

(De)regulating access to tourism and hospitality professions: The case of Portugal

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Abstract

This study explores the perceptions of key stakeholders responsible for tourism and hospitality (T&H) organisations in Portugal regarding deregulating access to professions in T&H labour. A qualitative research approach was utilised. Through in-depth interviews, data was collected purposefully from the participants. According to the qualitative findings, opinions on regulating and deregulating professions in T&H labour emerged as against deregulation, against regulation, and moderate. However, most opinions fall under the against deregulation category. Moreover, deregulating access to the profession has both positive and negative impacts, and the influences of deregulation on working models include two sub-themes: self-employment and accumulation of functions. Finally, policymakers' responses to deregulation include elements such as the increase in the number of associates that joined associations, the partnership of associations with educational institutions to create certifications, and the creation of unions for specific positions. This research contributes valuable insights from key stakeholders on the deregulation of professions in T&H labour in Portugal, providing policymakers and scholars with a better understanding of the viewpoints on regulating and deregulating professions in this sector.

Keywords: Deregulation, tourism and hospitality labour, access to professions, Bolkestein Directive, policymakers

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1. Introduction

The European Union (EU) is continually discussing the deregulation of professions to promote the free movement of labour and enhance the competitiveness of the European economy (Zirnstien & Valentina, 2016). Although the EU recognises that certain professions may require limitations, it generally supports the regulation of professions; nevertheless, such regulation can impede the free movement of workers and the freedom of establishment, ultimately negatively impacting the competitiveness of the European economy (Zirnstien & Valentina, 2016).

In the context of T&H, studies on deregulation focus specifically on tourist guidance (Pawlicz, 2015; Zirnstien & Valentina, 2016; Meged & Zillinger, 2017). For instance, Pawlicz (2015) investigated whether the paucity of regulation affected prices and quality of service in the tourist guiding market. Based on the research, the majority of tour guides who were interviewed believe that tour operators have the ability to evaluate the quality of their services accurately and that their previous licenses still serve as proof of their quality. However, half of the surveyed tour guides noted that their fellow guides are now expanding their services into previously prohibited areas. This suggests that deregulation has primarily benefited the established groups of tour guides (Pawlicz, 2015). A study by Zirnstien and Valentina (2016) investigated the T&H industry in Slovenia, specifically regulating professions such as tourist guides, regional tourist guides, accompanying assistants, mountain guides, caving guides, and canyoning guides. The study aimed to understand the reasons for such regulation and examine the influences. According to the findings, it is not advisable to deregulate the professions of mountain guides and canyoning guides, as this could pose a risk to the safety of tourists (Zirnstien & Valentina, 2016).

According to Meged & Zillinger (2017), the private market in Norway is based on trust as the country has deregulated the private market. This situation negatively influences workers, including in the tourism industry. For instance, if employees complain about working conditions, there is a high risk that their employment contract will not be renewed. Additionally, they may face a loss of reputation and the risk of receiving negative references from their employers (Meged & Zillinger, 2017). Furthermore, tourism businesses in Norway that employ tourist guides face challenges in maintaining a good reputation, transparency, and service quality. Since the employees bear most of the risks and disadvantages, the imbalance in the industry is also reflected in the working contract (Meged & Zillinger, 2017).

More recent studies on the regulation of the tourism industry market examine the effect of labour market regulations on the Greek tourism industry's performance (Mamatzakis *et al.*, 2023) and analyse the issues of state regulation of tourism and tourism policy (Donskova *et al.*, 2022). According to Mamatzakis *et al.* (2023), the relationship between labour regulations and efficiency is complex because labour market deregulation may improve allocative efficiency but have opposite effects on technical efficiency. Donskova *et al.* (2022) suggested that a comprehensive approach to state regulation and tourism policy would stabilise and adapt the industry and contribute to its development and reorientation towards new market opportunities.

As mentioned above, the deregulation of T&H professions has been investigated in the literature from different viewpoints. However, this study follows a holistic perspective by examining the perceptions of key stakeholders responsible for T&H organisations in Portugal towards deregulating access to professions in T&H labour from different angles. Understanding the perceptions of key stakeholders is essential for developing effective policies and regulatory frameworks that align with the needs and aspirations of the industry. This study contributes to the existing literature on deregulation in the T&H

industry and provides valuable insights from key stakeholders of the T&H industry in Portugal, which can benefit industry practitioners and stakeholders.

