

“Leased” Workers in the EU and in Greece

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Abstract

This article is a literature review on the practice of workers “leased” through Temporary Work Agencies (TWAs). Reference is made to their main features, the institutional framework regarding the protection of these workers as well as the impact that this practice has on the workers. The next section is a presentation of the reasons that lead to the under- or over-estimation of the actual number of workers “leased” through TWAs. The empirical research is presented next, which was conducted about the workers “leased” through TWAs, based on secondary data of the Eurostat’s Labor Force Survey (LFS). The numbers of “leased” workers in the EU-15 during the period of the financial crisis, 2007-2018, is mentioned. The sectors employing the highest numbers of workers “leased” through TWAs and the demographics of the workers are detailed. In addition, two atypical forms of work are described. These two are temporary and part-time employment in the EU-15 during the period of the financial crisis and onwards, based on the most recent data available from Eurostat, from 2007-2022.

Keywords: “Leased”, Temporary Work Agencies (TWAs), Temporary Employment, European Directive, Industrial Sectors

1. Introduction

Flexible forms of employment, such as temporary employment, part-time employment, the “leasing” of employees through Temporary Work Agencies (TWAs), the assignment of projects/services to external Business Service Providers (also known as contracting companies), the so-called Outsourcing, are at the epicenter of the policies related to labour market since the 1980’s both in Greece and in the EU. More specifically, flexible forms of employment in the period of the financial crisis (2007-2018) have rapidly expanded in most EU member-states, however their level varies among the countries and depends on how common these forms of employment had been before the crisis emerged. From the period of crisis and onwards, employers make use of flexible forms of employment, mainly with the aim to reduce labour costs and increase the competitiveness and productivity of their undertakings (Rompoti & Ioannides, 2019, Rompoti, Ioannides, Koutroukis, 2022).

One of the flexible forms of employment, and the subject of this paper, is a special category of temporary employment; the leasing of workers through Temporary Work Agencies (TWAs). The practice of leasing workers is considered to be one of the more vulnerable forms of employment due to labour market segmentation and the existence of two employers i.e. the TWA and the user-undertaking (Fudge 2011, Doerflinger & Pulignano, 2016). This is why it is worth studying this practice and its main characteristics both in the EU and Greece.

Our main research questions are:

First, what is the definition of “leasing” of workers, what are the main characteristics of this practice, what is the institution framework to protect these workers and what is the impact (positive or negative) that this practice has on the workers? (see Literature review).

Second, what are the reasons leading to the under- or over-estimation of the number-size of “leased” workers? (see Literature review).

Third, what are the employment rates for “leased” workers in the period of crisis, from 2007 to 2018 (end of the crisis and Greece exiting the memorandum supervision)? (see Literature review).

Fourth, how did temporary and part-time employment move in time during the period of crisis and onwards, 2007-2022? (see Empirical framework, results).

Our basic research assumption is that workers “leased” through TWAs increased significantly in number in the EU during the period of crisis and onwards. However, we assume that the employment rate vary among the countries.

We believe we are making a substantial contribution both on a theoretical and an empirical level. More specifically, our efforts aim to making a literature contribution, through the investigation of the practice of “leasing” through TWAs and its main characteristics. Moreover, we are contributing on an empirical level, though references to quantitative indexes of “leased” workers in the EU countries. In addition, reference is made to the emergence of a special category of workers contracted through Business Service Providers (contracting companies). These are the contracted workers employed at the premises of the undertakings that has assigned the project (in-house outsourced workers) and not those providing their services at the location of the contracting company (out-house outsourced workers). We are showcasing the possibility that these workers, i.e. the in-house outsourced workers, may actually cover up what are truly “leased” workers. However, there are no available Eurostat’s data on in-house outsourced workers, that would allow us to demonstrate the actual size of this category of workers.

The article follows this structure. The second part details the methodology employed. The third part is a literature review on the practice of “leasing” workers and its main characteristics. In addition, it presents the reasons and causes for the under- or over-estimation of the size of “leased” workers through TWAs (theoretical framework). A presentation of the results drawn from the empirical study follows in the next parts. Part four refers to the “leased” workers in the EU-15 and Greece, during the financial crisis and onwards, 2007-2018. The fifth part describes the course of temporary employment in the EU-15 during 2007-2022. Part six shows the course of part-time employment in the EU-15 during the period 2007-2022 (empirical framework). Finally, the conclusions of the article are discussed in the seventh part.

2. Methodology

As far as methodology is concerned, this paper studying the practice of “leasing” workers through TWAs is based on the collection and processing of primary and secondary material. More specifically, primary material is used, and it contains the Greek legislation, studies and surveys of European and international organizations. Secondary sources are also used from the Greek and foreign literature. Secondary data from European statistical databases (Eurostat-ELFS) are also used.

3. Literature Review

3.1 “Leased” Workers and Main Characteristics in the EU and in Greece

The “leasing” of workers through TWAs first appeared in the EU in the 1960’s and gained popularity especially in the 1990’s and 2000’s (Voos et al, 2013). The Greek legislation officially recognized the practice of “leasing” workers in 2001 with Law 2956/2001 with a marked time delay compared to several European countries (Papadimitriou, 2007, Voos et al, 2013). Undoubtedly, “leasing” workers is one of the faster growing forms of employment (Arrowsmith, 2008, ILO, 2009). In 2022, this form of employment accounted for 2.6 % of the total employment in the EU-28 (Eurostat, 2023).

On an institutional level, the common European Directive (2008/104/EC) and its incorporation into the national laws of the member-states for the protection of “leased” workers came with a long delay. In Greece, the European Directive for the protection of “leased” workers was incorporated in the national laws 4052/2012 and 4093/2012.

