

Van: Media@etuc.org <Media@etuc.org>

Aan: veerle.solia@amsab.be

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Onderwerp: ETUC denounces the European Commission's communication on working time

ETUC denounces the European Commission's communication on working time because it does not guarantee protection for all workers

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The European Trade Union Confederation

(ETUC) is disappointed by the communication of the European Commission on the second consultation of the social partners on the revision of the working time Directive: it shows no political will to end the opt-out and the prolongation of reference periods without safeguards through collective agreements. For the ETUC, the protection of workers' health and safety must remain the primary goal of any review of the working time Directive.

The ETUC has insisted now for six years on the following key points: end to the opt-out; respect of on-call work as working time; equivalent compensatory rest being fundamental; no prolongation of reference periods without sufficient safeguards; and that maximum working time be counted per worker and not per contract.

In its communication the European Commission gambles that the need to use the opt-out can be reduced with the measures proposed, such as those on on-call work; the extension of reference periods and proposals on work-life balance.

The willingness of the Commission to abandon the concept of active and passive on-call working time and to subscribe to on-call work being working time is a step forward. Also welcome are the communication's references to the Charter of Fundamental rights, the proposals on work-life balance, and the proposed change of definition of autonomous workers. But it is weak in making concrete proposals.

That is why, John Monks, ETUC General Secretary asked what is in the proposed package for the workers in Europe: *"The acceptance of the Commission of on-call time being working time just reiterates the status quo after the European Court of Justice (ECJ) judgments under the current Directive. The fact that no end or at least phasing out of the opt-out is proposed shows that, again, the European Commission did not take seriously its obligations under the Charter of Fundamental Rights: to guarantee to every worker in the EU the right to limit his/her working hours in order to respect his/her health, safety and dignity at work. I don't see how trade unions could approve a package that maintains the opt-out and extends reference periods without serious safeguards."*

ETUC and its member organizations will thoroughly examine and discuss the communication of the European Commission as well as the accompanying studies and then prepare its input in the consultation process.

The ETUC exists to speak with a single voice, on behalf of the common interests of workers, at European level. Founded in 1973, it now represents 83 trade union organisations in 36 European countries, plus 12 industry-based federations.

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For more information :

Patricia Grillo.

ETUC Head of Press and Communications

+ 32 (0)2 224 04 30

+ 32 (0)477 77 01 64

E-mail : Pgrillo@etuc.org

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