This study attempts to fill the existing gaps by unveiling the perceptions of key stakeholders responsible for T&H organisations in Portugal towards deregulating access to professions in T&H labour. According to this primary aim, more specifically, this study is designed to answer the following questions:

- (i) *What are the attitudes toward the regulating or deregulating professions in T&H labour?*
- (ii) *What are the impacts of deregulating access to the profession in T&H labour?*
- (iii) *How does deregulation influence work models (e.g., self-employment and accumulation of functions)?*
- (iv) *How do association members respond to deregulation?*

2. Literature review

The T&H industry plays a crucial role in the economic development of many countries (Tsaousoglou *et al.*, 2022), including Portugal, where it significantly contributes to employment (Seyitoğlu *et al.*, 2022). However, regulatory frameworks governing professional access in this industry prompt discussions on deregulation's potential benefits and drawbacks. Regarding deregulating the professions in Europe, The Bolkestein Directive, officially known as the Services Directive, is an EU legislation that aims to promote the freedom of establishment and the free movement of services across member states. The directive was named after its leading proponent, Frits Bolkestein, a Dutch politician. The Services Directive seeks to remove barriers and promote competition in the services sectors (Crespy, 2010). It aims to achieve this by harmonising the regulatory framework and streamlining administrative procedures for service providers operating across EU borders (Crespy, 2010).

Changes in work design and job content brought about by deregulation can impact industries, requiring more flexibility and strategic human resource management based on competencies (Mikkelsen *et al.*, 2002). Studies have shown that labour market deregulation can decrease productivity (Raitano & Fana, 2019) and create less secure and complex career paths for workers (Meged & Zillinger, 2017; Struffolino & Raitano, 2020). The external environment may influence deregulated sectors and organisations, necessitating continuous development and learning (Mikkelsen *et al.*, 2002). Flexibilisation resulting from the deregulation of professions may lead to job insecurity in industries (Struffolino & Raitano, 2020), which can cause instability in contractual arrangements and frequent job turnover (Gebel & Giesecke, 2016). If left unresolved, this can lead to prolonged insecurity (Wilthagen & Tros, 2004). However, deregulation may increase employee participation and empowerment (Mikkelsen *et al.*, 2002).

As for other service industries, regarding the deregulation of professions in the T&H industry, the Bolkestein Directive has implications for the recognition of professional qualifications and the mutual recognition of service providers within the EU. It aims to facilitate the cross-border mobility of professionals, enabling them to offer their services in other EU member states more easily. Under the directive, member states are required to adopt a proportionate approach to regulating professions and ensure that their regulations do not unnecessarily restrict the establishment of service providers from other EU countries. The directive emphasises the principle of the *country of origin*, which means that service providers are primarily subject to the regulations of their home country rather than the host country where they operate temporarily (Hagemejer *et al.*, 2014). It is important to note that the Bolkestein Directive does not advocate for the complete deregulation of professions. It aims to strike a balance between the need for regulatory measures to protect the public interest and consumer rights while reducing unnecessary barriers to the provision of services.

The Bolkestein Directive plays a significant role in shaping the regulatory framework for the T&H industry within the EU. While it aims to promote freedom of establishment and the free movement of services, its implementation and impact on the deregulation of professions in the industry continue to be the subject of ongoing discussion and evaluation. Eventually, though the literature reveals diverse views towards regulating and deregulating T&H professions, more specifically, T&H literature lacks perspectives toward deregulating professions from the view of different T&H-related sub-sectors and jobs. Hence, a more holistic perspective is required to fill the gap in the extant literature. Besides, to our knowledge, no study explores the perceptions of key stakeholders responsible for T&H organisations in the European context towards deregulating access to professions in T&H labour in the extant literature.

3. Methodology

The present study explores the perceptions of key stakeholders responsible for T&H organisations in Portugal towards deregulating access to professions in T&H labour. Thus, we adopted a qualitative case study approach to address the research aim through a more profound explanation and description because the case study approach can help researchers obtain rich empirical outputs to provide insightful theoretical implications (Creswell, 2007). Qualitative case studies enable researchers to understand better the participants' perceptions, feelings, and ideas on the subject (Baxter & Jack, 2008). In this research, Portugal was chosen as the case study area, and policymakers representing regional and national level T&H organisations in Portugal were the target participants. Therefore, as explained below, researchers have followed systematic qualitative method procedures (sampling, data collection, and data analysis).

This research used a purposeful sampling technique. Some criteria were considered for research sample units. First, key stakeholders in Portugal were the target participants. Second, participants should be involved in actions, strategies, and policies related to the T&H industry. Last, participants should be among the representatives of T&H organisations in Portugal. Following the determined criteria, the data were obtained from key stakeholders representing Portugal's regional and national T&H organisations through semi-structured interviews between April 2022 and July 2022. The data was collected through online platforms (Zoom and Microsoft Teams). We selected T&H organisations in Portugal and contacted their leaders to inform them about our research objectives. Upon their voluntary agreement to participate, we scheduled interviews with the participants using their preferred online communication tools.