Pursuant to the Directive 2008/104/EC “leasing” of workers is defined as the temporary work provided by a “leased” worker to a second or user undertaking. According to the institutional framework, a “leased” worker in the EU has the right to sign either an indefinite term (applies in some countries) or fixed-term contract (applies in all countries) for full-time or part-time work with the TWA in order to provide their services not to the TWA but, temporarily, to the user undertaking (European Directive, 2008/104/EC, Law 4052/2012, L 4093/2012 in Greece).

A main characteristic of the practice is that the TWA is the direct employer of the “leased” worker and the one who sets the pay and insurance rights of the worker (European Directive, 2008/104/EC, Law 4052/2012, Lixouriotis, 2015). Moreover, the user undertaking is the indirect employer under the supervision and direction of whom a “leased” worker is employed (e.g., sets the place of work, duration of working time, breaks, rest periods, etc.). However, the user undertaking does not conclude any agreement with the “leased” worker; it only signs an agreement with the TWA, meaning a service agreement between the two businesses. This shows that “leasing” of workers is the most extreme external flexible form of employment, as the “leased” worker has two employers; the TWA (direct employer with whom the employment agreement is signed) and the user undertaking (indirect employer, no signing of any employment agreement).

In more detail, the main objectives of the European Directive 2008/104/EC, which apply for all EU member-states including Greece, are: First, to develop and improve temporary work through TWAs and to protect the “leased” workers. Secondly, to recognize temporary-work agencies as employers in order to: a) help the creation of qualitative jobs and b) expand the flexible forms of work (by providing flexibility to businesses and security to workers, the so-called “flexicurity”). Third, to provide that the permanent personnel cannot be replaced by leased workers.

Thus, the main purpose of the European Directive is that this form of employment does not operate competitively and be used as a threat, but, on the contrary, to be utilised complementarily to permanent employment (European Directive 2008/104/EC). The European Directive 2008/104/EC provides for all EU member-states including Greece, pay equality as well as equality with regard to the rest of the labour rights for the “leased” worker, as long as they have the same qualifications for the same job position as the permanent employees of the user undertaking.

Undoubtedly, this pay equality has reduced the rates of workers “leased” through TWAs and has caused the emergence of new forms of employment, such as the assignment of projects/services to external businesses, like Business Service Providers (contracting companies). In their turn, contracting companies employ their staff either at their own premises to complete the project/service assigned (out-house outsourced workers) or deploy them to the premises of the user undertaking that has assigned the project (in-house outsourced workers). Thereby, employers assigning a project to a contracting company manage, especially in Greece, to avoid pay equality for the “leased” workers, which is provided in Directive 2008/104/EC for the employers making use of leased workers through TWAs. However, it is suspected that contracted workers employed at the premises of the user undertaking to complete a project (in-house outsourced workers) actually cover up “leased” workers and usually contracting companies operate unlawfully as TWAs, especially in Greece (Rompoti & Ioannides, 2019). That being so, contracted workers (in-house outsourced workers) are pseudo-contracted and in reality “leased” workers. If this is indeed the case also in other EU countries, then “leased” workers are much more in number than those recorded in the official data of Eurostat. According to the above, although the European Directive provides a robust institutional framework for the workers, its circumvention is noted through the emergence of other forms of employment (e.g. contracted or pseudo-contracted workers).

An important criterion to make the distinction between personnel leasing and a project agreement is the managerial right, recognized in the Directive 2008/104/EC. The managerial and supervising right over the workers in a leasing contract lies with the user undertakings, whereas in a project agreement, this right is exercised by the contractor or the project manager (European Directive 2008/104/EC).

Further to that, it should be noted that the European Directive allows the duration of temporary employment of “leased” worker by the user undertaking to be set on a national level. In practice, the extension of the initial duration of assignment of a “leased” workers to the user undertaking in most countries in the EU is an indication of: a) substitution of permanent by temporary work, b) coverage of fixed and ongoing needs of the user undertaking, c) incompatibility of the member-states national legislation with the objective of the European Directive, which is the protection of the leased workers, since the duration of temporary employment is set by each member-state individually. There is no doubt that the existence of different limits of maximum duration as set by the member-states can lead to the enfeebling or cancellation of the effort to protect both the permanent workers and the “leased” workers (Rompoti & Ioannides, 2019, Zerdelis, 2017).

A main characteristic of this flexible form of employment (leasing of workers), noted also in other atypical forms of work (definite term full-time or part-time agreements, apprenticeships etc) is their temporary nature. However, temporary employment of a “leased” worker concerns only their assignment to the user undertaking, whereas through the TWA they may sign either a definite or indefinite term work contract (in some countries).

The main difference of “leasing” compared to the other flexible forms of employment is the duality of employers and the creation of a tripartite labour relation (TWA - leased worker - user undertaking). Unarguably, the existence

of two (2) employers and of two-speed workers, meaning permanent and leased workers, enhances the segmentation of the labour market.

One of the topmost reasons for which businesses-employers prefer “leasing” workers is the opportunity to identify and use flexible, cheap manpower without having to assume the obligations of a direct employer (Eichhorst, et al., 2013, Rompoti & Ioannides, 2019). For workers, one of the most important incentives is the opportunity to enter the labour market and gain their first professional experience. Moreover, a main incentive for workers is the hope to be permanently hired by the user undertakings (Rompoti & Ioannides, 2019, ILO, 2009, OECD, 2000).

