates stress, the source of numerous health issues. In modern work conditions, stress often leads to mental health issues that impair job performance and affect other areas of an individual's life. Employers have a significant responsibility to adjust working time to meet both company and employee needs, which necessitates finding a compromise that benefits both parties. Night work is a particularly sensitive issue in practice, as it disrupts the established circadian rhythm. Multiple shift work can also adversely affect employees' health, as frequent changes in working time often lead to sleep disturbances and/or concentration problems. However, despite the aforementioned challenges inherent in employment relationships, working time has made working conditions more human/worker-centred. Compared to earlier epochs in human development, working time also serves as a reminder that, despite numerous self-imposed limitations, humanity is moving in the right direction.

References

- Alarcon Caracuel, M. R. (2008). La jornada ordinaria de trabajo y su distribución. In: Aparicio Tovar, J., & Lopez Gandia, J. *Tiempo de trabajo*, Bomarzo, Albacete.
- Calera, A. (2004). Tiempos y ritmos de trabajo. Incidencias en la salud. In: Vicens, J. (ed.). *Tiempo y Cambio Social*, Editorial Germania, Alzira.
- Collewet, M., & Sauermann, J. (2017). *Working Hours and Productivity*, Institute of Labor Economics (IZA), Bonn.
- Cuixart Nogareda, C., & Cuixart Nogareda, S., & Fabrega Solorzano, M. (2013). *Jornadas y horario de trabajo*, Instituto Nacional de Seguridad e Higiene en el Trabajo (INSHT), Madrid.

- D'Amico, N., & D'Amico, C. (2009). *Cittadinanza e Costituzione – Il manuale del vivere civile*, Zanichelli editore S.P.A., Bologna.
- Darioli, P. (2014). *L'orario di lavoro: orario normale e orario massimo di lavoro*, Dottrina per il lavoro, Modena.
- De Spiegelaere, S., & Piasna, Agnieszka. (2018). *Perche e come ridurre l'orario di lavoro*, European Trade Union Institute, Brussels.
- Henao, F. (2008). *Codificacion en la salud ocupacional*, Ecoe Ediciones, Bogota.
- Holly, S., & Mohnen, A. (2012). *Impact of working hours on work-life balance*, German Institute for Economic Research, Berlin.
- <http://www.educationengland.org.uk/documents/acts/1802-facotry-act.html>. [Pristup: 07/02/2023].
- <https://constitution.garant.ru/history/act1600-1918/5306/>. [Pristup: 07/02/2023].
- https://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:12100:0::NO::P12100_ILO_CODE:C001 [Pristup: 07/02/2023].
- Istituto Nazionale di Statistica. (2019). I tempi della vita quotidiana: lavoro, conciliazione, partita di genere e benessere soggettivo, Roma.
- Jovanović, P. (2015). *Radno pravo – sedmo izmenjeno i dopunjeno izdanje*, Pravni fakultet u Novom Sadu, Novi Sad.
- Klajić, B. (2020). „Ekonomska teorija ponude i tražnje sa prekovremenim radom u Republici Srbiji i zemljama CIE“, *Održivi razvoj*.
- Kovačević, Lj. (2013). *Pravna subordinacija u radnom odnosu i njene granice*, Pravni fakultet Univerziteta u Beogradu, Beograd.
- Ladevac, I., & Đukanović, D. (2011). Republika Srbija i Međunarodna organizacija rada. U: *Uloga i mesto Srbije u međunarodnim organizacijama*, Institut za međunarodnu politiku i privredu, Beograd.
- Messenger, J. (2018). *Working time and the future of work*, International Labor Office, Geneva.
- Milošević, B. V. (1994). „Work and time“, *Sociološki pregled*.
- Minaya, G. (2009). „Trabajo a turnos: modalidades, consecuencias para la salud e intervencion“, *Gestion Practica de Riesgos Laborales*.
- Oficina Internacional del Trabajo. (2019). Guia para establecer una ordenacion del tiempo de trabajo equilibrada, Ginebra.
- Okugava, S. (2021). *Working hours and labor productivity analysis*, Faculty of International Social Sciences, Gakushuin University, Mejiro.
- Rajić Čalić, J. (2018). „Određene forme radnog vremena u Srbiji u svetlu evropske direktive 2003/88 i uporednog prava“, *Strani pravni život*.

- Rodriguez Oliveros, M., & Contreras, J. (2012). „El trabajo y la jornada laboral – Caso de estudio: Operadores de Subestaciones Electricas del Estado Carabobo“, *Vision Gerencial*
- Šijaković, I. (2008). *Sociologija – uvod u razmatranje globalnog društva*, Univerzitet u Banjoj Luci – Ekonomski fakultet, Banja Luka.
- Vallo, N., & Mashau, P. (2020). „The impact of working hours on employee productivity: case study of Sabertek LTD“, South Africa, *Academy of Entrepreneurship Journal*.
- Yanez, S. (2016). *Tiempo de trabajo decente? La jornada laboral en America Latina e instrumentos y mecanismos de su flexibilizacion*, Facultad Latinoamericana de Ciencias Sociales, Santiago.
- Živkovski, I., & Rubežić, M. (2016). „, Osnovne konvencije Međunarodne organizacije rada i usaglašenost pozitivnog zakonodavstva Republike Srbije sa njihovim normama“, *Glasnik Advokatske komore Vojvodine*.