In qualitative research, determining the sample size can vary, as there are no strict rules, according to Patton (2002). Instead, qualitative research designs typically rely on data saturation and reaching the target sample as a sufficient sample size, as Marshall *et al.* (2013) acknowledged. In this study, theoretical saturation was utilised, and after interviewing 11 policymakers responsible for T&H organisations in Portugal (as shown in Table 1), the authors agreed that data saturation had been reached. The research questions (found in Appendix 1) were derived from related literature and research objectives.

Before starting the interviews, consent was sought from the participants for voice recording purposes. As a result, the 11 interviews were recorded digitally with the participants' permission. The interviews averaged 1 hour and 23 minutes, and the voice recordings were transcribed verbatim for the subsequent analysis phase. The interviews were conducted in Portuguese and later translated into English for the analysis phase.

Table 1. *Profile of Participants*

Participants	Gender	Title/Position	Organisation
P ₁	Female	President	Accessible Portugal
P ₂	Female	President Emeritus	AGIC (Portuguese Association of Tourist Guides and Tour Managers)
P ₃	Male	President	APECATE (Association of Congress, Tourist Entertainment and Events Companies in Portugal)
P ₄	Male	General-Secretary	CTP (Confederation of Tourism of Portugal)
P ₅	Male	General-Secretary	SNATTI (National Union of Tourist Activity Translators and Interpreters)
P ₆	Male	President	ADHP (Association of Hotel Directors of Portugal)
P ₇	Female	General-Secretary	AHRESP (Association of Hospitality, Restaurants and Similar Services in Portugal)
P ₈	Female	President	FESAHT (Federation of Agriculture, Food, Beverages, Hospitality and Tourism Unions of Portugal)
P ₉	Male	President	Turismo Centro de Portugal (Tourism Centre of Portugal)
P ₁₀	Male	President	APEBC (Portuguese Association of Casino Employees)
P ₁₁	Female	Executive Vice-President	AHP (Portuguese Accommodations Association)

The data analysis involved content analysis, which three independent coders performed. They followed a process to agree on critical themes and sub-themes. First, they read and re-read the transcripts, then coded participants' statements to divide the data into smaller pieces. Next, they combined these parts to create the study's central themes. The coders then reported and discussed their findings to shape the final results. The analysis process was objective, as the coders separately implemented it and critically discussed the extracted themes and sub-themes.

4. Results

The results revealed four main themes (see Table 2): attitudes toward regulating or deregulating professions in T&H labour, impacts of deregulating access to the profession in T&H labour, influences of deregulation on work models, and responses of associations' members to deregulation. The related direct quotations are also presented by indicating the participants' numbers.

Table 2. *(De)regulating access to tourism and hospitality professions*

Themes	Sub-themes
Attitudes toward regulating or deregulating professions in T&H labour	(i) Against deregulation
	Reason(s):
	- deregulation is a barrier to having or guaranteeing high-quality services in the T&H industry
	- a qualified and trained workforce is needed for the T&H industry, and deregulation can be a barrier to that
	- a professional licence is required for each position
	- regulation is needed to have certain (determined) qualifications (minimum qualifications required)
	- having a qualified and trained workforce is only possible by regulating the professions
	- the requirements for each position can be determined and certified through regulation
	(ii) Against regulation
	Reason(s):
	- deregulation is advantageous as it enables competition and helps have multi-skilled, multifaceted, and qualified employees.
	- deregulating the professions in the T&H industry also allows circulation between professions of different industries.

	- regulation is not required to have skilled employees and quality services in the industry because, regardless of their backgrounds, the training of employees can be sufficient to have the necessary skills and service quality. (iii) Moderate Reason(s): -the suitability of regulation or deregulation depends on the positions (tasks)
Impacts of deregulating access to the profession in the T&H labour	(i) Negative impacts Reason(s): - decreasing salaries - decreasing the quality of service - disadvantageous in consumer protection - declining the importance of professional knowledge and education, - harming the image of the country - causing tax evasion - eliminating the need for necessary knowledge and skills for the jobs (ii) Positive impacts Reason(s): - advantageous for consumers regarding the possibility of receiving services at lower prices - enabling the circulation and entrepreneurship of professions: the industry needs employees because of the COVID-19 pandemic - facilitates finding employees from other backgrounds when needed
Influences of deregulation on work models	(i) Self-employment Positive attitude Reason(s): - the T&H industry is suitable for self-employment - new business models based on self-employment are likely to be exposed in the T&H industry thanks to the deregulation Negative attitude Reason(s): - creating a work team and being associated is not possible with self-employment, - the members of some professions (e.g. tour guides) have to be self-employed although they do not want) - self-employment will not strengthen the sector - self-employment will cause poor working conditions Moderate Reason(s): - self-employment is not suitable for all sub-sectors of the T&H industry (i.e., catering or accommodation). (ii) Accumulation of functions Positive attitude Reason(s): -it would enable a different vision for a worker who can have experiences and bring these experiences into the T&H industry - the accumulation of function is beneficial, and it is more likely with increasing part-time opportunities in the sector Moderate Reason(s): - not suitable for all the sub-sectors (e.g. not suitable for tour guides)
Responses of associations' members to deregulation	-the increase in the number of associates that joined associations -training as the necessary strategy to cover up the adverse effects -the partnership of associations with educational institutions to create certifications -the creation of unions for specific positions (e.g. hotel directors)