As far as the impact of the practice of “leasing” is concerned, it is possible that the “leasing” of personnel through TWAs may lead workers to dead ends, without providing permanent employment and an opportunity to invest on their careers (no stepping stone job). More specifically, workers “leased” through TWAs may be led to unemployment and social exclusion once their agreements come to an end. They may be also trapped among flexible forms of employment through constant renewals of fixed-term contracts and precarious work conditions (ILO, 2015, IZA, 2013). There has only been a very limited number of studies. Hveen (2013) in Sweden, studied “leased” workers over the period 1997-2008 and confirms the “no stepping stone effect”, with the only exception of immigrants from the western countries. According to his findings, the rates of people unable to find a permanent job are overwhelmingly higher among women. Jahn & Rosholm (2014) in Denmark, studied the workers “leased” through TWAs from 1997-2006 and identified the positive impact of “leasing” personnel only during the periods that these workers were “leased” and not thereafter; this form of employment would give them successive opportunities of temporary “leasing”, which had signs of “permanency”. More specifically, 19% of the Danish men that were employed as “leased” workers managed to find a more permanent employment, whereas this rate for women amounted to 7%. To be noted that the positive impact of the TWAs on “leased” workers was more pronounced among immigrants.

Finally, the practice of leasing workers is linked to a series of disadvantages, both for “leased” workers and for the permanent personnel of the user undertaking, due to the duality of employers and the segmentation of the labour market that it causes. More indicatively, the job positions in the user undertaking most possibly are not among the qualitative posts that ensure safety and attractive characteristics, regarding the level of pays and the work conditions of the “leased” workers. Moreover, pressure is exercised downwards as to the salaries of the permanent employees of the user undertakings (ILO, 2015, Lymperaki & Dendrinis, 2010). So, it appears that this form of employment operates competitively and as a threat to permanent employees, with their salary degradation and the fear of substitution of permanent positions by “leased” workers, thus undermining in general the right of both workers and unemployed people to a full-time and stable employment (Rompoti & Ioannides, 2019, Zerdelis, 2017). So, the practice of “leasing” is a favorable form of flexibility mainly for businesses, through achieving the reduction of the labour cost and the improvement of their competitiveness, whereas for workers it brings along several disadvantages.

3.2 Reasons and Causes for the under- or over-estimation of the Size of “leased” Workers through TWAs

The lack of reliable and comparable statistical data and sources regarding the practice of “leasing” of workers constitutes a significant obstacle to further analysis. Storrie (2002) correctly attributes this lack on the one hand to practical problems in identifying such workers and consequently in accurately identifying their number, but on the other hand to conceptual problems that arise from this form of employment, as the concept around this phenomenon varies from one country to the other. In addition, Storrie refers to the problems arising due to the lack of legislation in some countries regarding new flexible forms of employment.

In our opinion, as far as the problems that arise from concepts are concerned, the root of the problem lies with the fact that many are those who erroneously use the same term, i.e. “leased”, both for the workers employed through TWAs and for the contracted workers through Business Service Providers. In more details, these contracted workers are employed at the premises of the company that has assigned the project (so called in-house outsourced workers) and not at the premises of the contractor (so called out-house outsourced workers). In this case the real number of “leased” workers through TWAs is often under-estimated, since they are often “disguised” as contracted workers or so called “pseudo-contracted” workers, while actually being leased workers. In particular, the contracting companies usually operate illegally as TWAs who lease workers (Rompoti & Ioannides, 2019). It is worth noting that Eurostat holds no official data about in-house outsourced workers. That said, the actual number of pseudo-contracted workers, covering up what in reality are “leased” workers, remains unknown.

Moreover, there are many references in the literature to “leased” workers, but under the term “temporary workers”. According to the Labour Force Survey (LFS), temporary workers include those under a fixed-term contract employed in businesses as well as those working under fixed-term contracts through TWAs. In addition, many are

also the authors who are using the same term both for the workers under fixed-term contracts and the “leased” workers under fixed-term contracts through TWAs. Thus, in this case the numbers of “leased” workers are over-estimated as they are added to the other temporary workers.

According to the International Labour Organization (ILO, 2009), temporary employment is the fastest growing form of employment in EU since 1990. However, the size of the “leased” workers varies among the countries, as also differs the legislation among the countries with regard to “leased” workers. The use of temporary employment through TWAs has been recently deregulated in many countries, leading to an increase of use of this form of employment in more sectors and occupations. In the past, there were laws on the placement of “leased” workers in specific industries/occupations, for specific and objective reasons. These limitations have been waived with the reforms in the labour market during the period of the memoranda, and while flexible forms of employment are at the same promoted (Rompoti & Ioannides, 2019, Rompoti, Ioannides, Koutroukis, 2022, Rompoti & Feronas, 2017).

The statistical data on the size, the demographics and labour features of the “leased” workers are sourced from Eurostat – based on the information provided by the Labour Force Survey (LFS) – a survey in the EU member-states that is conducted every three months (ELFS). In Greece, the Labour Force Survey is conducted by the ELSTAT [Hellenic Statistical Authority]. In our opinion it is very difficult to estimate the actual number of “leased” workers based on Eurostat’s microdata. This difficulty arises from the fact that there are practical problems to identify the “leased” workers, as they are only a few in number and under short-term employment contracts.

Moreover, according to the Eurostat, the workers who fill in the questionnaire are classified as “leased” workers only when their main occupation is linked to the work agreement with a TWA, and not when they have signed also a second agreement with another undertaking as a secondary occupation. Taking into account the above, it becomes apparent that the number presented for “leased” employees through TWAs is quite under-estimated.

Apart from Eurostat, other sources for the collection of data on “leased” workers are the Eurociett, the European Working Condition Survey (EWCS) and on a national level the Greek Ministry of Labour and Social Affairs.

