### Case 2.3

## Poppy Snack Factory worker’s case

Poppy Snack Factory employs a total of 217 workers: 74 males and 143 females.

The workers submitted the following demands:

1. Getting a lunch-break for 40 minutes  
  
The workers have experienced that the length of the daily lunch break varied from day to day depending on the work load the particular day. Some days they only had 15 minutes break.   
  
The company argued that during the high season of the year the workers should understand the necessity for the themto reduce the length of breaks and the need for working long/late hours. Only this way, the company can continue making a profit and therefor maintain workplaces for the benefit of the workers and the local society.

2. Earned leave

The workers find it reasonable that the theycan obtain paid earned leavefor a period of up to 15 days after 5 months of employment (seniority) at the company. In addition, the workers demand that they themselves should decide when during the calendar year they take their earned leave.  
  
The management finds that is too many days of leave after too short a period of employment. Furthermore, the management insists that leave days can only be taken in low season according to management decision

3. Payment for working on public holidays.   
  
When working on public holidays, the workers want to have an own, individual choice between overtime pay and compensation days off.  
  
The management finds that overtime pay is the better solution because compensation days off will cause loss of production days – especially during the high season.

### Considerations for the negotiations – both for the employer and employee

1. What does the legislation say in regards to lunch breaks? What can the workers do or suggest if the management wants to maximize production during the high season and still respect the rules concerning lunch break? What can the workers accept to live with if there is a need for more production during a high season.
2. Can the parties compromise when it comes to earned leave? What is the reason for the employer to demand long seniority when it comes to earned leave? Is earned leave a problem for production all year round? If not,can a solution be reachedon this issue?
3. Why do the workers want a choice? How can the management solve the problem of production loss during the high season if the workers want a compensation day for working on a public holiday?

## How can the conciliator find a negotiated solution in this case?