4.1. Attitudes toward the regulating or deregulating professions in T&H labour

Attitudes toward regulating or deregulating professions in T&H labour contain the sub-themes: (i) against deregulation, (ii) against regulation, and (iii) moderate.

4.1.1. Against deregulation

Most opinions are gathered under the against deregulation category. From the participants against deregulation, while P₁ supports the idea that regulation is necessary for the T&H industry because qualification is needed and is possible with regulation, P₇ states that regulation requires specific qualifications because there should be pre-determined minimum qualifications for the tasks in the industry. Moreover, P₈ indicates that regulations are needed to have a professional license for jobs in the industry. Detailed explanations of the participants are provided below.

“... Although deregulation allows freedom and greater ease, the truth is that we have requirements: we have to guarantee the quality of service, have qualified professionals, and value the professions. Basically, all this is not done if people do not have the skills... Depending on where they will do these skills, someone who wants to have skills to be a cook will have completely different qualifications. As we have many entities involved in the training process, because the training is spread over several entities, maybe all this needs to be regulated so that these skills can be more uniform. I could have a worker with the minimum of skills ... AHRESP has argued for years that, at least, for a restaurant to be opened to individuals, the place manager would have to have some certified qualification. What is the difference between a catering establishment, where we must guarantee high standards of food safety, and a pharmacy (there is no pharmacy without a qualified technician)? We participated in the previous legislative change in the sector in which we had placed a rule that defined all this, which was important (for some professions such as restaurant manager and hotel director) ... And then we have someone at the head of the company (firm) who does not have the minimum qualifications to guarantee all this? That is why we then have to consult and hire companies; in terms of costs, it is much more painful for the entrepreneur...One of the proposals at the time was for AHRESP to be involved in this process, and like other countries in which associations end up somehow “certifying” the opening of the place, this was the model used in Switzerland; it was the associations that guaranteed the place registration, which is another problem that we have in our country. We still do not have the food and beverage registry; despite being legislated and mandatory, it does not exist. Thus, the association could guarantee the establishment’s opening registration while guaranteeing that that establishment was working with someone responsible for the place and had the competent qualifications....” [P7]

“It is necessary to regulate the professions and, therefore, we believe this deregulation was very negative for the sector...A ‘professional license’ is required. The federation raises this question to the secretary of state for tourism and the minister of labour...because we think it is fundamental...We need to improve the quality of services...” [P8]

4.1.2. Against regulation

Two (P₃ and P₁₁) of the participants’ statements show they are against regulation. P₃ purports that regulation is harmful as it damages the competition. He further explained that he is against regulation because deregulation makes qualified, trained, and multifaceted employees possible. P₁₁ thinks there is no need for regulation in the T&H industry, pointing out these reasons: specific training for certain areas is enough, and the advantage is that it allows circulation between professions (sectors). Related explanations are as follows:

“...Regulation only brings harm...what must exist is competition...The State must motivate accreditation training. Promote quality, not impose. People must be multifaceted...Freedom of choice in the company: To grow, you must invest in quality. Training and quality are unquestionable values...Qualified people, yes; regulation, no...” [P3]

“...I would always be in favour of deregulation...I do not see why these professions of tourism...will have to be regulated because, in fact, they are issues of quality of service, and the market itself adjusts this, eliminating those who do not have quality. That does not mean that training is not necessary...Anyone who handles food must undergo HCCP training. Those who have situations such as working in SPA's, in massages, etc., have to undergo specific training for this purpose. Anyone who works with payments, credit cards, banking regulations, etc., must have specific training...training is necessary. Regulation, especially regarding access conditions, seems to be of no value. The situation of hotel directors, for me, was emblematic; that is, there were absurd situations here of people who had degrees in various areas and then had to go on training as hotel directors. They came from outside. I met several with experience in international hotel management, and they were engineers, managers... and they had to take a hotel management course, and, in fact, that does not make any sense. They had practices and experience from international groups and had to undergo “domestic” training...I think this is profoundly wrong, and today, I think it is even more wrong because no one has the same profession and job all their lives. And then that in the hotel business is impossible! We have seen that people do not want to do the same profession all their lives, be it a more operational profession because the physical state of people changes. They do not want to be a waiter all their lives...Therefore, there is no need to regulate the professions in the tourism sector without prejudice, as I say, to specific training for certain areas. Therefore, the advantages will be these: allow greater circulation between professions (inside and outside tourism) ...” [P11]

4.1.3. Moderate

A policymaker (P4) is moderate about whether regulation or deregulation is better for the T&H industry. He thinks the suitability of regulation or deregulation depends on the positions (tasks). Further explanation was provided as follows.