More specifically, Eurociett collects data from the Confederation of European Private Employment Services, where the TWA employers join as members. Thus, the data on “leased” workers are collected by the employers’ associations (IZA, 2013, Eurofound, 2009). During our research, there was a serious possibility to under-estimate the actual size of “leased” workers, as the registration of members representing such undertakings is optional and not all choose to register. In addition, the TWA employers possibly make significant mistakes in counting the workers, as it is difficult to count them frequently and accurately, because of the short duration of the employment agreements. Thus, frequent mobility of the same or different workers makes their accurate counting difficult when they enter-exit the business. That said, the number of “leased” workers may be either under-estimated or over-estimated. Moreover, Eurociett’s data may contain double counts, in the event that “leased” workers are employed by two or more TWAs at the same time (IZA, 2013, Forde et al, 2008).

The EWCS, the European Working Condition Survey, is conducted every 5 years, which is a long interval to allow a timely update on workers “leased” through TWAs.

Finally, on a nation level in Greece, the Ministry of Labour and Social Affairs collects data from the Temporary Work Agencies (TWAs). The Ministry of Labour has a record of 15 TWAs that provide the Ministry with data twice a year, namely every semester. However, our research showed that the data regarding the workers in the 2nd semester may also contain the workers of the 1st semester as well. Furthermore, “leased” workers may be working at the same time for two or more TWAS, in which case the Ministry of Labour and Social Affairs over-estimated the total number of such workers. Based on the above, it is possible that the data provided by the Greek Ministry of Labour and Social Affairs, according to our research, are incomplete or unreliable.

4-6: Empirical Research Results

4. “Leased” Workers in the EU and in Greece during the Period of the Financial Crisis, 2007-2018

According to the Eurostat’s data up until the year 2022, the rates of “leased” workers in EU-28 account for 2.6% over total employment (Eurostat, 2023). The countries with the highest rates of “leased” workers in 2022 are the Netherlands (5.2%), Spain (3.9%), Ireland (3.7%), Germany (3.3%) and Sweden (2.8%), see details in Table 1. The rest of the countries are lower rates of “leased” workers.

According to Eurostat, TWAs belong to the Sector of Administration and Support Activities (employment activities). However, “leased” workers are classified in the same industry as the user undertakings to which they are leased.

This part aims to investigate the employment rates of “leased” workers in 2007-2018, the period of the financial crisis, as well as their fluctuation. Moreover, reference is made to the demographics and the industries that employed such workers in the year 2018, the year that the crisis ended and Greece exited the memorandum supervision.

More specifically, in 2007, the year that the crisis started, the highest rates of “leased” workers are recorded in Spain (4.2%), the Netherland (3.6%), France (2.6), Portugal (2.4%) and Austria (1.8%). More specifically, in the EU-15 the employment rates for “leased” employees in 2018 (exit from the crisis) were as follows, in descending order: the highest-ranking countries are the Netherlands 4.1%, Spain 3.9%, France 2.8%, Ireland 2.7%, Germany 2.6%, Austria 2.4%, Belgium at 2.2%, Portugal 2.0%, Finland 1.9%, Luxembourg 1.7%. The member-states with the lowest rates, in descending order, of “leased” employees in 2018 were Sweden 1.3%, Italy 1.1%, Denmark 0.7%, the UK 0.5% and Greece with 0.2% over total employment (Eurostat, 2020). It is believed that the rates of “leased” employees in Greece are higher, but are concealed under the cloak of “virtual contracting” and for other reasons already mentioned in the third section (see 3.2).

Reviewing the change in numbers of “leased” workers during the financial crisis, from 2007 to 2018, it is noted that the countries that marked the highest increasing change, are by descending order as follows: Ireland (1.9%), Luxembourg (1.3%), Italy and Germany (0.7%), Austria (0.6%), Finland (0.6%, 2008-2018) and the Netherlands (0.5%). The rest of the countries marked lower changes. An exception, marking a significant reduction of the number of “leased” workers from 2007-2018 is Denmark (-1.2%). See details in Table 1.

Table 1. “Leased” workers, 2007, 2018, 2022

EU member-states -15	2007	2018	2022	2007-2018
Belgium	1.8	2.2	1.9	0.4
Denmark	1.9	0.7	0.6	-1.2
Germany	1.9	2.6	3.3	0.7
Ireland	0.8	2.7	3.7	1.9
Greece	0.3	0.2	0.6	-0.1
Spain	4.2	3.9	3.9	-0.3
France	2.6	2.8	2.7	0.2
Italy	0.4	1.1	1.0	0.7
Luxemburg	0.4	1.7	:	1.3
Netherlands	3.6	4.1	5.2	0.5
Austria	1.8	2.4	2.4	0.6
Portugal	2.4	2.0	1.4	-0.4
Finland	1.3 (2008)	1.9	2.7	0.6 (2008-2018)
Sweden	1.1	1.3	2.8	0.2
United Kingdom	0.7	0.5	:	-0.2
E.U 28	1.7	2.1	2.6	0.4

Source: Eurostat (2023) processed by authors

Note: Symbol (:) indicates that there are no available data

With regard to the gender of the “leased” workers aged 15-64, Eurostat’s data for the year 2018 indicate that in the EU-28 in the total employment 2.2% are men “leased” workers and 1.5% are women (Eurostat 2020). More specifically, for the year 2018 in the EU-15, only in Greece with 0.3% and in Denmark with 0.7% “leased” women outnumber men by 0.1%. In Ireland and the United Kingdom, men and women share the same rates, 2.7% and 0.5% respectively (see table 2).

In 2018, the rates of men “leased” workers in the EU-15 by descending order are: the Netherlands 4.9%, Spain 4.1%, France 3.8%, Germany 3.3%, Austria 3.1%, Ireland 2.7%, Belgium 2.6%, Finland 2.3%, Portugal 2.1%, Luxembourg 1.9%, Sweden 1.5%, Italy 1.2%, Denmark 0.6%, the UK 0.5% and finally Greece 0.2% of total population. For a detailed presentation of the “leased” workers by gender for the year 2018, see table 2 (Eurostat, 2020).

