

COMMISSION OF THE EUROPEAN COMMUNITIES

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DRAFT COUNCIL RESOLUTION

ON

THE REORGANIZATION OF WORKING TIME

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaties establishing the European Communities,

Having regard to the draft Resolution submitted by the Commission,

- whereas demographic trends, the probability that economic growth will be moderate, the problems of adjustment resulting from the upward trend in oil prices and the progressive introduction of new technologies will give rise to serious employment problems in the 1980's ;
- whereas, to improve both the employment situation and working conditions in the short-term, measures favouring the reorganization of working time should be introduced, together with ancillary supporting measures ;
- whereas such actions should be integrated in an overall strategy designed to restore growth potential, competitiveness and innovation, and respond to the emergence of new needs in non-inflationary conditions ;
- whereas the costs resulting from the implementation of measures for the reorganization of working time must be shared equitably among the parties concerned, and whereas it would be appropriate to allocate a proportion of the increase in productivity to reducing working time rather than to higher wages or other non-wage benefits ;
- whereas this policy must be combined with measures aimed at encouraging worker mobility and training and at facilitating the investment or changes required, notably in undertakings, in order to encourage new recruitment or avoid redundancies ;
- whereas measures of this kind call for increased participation by workers and their representatives ;

- whereas these measures are a matter for national legislation or negotiations between the two sides of industry, but their overall coherence, notably from the standpoint of compatibility between the attitudes of the two sides of industry, call for a Community framework to ensure convergence between the Member States ;
- having regard to the Commission's oral report on the contacts made between and with the two sides of industry on questions concerning working time following the meetings of the Council on 15 May 1979 and the Standing Committee on Employment on 22 May 1979 ;
- having regard to the opinion of the Economic Policy Committee of .. October 1979,

requests the Commission to carry further the contacts it has made, which are essential for the implementation of the measures referred to in this Resolution.

In the light of the exchanges of views which have taken place in recent months and the preliminary work carried out by the Commission, the Council, on the basis of its conclusions of 15 May 79, approves the following guidelines for action by the Community and the Member States in the field of the reorganization of working time.

As regards training / work experience schemes,

the Council has adopted a position in a separate Resolution.

As regards overtime work,

the Council considers that :

- limits should be applied to the systematic use of overtime working, which should in any event only be practised in exceptional cases ;
- given the different situations in the Member States of the Community, provision should be made for the gradual implementation of this principle, in particular to enable wage structures to be adjusted gradually to the benefit of low-wage groups ;
- these measures should be implemented in accordance with the usual procedures in force in each Member State of the Community, while respecting the autonomy of the two sides of industry ;

- the most appropriate method of achieving this limitation would be to introduce compensatory time off for the overtime hours worked whilst maintaining the principle that each hour of overtime is worth more than one normal hour ;
- however, such compensation should only be applied after a minimum number of overtime hours, without prejudice to the application of more favourable national systems ;
- checks to ensure that provisions are being fully complied with and, if necessary, strengthened, should be organized particularly within bargaining procedures so as to enable the two sides of industry to examine together any circumstances requiring overtime.

As regards flexible retirement,

the Council points out that apart from the efforts at present being made at Community level in the field of early retirement, it considers it very important that the Commission continues its work on flexible retirement.

The Council considers that the development of flexible retirement - which should be voluntary - should be viewed in liaison with part-time work and longer holidays for older workers, so as to facilitate a gradual withdrawal from working life at the end of the worker's career.

As regards part-time work,

the Council notes that part-time work is now a reality on the labour market, but considers that the conditions applying thereto should be clarified.

The Council believes that a Community approach should be developed, based on the following principles :

- part-time work must be voluntary and open to both men and women. It must not be developed at the expense of existing jobs. Furthermore, particular care must be taken to ensure that it is not limited to half-time, to women, or to work of low skill and responsibility ;
- it would be desirable to examine the extent to which part-time work could be made more readily available to certain groups of workers, particularly parents with young children, and older workers;
- part-time workers should in principle have the same social rights and obligations as full-time workers, bearing in mind the specific character of the work performed ;

- part-time work should not be limited to half-time work, but could be based on a daily, weekly or monthly cycle adapted to the needs of different groups of workers and undertakings.

As regards temporary work,

the Council notes that in the majority of Member States, temporary work has developed considerably over the last few years, concurrently with the deterioration in the labour market.

The Council considers that Community action to support action by Member States should be undertaken to ensure that the activities of temporary employment firms are controlled and that temporary employees receive social security protection. Action of this nature should take into account the following principles :

- enable the public employment agencies or services to place temporary workers as well as full-time workers ;
- establish a closer link between the activities of temporary employment firms and public employment agencies and services, in particular with regard to social security benefits granted to workers recruited by such firms ;
- ensure better control over such firms, including those whose activities cover several Community countries.

As regards shift work,

the Council considers that shift work should be viewed in the context of the competitiveness of undertakings.

The Council believes that the problem should be tackled with the specific characteristics of the different sectors in mind ; problems of night work should be dealt with in the same way.

The Council is already examining the proposals on the reorganization of work cycles submitted by the Commission in the "Social aspects of the restructuring of the steel industry". It invites the Commission to continue its work in this field.

As regards annual hours of work,

the Council invites the Commission to examine, with the two sides of industry, the conditions under which a Community approach on the subject of a reduction in annual working time could be established, to lead to a Community framework which could be incorporated in agreements at occupational or sectoral level.

The Council asks that in such action account should be taken of the need to improve working conditions and the importance of preventing dismissals and favouring new recruitment.

Account should also be taken of the series of new measures that might be adopted on the reorganization of working time in the light of the guidelines advocated above.

As a result of the progress achieved in regard to the different aspects of the reorganization of working time evoked by the present resolution, the Council asks the Commission to present actions appropriate to the specific nature of each of these aspects, either to the appropriate Community authorities, or to the Social Partners as constituted at European level.

To this end, it asks the Commission :

- to present specific communications on flexible retirement, part-time work and temporary work ;
- to report its conclusions on the possibility for a Community approach to the limiting of systematic overtime working and the reduction of annual hours of work.

In addition, the Council invites the Commission to enter into wide-ranging consultations with both sides of industry to elicit common guidelines or points of view which could then be embodied in national agreements or legislation.

In the same context, it invites both sides of industry to both continue and strengthen their contacts so as to assist the efforts of the Council and the Commission, and to guide their actions, in the Member States, in the areas of their own responsibilities, in order to ensure convergence and consensus at Community level.