“...There are common professions..., particularly in the area of management. There is a level here that is common to all economic activities; on that basis, the deregulation of these professions does not seem negative. It allows for large exchanges of skills capacity...In terms of tourism, in professions, when professionals from other areas entered – it raised good practices, innovated in processes, etc., which is beneficial. Nonetheless, in what is related to the specificity/nature of the different businesses, deregulation can create some problems (for example, hotel directors - it was a profession that was regulated, what were the conditions of access, skills that should have... what is the specific knowledge that is necessary to have in this activity?). In these situations, effectively, deregulation does not help...Associations (particularly in tourist entertainment) are fragile... today we have almost a specialisation/structuring by tourist branch, more organised. There is a need to strengthen the qualification and professionalisation of its structures....” [P4]

4.2. Impacts of deregulating access to the profession in the T&H labour

The results show that the impacts of deregulating access to the profession in T&H labour are negative and positive.

4.2.1. Negative impacts

Several participants declared that deregulating access to the profession in the T&H industry has some negative impacts, such as (i) decreasing the salaries, (ii) decreasing the quality of service, (iii) disadvantageous in consumer protection, (iv) declining the importance of professional knowledge and education, (v) harming the image of the country, (vi) causing tax evasion, and (vii) eliminating the need of necessary knowledge and skills for the jobs. The participants' statements stressing these negative impacts can be given as:

"The tour guides have a different opinion... the consumer has no way of making/filing a complaint (exercising his rights as a consumer). They are not affiliated with an organisation or association, nor are they working/operating through a travel agent. As far as consumer protection is concerned, deregulation is also a major disadvantage. For example, no department within Turismo de Portugal has received this kind of complaint. The consumer is not properly protected...It is a very seasonal profession...." [P2]

"The biggest disadvantage – is decreased quality. One of the main advantages of the regulation is to keep the quality records previously observed, taking into account that they were considered the best in Europe due to the demanding training they presented and still have. In addition, deregulating harms the country's image and becomes advantageous for tax evasion...." [P5]

"This deregulation was very unfavourable for the quality of the services provided. The quality of services has dropped a lot. Previously, it was mandatory to work in the sector. The 'professional license' – is no longer mandatory, in our country, since 2011, because of the directive so imposed...." [P8]

4.2.2. Positive impacts

On the flip side, according to key stakeholders in Portugal (P2, P7, and P8), there are also positive influences of deregulating access to the profession in the T&H industry: (i) advantageous for consumers regarding the possibility of receiving services at lower prices, (ii) enabling the circulation and the entrepreneurship of professions-the industry needs employment because of the COVID-19 pandemic, and (iii) facilitates finding employees from other backgrounds when needed. Regarding the positive impacts, participants explain that:

"There are no advantages to a certified guide. From a consumer perspective, deregulation can be an advantage. Currently, some people offer their services as guides at zero cost... the total liberalisation of the market – the so-called "free tours" – the consumer, if he so chooses, can take a guided tour at no cost to the user...." [P2]

"Now we do not have workers, and this is one of the disadvantages of this regulation process because obviously, if it is already difficult to find workers and we are well aware of the lack of workers that exists in the sector if we are going to demand bureaucracy and entropy at the entrance, obviously we are going to have more difficulty yet. In the long term, we will contribute to the valorisation of the profession, but now it will make it more difficult...If we take the case of a regulated profession, if I want to practice outside the country, I will have to ask for recognition of my skills; therefore, this is an inhibition that I have to go looking for a job elsewhere...It brings advantages, but it also brings disadvantages, especially in the moment we live, which has been going on for many years; even before the pandemic, these difficulties already existed, so from our point of view, there is this difficulty, on the one hand, it helps to value the profession we demand certain requirements for access to the profession, but on the other hand, it hinders the circulation, the entrepreneurship of these professions..." [P7]

4.3. Influences of deregulation on work models

The influences of deregulation on work models include two sub-themes: (i) self-employment and (ii) accumulation of functions.

4.3.1. Self-employment

The perceptions towards self-employment as an influence of deregulation on work models include positive, negative, and moderate attitudes.

Positive attitude

Regarding positive attitude, the participants (P9 and P11) state that the T&H industry is naturally suitable for self-employment. Besides, P9 stressed that new business models enabling outstanding services and experiences based on self-employment would likely emerge in the T&H industry thanks to deregulation.