Table 2. Rates of men and women “leased” workers” over the total men and women employed in the year 2018

EU-15	2018	2018
	Men (%)	Women (%)
E.U 15	2.6	1.7
Belgium	2.6	1.6
Denmark	0.6	0.7
Germany	3.3	1.8
Ireland	2.7	2.7
Greece	0.2	0.3
Spain	4.1	3.6
France	3.8	1.8
Italy	1.2	1.0
Luxemburg	1.9	1.5
Netherlands	4.9	3.2
Austria	3.1	1.6
Portugal	2.1	1.8
Finland	2.3	1.6
Sweden	1.5	1.1
United Kingdom	0.5	0.5
EU-28	2.2	1.5

Source: Eurostat (2020) processed by authors

At this point it is worth noting separately the rates of “leased” workers employed per sector of economic activity in the EU, according to the data available from Eurostat for the year 2018 (Eurostat, 2020).

More specifically, the “leased” workers in the Agriculture, Forestry & Fishing sector in the EU-28 represent 1.5% over total employment. As far as the EU-15 is concerned, data are available only for the Netherlands and Spain, where the “leased” workers in this sector represent 6.0% and 3.1% respectively over total employment.

The Industrial and Construction sector records the highest rate of “leased” workers. In the EU-28 3.4% of the total work force are “leased” workers. There are no available data for Greece and Sweden in this sector, however in the rest of the member-states the respective rates are as follows. The highest rates in descending order are: the Netherlands 7.9%, Spain 7.7%, France 7.6%, Austria 4.7%, Germany 4.6%, Belgium 4.0%, Ireland 3.3%, Portugal 3.2%, Luxembourg 2.7%, Finland 2.5% and Italy 2.2%. The lowest rates are noted in Denmark 1.0% and the UK with 0.8% “leased” workers over total employment (Eurostat, 2020).

With regard to the sectors in the Wholesale and Retail Trade, Transportations, Dining and Food Service Activities, the rates of “leased” employees over total employment in the EU-28 are 2.0%. More specifically, in the EU-15 the highest rates are recorded in Finland 4.3%, followed in descending order by the Netherlands 4.0%, Spain 3.9%, Belgium 3.5%, France 3.0%, Germany 2.9%, Ireland 2.2%, Luxembourg 1.9%, Austria and Portugal 1.8%. The lowest rates, in descending order, of “leased” workers are noted in Italy 0.8%, Denmark (0.6), the UK 0.5% and Greece 0.3% over total employment. There are no available data for Sweden (Eurostat, 2020). For details see Table 3.

With regard to sectors that employ workers in jobs related to Information, Communication, Financial and Insurance Activities, Real Property Activities, Professional, Scientific and Technical Activities, Administrative and Support Service Activities in the EU-28, the rates of “leased” workers amount to 1.9% in the EU-28 over the total employment. There are no available data for Denmark, but the rates are known for the rest of the EU-15. Specifically, the rates recorded in descending order are: Sweden 6.5%, Spain 4.6%, the Netherlands 4.2%, Portugal 3.7%, Ireland 2.7%, Austria 2.4%, Belgium at 2.2%, Germany and Luxembourg 1.8%, Finland 1.6%, Italy 1.5%,

and France 1.4%, over total employment. The lowest rates are noted in the UK with 0.5% and in Greece with 0.4% of “leased” workers over total employment (Eurostat, 2020). For details see Table 3.

In the EU-28 the rate of “leased” workers is 0.6% over total employment in the sectors employing people in jobs related to Public Administration and Defense, Education, Human Health and Social Work Activities, Arts, Entertainment and Recreation Activities and Activities of extraterritorial organizations and bodies. Data are not available for Greece and Sweden as far as the EU-15 is concerned. For the rest of the member-states, the highest rates in these sectors are recorded in Ireland with 2.8% and the Netherlands with 1.8%. The lowest rates are noted in Germany and Luxembourg (1.0%), Spain (0.9%), Austria and Portugal (0.7%), Denmark (0.6%), Finland and the UK (0.4%), Belgium, France and Italy with 0.3% of “leased” workers over total employment (Eurostat, 2020). For details see Table 3.

Finally, the sector Other activities of Provision of Services, Activities of households as employers in the EU-28 employs 1.1% of “leased” workers over total employment. Data on the rates of “leased” workers in this sector are available only for the Spain (2.6%), the Netherlands (1.8%), Germany (1.3%) and Italy (0.1%), (Eurostat, 2020). For details see Table 3.

No answer was given about the sector that employs “leased” workers by 6.4% of the EU-28 member-states. In the EU-15, the available data show that 12.2% of the respondents in France, 5.9% in the Netherlands and 3.1% in Luxembourg did not answer. Table 3 contains a detailed description in the EU for 2018 regarding the “leased” workers aged 15-64 by sector of economic activity.