Negative attitude

Conversely, several policymakers (P1, P2, P4, and P8) have a *negative attitude* towards self-employment in the T&H industry. The reasons they raise that *creating a work team and being associated are not possible with self-employment, the members of some professions (e.g., tour guides) have to be self-employed although they do not want to, and self-employment will not strengthen the sector, self-employment will cause poor working conditions*. The related words of participants are given below.

“...The perfect job is born as a team...It is valid for everyone. The individual characteristics of each one dictate. What we must demand is quality work. We must have a work culture where I am happy and what I like, but I must work....” [P1]

“The tour guides are self-employed (the vast majority) ...There are many who preferred to be employees (about 30%), that is, who prefer to be in the labour market in a more regulated way...They are not self-employed of their own volition but because they had to. There are some, there are no specific numbers, who prefer to work for various entities and be self-employed....” [P2]

“In the tourism sector, there are many self-employments...The most negative aspects are the working conditions that these self-employed people have. The income is already low, and they work on their own...Tax increases; gas prices; use of own vehicle...Temporary work is also another limitation. In the tourism sector, it is a very present reality. Contracts are tripartite (tripartidos), and they never know when they will do the work....” [P7]

Moderate

Eventually, one of the participants (P7) is neither positive nor negative about self-employment in the T&H industry because she believes that self-employment is not suitable for all sub-sectors of the T&H industry (i.e., catering or accommodation). She (P7) further stresses, “For...catering or accommodation, it is difficult. Except in one category or another, this independence is tough. It is neither positive nor negative; it is impossible....”

4.3.2. Accumulation of functions

The accumulation of functions is the second sub-theme under the influences of deregulation on the work model's category. The perceptions towards the accumulation of functions consist of positive attitude and moderate.

Positive attitude

From the participants, P7 is optimistic about the accumulation of functions because it can be interesting as it would enable a different vision for a worker who can have experiences and bring these experiences into the T&H industry. But, she (P7) claims that the accumulation of function can only be possible with increasing part-time opportunities in the sector. Her further explanation is as follows:

“The accumulation of functions can be interesting and positive; it gives a different vision to a worker who can have experiences and bring these experiences into tourism, but this is only possible if we increase part-time... We have one or another sector that works well with the part-time issue, the

restaurant sector, which hires many part-time workers because the workers who seek these companies want it, and the companies also take advantage of this form of work... But I think we could explore part-time; part-time is not precarious work as unions systematically put on the table. Part-time allows some segments of workers to work -as is the case of student workers. Why shouldn't we increase that while we have people studying...they can have experiences in the workplace... I only see benefits in this because while they are studying, they gain experience in the workplace you can even understand how things work, bringing added value...Unions always associate it with precarious work, and this is not precarious work; on the contrary, it is allowing young people to continue studying because many young people need financial resources to continue their academic path...The association also has a responsibility to help entrepreneurs create and implement their organisation of working time, accommodating these phenomena because it is an important phenomenon; it is a legal work regime, which has to do with the need to have some income while we are doing other things. The same is said of workers who have other activities and can come to work in our sector..." [P7]

Moderate

The findings illustrate that two participants (P2 and P5) are not against or entirely supporters of the accumulation of functions in the T&H industry. Instead, they are moderate because they find an accumulation of functions not suitable for all the sub-sectors of the T&H industry (e.g. for tour guides). The associated statements are presented below.

"Articulated with other professions? Yes, it is possible, but that way, you cannot dedicate as much time to the work of a tour guide. Many of their colleagues work together in the real estate business, and they dedicate themselves to the profession when they have free time...Most professional tour guides dedicate their entire time to this profession...." [P2]

"Rarely can a guide have a parallel profession. They also manage their own agenda...." [P5]

4.4. Responses of associations' members to deregulation

The findings demonstrate that the responses of associations' members to deregulation include (i) the increase in the number of associates that joined associations, (ii) training as the necessary strategy to cover up the adverse effects, (iii) the partnership of associations with educational institutions to create certifications, and (iv) the creation of unions for specific positions (e.g. hotel directors).

The reactions of association members show that first, after the deregulation decision, many more associates joined associations and began to use their services. In this vein, from the policymakers of regional and national level T&H organisations in Portugal, P2 stresses that "In the association, after deregulation, we had many more associates, and the state bodies themselves (which deregulated) began to use our services. There was a perception, not only on the part of the guides who had their professional card, of the advantage of being associated but also that the national and international interlocutors/stakeholders and even state bodies began to use the services (previously this was not the case)"

Furthermore, P5 and P11 explain that training was considered the necessary strategy to cover up the adverse effects of deregulation. In this aspect, P5 explained, "At the class level, the situation is much better. The associates increasingly present a sense of belonging due to the training carried out, support obtained, and online campaigns, among others, making the feeling of the class different from old...It turns out that the associate partners who had withdrawn returned, keeping the number of partners constant...SNATTI focuses on constant training and monitoring throughout the year"

Finally, one of the policymakers (P6) purports that the partnership of associations with educational institutions to create certifications and the creation of unions for specific positions (e.g. hotel directors) are necessary for the deregulation. He (P6) further clarifies that *“There was an initial revolt in the early years after deregulation...At the moment, they aim to obtain their own certification, created with the higher schools of hospitality, which identifies the characteristics of a hotel director to create an ideal course model... Another objective is the creation of a union of hotel directors...So that there is at least one regulation of access to the function, again in collaboration with education ...”*

5. Discussion

According to the attitudes toward regulating or deregulating professions in T&H labour, the common supportive argument among the stakeholders in favour of regulation is that deregulation is a barrier to having or guaranteeing high-quality services in the T&H industry. Therefore, they believe that a qualified and trained workforce is needed for the T&H industry. This is only possible by regulating the professions because the requirements for each position can be determined and certified through regulation.

The policymakers against regulation mainly focus on the advantages of deregulation, such as enabling competition and helping to have multi-skilled, multifaceted, and qualified employees. Deregulating the professions in the T&H industry also allows circulation between professions of different sectors. The common belief is that regulation is not required to have skilled employees and quality services in the industry because, regardless of their backgrounds, the training of employees can be sufficient to have the necessary skills and service quality in the T&H industry. Finally, a single participant in this study advocates that deregulation is not always negative because the determinant factor is the type of industry and task.

Additionally, our results illustrate that deregulating access to the profession in T&H labour includes both positive and negative impacts. Since no direct study is related to the subject in the T&H literature, these findings are new and contribute to the literature. However, studies in different contexts also lack consensus about the best decision regarding regulation or deregulation of professions. In this vein, for instance, it is stated that labour market deregulation is likely to create less secure and complex career paths for labour (Struffolino & Raitano, 2020) and decrease productivity (Raitano & Fana, 2019). A study on the deregulation of the tourist guidance profession in Portugal indicates that deregulation creates too much freedom or no state intervention, damaging quality, ethics, security, or other guarantees for consumers (Brito, 2020). On the positive side, it is indicated that deregulation may increase employee participation and empowerment (Mikkelsen *et al.*, 2002).

Interestingly, two of the policymakers advocate that the T&H industry is naturally suitable for self-employment, which is possible with deregulation, which has emerged as another new finding. More participants stressed that self-employment may damage the industry for several reasons, such as causing poor working conditions and difficulty in the creation of teamwork. Also, the findings demonstrated that after the decision to deregulate the T&H professions in Portugal, there had been an increase in the number of associates that joined associations and training was acknowledged as the necessary strategy to decrease the negative influences of deregulation. Further, as a prevention strategy against the negative effects of deregulation, the partnerships of associations with educational institutions were built to provide certification. In addition, the unions for specific positions in the industry were created to protect the quality standards.

6. Conclusion

This research takes a comprehensive approach by examining the viewpoints of important figures in charge of T&H organisations in Portugal regarding the deregulation of professions in the T&H industry from various perspectives. More specifically, we unveiled the answers to these questions: (i) what the attitudes toward the regulating or deregulating professions in T&H labour are, (ii) what the impacts of deregulating access to the profession in T&H labour are, (iii) how deregulation influences work models (e.g., self-employment and accumulation of functions), and (iv) how association members respond to deregulation. Accordingly, the research uncovered four key themes (refer to Table 2): attitudes toward regulating or deregulating professions in T&H labour, the impacts of deregulating access to the profession in T&H labour, the influences of deregulation on work models, and responses of associations members to deregulation.

The present work contributes to the current body of literature on the subject by offering valuable input from T&H industry leaders in Portugal that can benefit industry professionals and stakeholders. Comprehending the viewpoints of significant stakeholders is crucial to devising policies and regulatory frameworks that cater to the industry's needs and aspirations. In addition, when gathering qualitative data, researchers often focus on conducting interviews with influential individuals who have a notable impact on the actions or strategies being implemented (Hamilton & Finley, 2019). We utilised this method and selected leaders from prominent T&H organisations in Portugal as our research subjects. Through this approach, we gathered valuable insights and distinct viewpoints on the topic.

6.1. Theoretical implications

First, our findings show no consensus on whether to regulate or deregulate professions in T&H labour. However, most of the study participants favour regulation because they believe it is beneficial in terms of having a qualified and trained workforce and, accordingly, providing high-quality services. Besides, a participant is moderate as he thinks this decision should be made according to the tasks, not in general, in the T&H industry. Two of the policymakers are inclined to deregulation as they think specific training for certain areas can be sufficient, and the deregulation allows circulation between professions (from different sectors). According to these policymakers, deregulation is advantageous as it enables competition and helps to have multi-skilled, multifaceted, and qualified employees.