Table 3: “Leased” workers (%) by Sector of Economic Activity, 2018 (by NACE R2)

EU, Sectors of economic activity, 2018	Agriculture, Forestry & Fishery	Industry & Constructions	Wholesale and retail trade, Transportation, Dining & Food Services Activities	Information, Communication, Financial and Insurance Activities, Real estate activities, Professional, Scientific and Technical activities, Administrative and Support Service Activities	Public Administration, Defense, Education, Human Health and Social Work Activities, Arts, Entertainment and Recreation Activities, Activities of extraterritorial organisations and bodies	Other activities of Provision of Services, Activities of households as employers	Did not answer
EU-28	1.5	3.4	2.0	1.9	0.6	1.1	6.4
EU-15	1.5	4.3	2.2	2.0	0.6	1.1	6.7
Belgium	:	4.0	3.5	2.2	0.3	:	:
Denmark	:	1.0	0.6	:	0.6	:	:
Germany	:	4.6	2.9	1.8	1.0	1.3	:
Ireland	:	3.3	2.2	2.7	2.8	:	:
Greece	:	:	0.3	0.4	:	:	:
Spain	3.1	7.7	3.9	4.6	0.9	2.6	:
France	:	7.6	3.0	1.4	0.3	:	12.2
Italy	:	2.2	0.8	1.5	0.3	0.1	:
Luxembourg	:	2.7	1.9	1.8	1.0	:	3.1
Netherlands	6.0	7.9	4.0	4.2	1.8	1.8	5.9
Austria	:	4.7	1.8	2.4	0.7	:	:
Portugal	:	3.2	1.8	3.7	0.7	:	:
Finland	:	2.5	4.3	1.6	0.4	:	:
Sweden	:	:	:	6.5	:	:	:
UK	:	0.8	0.5	0.5	0.4	:	:

Source: Eurostat (2020) processed by authors, Note: Symbol (:) indicates that there are no available data

5. The Course of Temporary Employment in the EU during the Period 2007-2022

The outbreak of the financial crisis in 2007 led to the increased use of flexible forms of employment and an onward trend of temporary employment rates in the EU. However, this trend varies from one country to the other as it is greatly proportionate to the extent that these forms of employment were also a common practice before the crisis. In the period 2007-2022 the numbers of temporary employees in the EU member-states show great variations.

According to Eurostat, temporary employment includes people working under fixed-term contracts. More specifically, Eurostat classifies under “temporary workers” those who are employed a) temporarily on a definite term contract, b) on a seasonal work, c) through TWAs, meaning the “leased” workers who are assigned to a second-different business, and d) those working under an internship/training agreement. Temporary workers on a definite term contract include workers contracted through Business Service Providers.

Based on the recent data of the Labour Force Survey (LFS) of Eurostat for the year 2022, temporary workers, aged 15-64 in the EU-28 correspond to 12.1% of the overall employment.

In 2007, year of the outbreak of the financial crisis, the countries of the EU-15 with the highest rates of temporary workers are: Spain (26.2%), Portugal (17.8%), Sweden (15.5%), Finland (14.0%) and Germany (13.0%). In 2018, when the crisis came to its end, the rates of temporary workers remain high in most of the EU-15 countries. The most notable rates are noted in Spain (22.7%), Portugal (19.0%), the Netherlands (17.8%), France (14.8%) and Sweden (14.5%).

Table 4. Temporary employment (%) for people aged 15-64 over total employment in the EU-15, 2007-2022

EU member-states -15	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2007-2022
Belgium	7.4	7.1	7.0	7.0	7.7	7.0	6.9	7.4	7.7	7.8	9.0	9.3	9.7	9.1	8.9	8.3	0,9
Denmark	8.2	7.6	7.8	7.5	7.8	7.7	7.8	7.6	7.7	11.8	11.3	9.9	9.9	10.0	10.0	10.0	1,8
Germany	13.0	13.1	13.0	13.0	13.0	12.3	12.0	11.8	11.8	11.9	11.7	11.5	11.5	10.2	10.5	11.5	-1,5
Ireland	7.8	7.8	7.9	8.5	9.1	9.1	9.0	8.6	8.1	7.6	7.8	8.6	8.4	7.6	8.2	7.4	-0,4
Greece	7.2	7.7	8.1	8.3	7.6	6.5	6.5	7.5	7.9	7.5	7.6	7.6	8.8	7.1	7.0	7.2	0
Spain	26.2	24.1	21.1	20.7	21.1	19.5	19.1	19.9	20.9	21.8	22.4	22.7	22.3	20.4	21.3	18.1	-8,1
France	12.0	12.0	11.5	12.0	12.2	12.2	12.1	13.5	14.2	14.3	14.9	14.8	13.1	12.2	13.1	14.0	2
Italy	9.9	10.0	9.5	9.6	10.1	10.5	10.1	10.4	10.8	10.9	12.1	13.4	13.4	12.0	13.2	13.5	3,6
Luxemburg	6.3	5.8	6.6	6.5	6.5	6.9	6.4	7.3	9.1	7.9	8.1	8.9	8.3	6.9	8.2	6.5	0,2
Netherlands	15.3	15.4	15.5	15.4	15.4	16.2	17.0	17.7	16.7	17.2	18.1	17.8	25.0	23.2	23.1	23.2	7,9
Austria	7.7	7.8	7.9	8.2	8.4	8.2	8.1	8.1	8.0	7.9	8.1	8.1	7.9	7.5	7.8	7.7	0
Portugal	17.8	18.3	17.7	18.6	18.2	16.9	17.6	18.0	18.7	19.1	19.0	19.0	18.1	15.5	14.6	14.3	-3,5
Finland	14.0	13.1	12.6	13.4	13.6	13.5	13.4	13.4	13.1	13.6	13.9	14.2	15.9	15.1	13.9	14.0	0
Sweden	15.5	14.3	13.5	14.4	14.9	14.4	14.7	15.2	15.1	14.7	14.7	14.5	14.1	13.3	13.2	13.5	-2
United Kingdom	5.0	4.6	4.7	5.1	5.2	5.3	5.2	5.3	5.2	5.1	4.8	4.7	:	:	:	:	-0,3(2007-2018)
E.U 28	12.2	11.9	11.4	11.7	11.8	11.5	11.5	11.7	11.9	12.0	12.2	12.1	13.2	11.9	12.1	12.1	-0,1

Source: Eurostat (2023) processed by authors, Note: Symbol (:) indicates that there are no available data

In more details, as seen in Table 4, the rates of temporary employment are widely varied among the EU-15 countries. Temporary workers, aged 15-64, correspond to 23.2% in the Netherlands and to 6.5% in Luxembourg. More specifically, in 2022, the rates of temporary workers in the EU-15 are by descending order as follows: The Netherlands rank first with a rate of temporary workers of 23.2% of the overall employment, followed by Spain with 18.1%, Portugal 14.3%, Finland and France 14.0%, Sweden and Italy 13.5%, Germany 11.5%, Denmark

10.0%, Belgium 8.3%, Austria 7.7%, Ireland 7.4% and Greece 7.2%. The lowest rates are recorded in Luxembourg 6.5%.