The literature is also parallel in that no consensus exists on one side. For instance, it is claimed that in the European context, regulation may enable the free movement of workers and the freedom of establishment, but it may negatively impact the competitiveness of the European economy (Zirnstien & Valentina, 2016). In line with these findings and the literature, it is undeniable that the decision of regulation or deregulation is complex and requires a comprehensive analysis.

In parallel with our findings, the existing literature states that deregulating professions has more disadvantages than advantages. For instance, it is indicated that deregulating professions in the industries may create more complex and less secure career paths for labour (Struffolino & Raitano, 2020) and decrease productivity as well (Raitano & Fana, 2019). Finally, with deregulation, employees may have job insecurity (Struffolino & Raitano, 2020). On the positive side, Mikkelsen *et al.* (2002) claim that deregulation may provoke empowerment and increase employee participation. However, our findings provide new knowledge on the advantages and disadvantages of deregulating professions in the T&H industry.

Regarding the impacts of deregulation on work models, the findings show that self-employment and accumulation of functions are two work models that some participants mentioned. While the influence of deregulation on work models includes positive attitudes, negative attitudes, and moderate

perceptions, participants are positive and moderate towards the accumulation of functions. First, although there are positive and moderate opinions on the subject, self-employment is considered harmful by more participants for T&H labour as participants believe that self-employment can hinder the creation of work teams, the employee's association with the company, and good working conditions for labour.

6.3. Practical implications

The decision-makers should consider the advantages and disadvantages of each edge (regulating and deregulating) stated by our participants and make decisions accordingly. Following the findings, we may suggest to policymakers and practitioners that the decision of regulation or deregulation cannot be made considering the T&H industry as a whole because it is a big industry that includes various sub-industries and tasks. Therefore, the knowledge of the pros and cons of each side (regulation vs deregulation) in terms of each sub-sector and task should be analysed in detail first. In this regard, our findings can guide practitioners and policymakers in Portugal and other European countries as they provide the pros and cons of deregulation in the context of Portugal from the policymakers of different sub-sectors of the T&H industry. In light of our findings, we may also suggest that when considering the deregulation of labour in the T&H industry, practitioners should carefully weigh the pros and cons of self-employment and consider the unique characteristics of different subsectors before making any decisions.

As our findings show and the literature also stressed, labour regulations/deregulations and the efficiency of these decisions are complex subjects that may have long-term impacts (Mamatzakis *et al.*, 2023); thus, the long-term influences of the decision should be considered by policymakers and practitioners in the T&H industry. In this regard, with the help of the scenario planning approach (Seyitoğlu & Costa, 2022a, 2022b, scenarios including multidimensional elements, such as workers' careers, businesses, government, industry, tourists and other stakeholders related to the T&H industry, can be created to predict the future influences of such regulation or deregulation decisions. Scenario creation is a valuable tool for the scholarly evaluation of the future and related uncertainties to form strategies and policies (Seyitoğlu & Costa, 2022b).

6.4. Limitations and future directions

This study sheds light on the perceptions of T&H organisation leaders in Portugal regarding the deregulating professions in the T&H industry. While the findings are valuable and will guide the practitioners and policymakers of other European and non-European countries, the study has some limitations that could be addressed in future research. For instance, future research could explore how perceptions vary across countries, cultures, and industry segments. The insights gained from such studies could inform policymakers and industry stakeholders on how to create fair regulatory frameworks that balance concerns with supporting the growth and development of the T&H industry.

This study focuses solely on the perceptions of policymakers responsible for T&H organisations in Portugal, which represents only one European country. As a result, tourism companies, practitioners, and employees are not considered. Future research should consider neglected stakeholders to gain a more comprehensive understanding of developing policies for regulating and deregulating T&H labour. Comparative studies across various European countries can also provide valuable insights into stakeholders' viewpoints.

Appendix 1

Interview Questions

1. Do you know the conditions of access to the profession in your activity area?
2. The European Union has been implementing some initiatives to deregulate access to professions in the tourism sector – For example, the Bolkestein Directive (Directive 2006/123/EC).
 - In your opinion, what do you consider to be the impact of this situation?
 - What are the advantages of this deregulation?
 - What are the disadvantages of deregulating activities and professions?
 - What is the feeling among your associates about this matter?
 - In practical terms, do you think access to tourism professions should be regulated? Regulated? In what way?
3. The trends indicate that there is a presence of self-employment in the tourism and hospitality industry. With deregulation, this is a possible reality (Before the Bolkestein Directive, individuals were prohibited from such endeavours).
 - What is your perception (positive or negative) on this subject?
4. What do you think about the “accumulation of functions” in tourism and hospitality?

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