From 2007 to 2022, the rates of temporary workers increased significantly in most of the EU-15 countries. The increase varies between 7.9% in the Netherlands (highest) and 0.2% in Luxembourg (lowest).

The highest increasing change in the period 2007-2022 in the rates of temporary workers are recorded by descending order in: the Netherlands (7.9%), Italy (3.6%), France (2.0%), Denmark (1.8%), Belgium (0.9%) and Luxembourg (0.2%). These countries are an exception and marked a reduction of the rates of temporary workers in the period 2007-2022: Spain (-8.1%), Portugal (-3.5%), Sweden (-2.0%), Germany (-1.5%) and Ireland (-0.4%). No change of the rates of temporary workers in the period 2007-2022 was noted in Greece, Austria and Finland. On an EU-28 level, a marginal reduction is noted (-0.1%). For a more detailed description of the course of temporary employment for people aged 15-64 from 2007-2022, see Table 4.

6. The Course of Part-Time Employment in the EU during the Period 2007-2022

Part-time employment includes workers under a fixed-term or indefinite term contract, who agree with their employer to work reduced hours (e.g., 4 or 6 hours/day) with proportionately lower remuneration. This is what differentiates part-time from the standard full-time (e.g., 8 hours/day) and fully remunerated forms of employment. Part-time workers include those contracted through Business Service Providers.

In 2007, the year of the outbreak of the financial crisis, part-time employment shows an upward trend in the EU. This trend, similar to temporary employment, varies among the countries, as it also depends on how common this form of employment was before the crisis. During the period 2007-2022 great fluctuations are noted in the EU member-states.

According to the recent data from the Labour Force Survey (LFS) of Eurostat for the year 2022, part-time workers, aged 15-64, correspond to 17.6% of the overall employment in the EU-28.

In 2007, when the financial crisis began, the EU-15 countries with the highest rated of part-time workers were: the Netherlands (45.7%), Germany (25.4%), the UK (24.1%), Denmark (23%) and Belgium (21.9%).

In 2018, year of the exit from the crisis, the rates of part-time workers remain high in most of the EU-15 countries. The highest rates are recorded in the Netherlands (50.1%), Austria (27.3%), Germany (26.8%), the UK (24.6%) and Belgium (24.5%).

In more details, as seen in Table 5, the rates of part-time employment shows great variations among the EU-15 countries for the year 2022. Part-time workers, aged 15-64, correspond to 42.2% in the Netherlands and to 6.8% in Portugal. More specifically, the rates of part-time workers in 2022, in a descending order are: The Netherlands 42.2%, Austria 29.7%, Germany 28.0%, Denmark 24.2%, Belgium 23.8%, Sweden 20.2%, Ireland 20.1%, Luxembourg 18.2%, Italy 17.9%, Finland 16.9%, France 16.5%, Spain 13.3%. The lowest rates are noted in the Greece, 8.0%, and Portugal 6.8%.

From 2007 to 2022, part-time workers' rates have significantly increased in most EU-15 countries. The increase is between 7.7% in Austria (highest) and 0.4% in Luxembourg (lowest).

The increase from 2007-2022 in the rates of part-time workers, in descending order, are as follows: Austria (7.7%), Italy (4.5%), Finland (3.5%), Germany and Greece (2.6%), Ireland (2.2%), Belgium (1.9%), Denmark (1.2%) and Luxembourg (0.4%).

The only countries that recorded a reduction of the part-time workers' rates in the period 2007-2022 are the Netherlands (-3.5%), Sweden (-3.3%), Portugal (-2.1%) and France (-0.8%). On an EU-28 level, the aggregate increase is 0.2%. For a more detailed description of the course of part-time employment from 2007-2022 for people aged 15-64, see Table 5.

Table 5. Part-time employment as a percentage (%) of total employment for people aged 15-64 in the EU-15, 2007-2022

EU member-states -15	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2007-2022
Belgium	21.9	22.4	23.2	23.7	24.7	24.7	24.3	23.7	24.3	24.7	24.5	24.5	24.8	24.4	24.1	23.8	1.9
Denmark	23.0	23.1	24.6	24.8	24.3	24.1	24.0	23.9	23.8	25.0	24.7	23.9	24.2	23.4	23.9	24.2	1.2
Germany	25.4	25.1	25.3	25.6	25.9	25.8	26.6	26.5	26.8	26.7	26.9	26.8	34.1	27.9	27.8	28.0	2.6
Ireland	17.9	18.7	21.3	22.4	23.3	23.7	23.7	23.0	22.2	21.9	20.1	19.5	19.6	17.8	19.8	20.1	2.2
Greece	5.4	5.4	5.9	6.3	6.7	7.7	8.4	9.3	9.4	9.8	9.7	9.1	9.3	8.8	8.2	8.0	2.6
Spain	11.4	11.6	12.4	12.9	13.5	14.4	15.7	15.8	15.6	15.1	14.9	14.5	14.5	13.9	13.7	13.3	1.9
France	17.3	16.9	17.3	17.7	17.7	17.7	18.2	18.6	18.4	18.3	18.2	18.0	18.1	17.6	17.3	16.5	-0.8
Italy	13.4	14.1	14.1	14.8	15.2	16.8	17.6	18.1	18.3	18.5	18.5	18.4	18.9	18.3	18.2	17.9	4.5
Luxemburg	17.8	17.9	17.6	17.4	18.0	18.5	18.7	18.4	18.4	19.2	19.5	17.7	16.9	18.0	18.0	18.2	0.4
Netherlands	45.7	46.1	47.0	48.1	48.3	49.0	49.8	49.6	50.0	49.7	49.8	50.1	41.1	41.6	42.2	42.2	-3.5
Austria	22.0	22.7	23.9	24.4	24.5	25.2	26.0	26.9	27.3	27.8	27.9	27.3	28.2	28.1	28.7	29.7	7.7
Portugal	8.9	8.8	8.5	8.5	10.3	11.2	11.1	10.1	9.8	9.5	8.9	8.1	7.6	7.1	6.9	6.8	-2.1
Finland	13.4	12.7	13.3	13.8	14.1	14.1	14.0	14.1	14.1	14.9	15.0	15.1	16.4	15.6	16.9	16.9	3.5
Sweden	23.5	25.7	26.0	25.8	25.2	25.0	24.7	24.5	24.3	23.9	23.3	22.6	20.5	20.3	20.3	20.2	-3.3
United Kingdom	24.1	24.1	24.9	25.6	25.5	25.9	25.6	25.3	25.2	25.2	24.9	24.6	:	:	:	:	0.5 (2007-2018)
EU-28	17.4	17.5	18.0	18.5	18.7	19.2	19.6	19.6	19.6	19.5	19.4	19.1	19.3	17.8	17.7	17.6	0.2

Source: Eurostat (2023) processed by authors, Note: Symbol (:) indicates that there are no available data

7. Conclusions

The paper studied the practice of “leasing” workers through TWAs and this part shall summarize the most significant conclusions drawn.

Two basic characteristics of this practice are the duality of employers (TWA, user undertaking) and the temporary nature of the worker’s employment at the user undertaking.

The aim of the employers-businesses when leasing employees is the opportunity to find the proper personnel by circumventing direct employer’s status. More specifically, employers make use of the flexible forms of employment in order to reduce labour costs and increase the productivity and competitiveness of their businesses. On the contrary, the incentive for workers addressing to TWAs in order to be “leased”, is to enter the labour market and obtain professional experience.

Although the Directive 2008/104/EC had established a robust institutional framework for leased workers, providing for equal pays and main working conditions, there are serious concerns regarding the good implementation of the Directive. In more details, there are indications, especially in Greece, that quality is violated through the development of other forms of employment that in reality cover up the practice of leasing workers (e.g. virtual contracting, pseudo-contracted workers). The use of contracted or pseudo-contracted workers aims at paying lower salaries and diminishing worker’s rights, as well as at circumventing the relevant legislation, thus creating two distinct categories of workers (permanent-contracted) within the businesses, who although employed at the same premises, they work at totally different work conditions.

A quantitative research was conducted about the “leased” workers through TWAs, the temporary employment and part-time employment using Eurostat’s data for the EU countries for the period of the financial crisis and onwards. These forms of employment marked increasing rates during the financial crisis in the EU however, rates by country

vary. It is worth noting that workers under temporary or part-time employment include those “leased” through TWAs as well as workers contracted through Business Service Providers.

As far as the results for 2022 on “leased” workers in the EU-28 are concerned, they are estimated to correspond to 2.6% of overall employment. A study of the course of the rates of “leased” workers during the period of the crisis, 2007-2018, shows that the highest increasing change has been recorded in countries like Ireland, Luxembourg, Italy, Germany, Austria and the Netherlands. The only country with a significant reduction in the number of “leased” workers is Denmark (-1.2%). An increase is noted in most of the EU countries during the period of the crisis and onwards (2007-2022), but at different rates, thus confirming our research assumption.

As far as the gender of the “leased” workers through TWAs is concerned, in the EU-28 for the year 2018, Eurostat’s data show that the majority are men.

In the EU-28 in 2018 the “leased” workers through TWAs are mainly employed in the sector of Industry and Constructions, and the sectors of Wholesale and Retail trade; Transportations; and Food Services. More specifically, in the sector of Industry and Constructions the top five (5) countries in the EU-15 with the highest rates of leased workers, in descending order, are: the Netherlands, Spain, France, Austria and Germany. In the sectors of Wholesale and Retail Trade, Transportation, Food Services and Service Provision Activities, the top five (5) EU-15 countries with the highest rates of leased workers, in descending order, are: Finland, the Netherlands, Spain, Belgium and France.

Nevertheless, “leased” workers through TWAs are also employed in other sectors, at lower rates.

There are, actually, strong indications, especially in Greece, that these rates are even higher, since they are probably under-estimated due to cases of “pseudo-contracting” or “dummy” project contracts concluded between Business Service Providers and user undertakings. “Pseudo-contracting” is developed to avoid salary equality of the leased workers through TWAs compared to the permanent employees of the user undertaking, a right that is established in the European Directive 2008/104/EC, aiming to offer protection for workers “leased” through TWAs.

As far as temporary employment in the EU-28 for 2022 is concerned, it is estimated to correspond to 12.1% of the overall employment. A review of the course of rates of temporary workers during the period of crisis and onwards, 2007-2022 shows that the highest increase was recorded in the Netherlands and the lowest in Luxembourg. Over the same period of time, Spain marked a significant reduction of temporary workers (-8.1%).

In 2022, part-time workers in the EU-28 corresponded to 17.6% of the overall employment.

In the period 2007-2022, Austria marked the highest increase in part-time employment and Luxembourg the lowest. Netherlands is the country with the most significant reduction of these rates (-3.5%).

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