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Working Time Comes Under The Spotlight

Everyone is in agreement that the continued high levels of unemployment constitute the major economic and social challenge facing the European Union. Considerable attention has been focused on strategies for increasing the number of jobs available and ensuring that labour markets are flexible enough to provide sufficient employment opportunities. However, less consideration has been given to one of the strategies that could play a vital role in a co-ordinated attack on unemployment in Europe - the reduction in working time.

This is one of the main conclusions of a Report on Working Time drawn up by the French MEP Michel Rocard and recently adopted by the European Parliament. The Report accepts that there is no single policy which can provide a solution to persistent and long-term unemployment, but stresses that policies designed to bring about a significant reduction in working time have a powerful role to play. The EP Resolution - based on the Report - calls on the Commission to investigate ways in which encouragement could be given to bring about reductions in working time and the potential effect of such measures on overall employment prospects.

Speaking during the European Parliament debate on the Rocard Report and Resolution, European Social Affairs Commissioner, Pdraig Flynn, welcomed the initiative and said that Green Paper on Working Time currently being prepared by the Commission had been largely inspired by the Report.

A summary of the main points of the Report and Resolution can be found in this issue of the Bulletin

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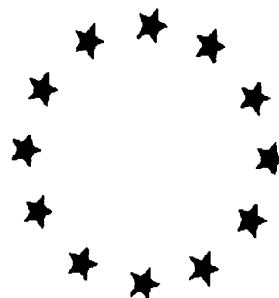
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BACKGROUND BRIEFING : European Parliament Report On Working Time

The September Plenary Session of the European Parliament adopted - by a large majority - the Report prepared by French MEP (and former Prime Minister) Michel Rocard on the Reduction Of Working Time. It was in December 1994, that the European Parliament first called for a report on working time and the Committee on Social Affairs was authorised to draft an own-initiative report on the subject the following June. The main elements of the Report are as follows:

A. The Report underlines that large-scale unemployment remains the main scourge affecting and threatening social cohesion both in Member States and the European Union as a whole.

B. Persistent unemployment has three main consequences:

- A growing cost to social and unemployment insurance systems;
- A loss of skills, social dignity and security for the future;
- Social marginalisation of a constantly growing section of the population.

C. The struggle against unemployment must be the absolute social and political priority of the EU and its Member States.

D. It is clear that there is no single solution to the problem of unemployment.

E. Persistent long-term unemployment is increasing from one recession to the next and although long-term economic growth will contribute to limiting the phenomenon, it will not, by itself, be enough to eliminate it.

F. Regardless of the rate of economic growth achieved, each Member State must improve the conditions which will enable jobs to be created by:

- vocational training initiatives;
- improvement and flexibility in labour market institutions;
- taxation and social changes to encourage the creation of more jobs;
- reducing non-wage labour costs.

G. A number of sectors are capable of creating additional jobs if adequate incentives are introduced, particularly small and medium sized enterprises and very small enterprises. The service sector and the public sector could also set a valuable example in terms of job creation.

H. However, whatever concessions are granted to encourage the employment growth of smaller firms,

these must not be to the detriment of the rights acquired by workers with regard to safety at work and social protection.

I. In addition to the above mentioned methods of combating unemployment, one method has not been sufficiently explored - the significant reduction in working hours, coupled with maintaining or even extending the duration of utilisation of productive capacity. Consistent reductions in working hours, implemented through sectoral and regional collective agreements on terms of employment, could lead to a better distribution of the existing work by means of:

- a significant reduction in the working week;
- more opportunities for part-time working with social insurance cover;
- the phasing out of overtime;
- sabbaticals;
- better performance guaranteed through short breaks in the working day;
- introducing a different organisation of working hours.

J. The experience of very many companies which have succeeded in considerably reducing their working hours shows that they have been able not only to maintain the number of their employees but also to recruit new ones. A number of specialist studies claim that a flexible, non-mandatory approach could produce important results if it were implemented generally and firmly supported by the authorities by means of compensation for loss of earnings, where such occur.

K. The huge mass (ECU 350 billion) of Member State expenditure in benefits to the unemployed could be used in part to compensate for possible wage-losses since a significant reduction in working hours would make it possible to reduce unemployment both by directly creating jobs and by enabling redundancies to be avoided.

L. Any significant reduction in unemployment represents a potential for actual savings to the Member States concerned which could be used to compensate for loss of earnings.

M. Reductions in working hours should be backed up with compensation for loss of earnings in public services in particular, because it is not as easy to increase labour productivity there as in the private sector, where compensation is not necessarily required.

With these points in mind, the Resolution calls on the Commission, the Council, the Member States, and the social partners to take a variety of actions. In particular, the Resolution:

1. Calls on the Commission to undertake and publish an overall examination of the experiments carried out in practice in each Member State within six months and to include the impact on SME's in order to assess them in a comprehensive manner and in consultation with the social partners.
2. Calls on the Commission and the Member States to study the potential savings (ECU 350 billion) referred to in paragraph K to ascertain whether undertakings would benefit from them if they were used to provide compensation for loss of wages, whether that could be done either by direct subsidy or, better still, by reducing (e.g. ECU 1 per hour) social security contributions levied on the first 32 hours of work and increasing (ECU 4 per hour) contributions levied on hours worked in excess of 32.
3. Also calls on the Commission to undertake and publish detailed quantified studies on the details and effect of policies which encourage a significant reduction in working hours and to consider various alternative scenarios as regards both the length of time during which compensation for loss of wages is paid and the amount of such compensation.
4. Calls on the Commission to undertake and co-ordinate very wide-ranging consultations with all those concerned on both sides of industry at Union level and in each of the Member States.
5. Calls on the Commission and the Council to encourage the Member States and both sides of industry to consider the reduction of working hours and to offer opinions with a view to engaging in all the negotiations required.
6. Calls on the Commission to encourage the two sides of industry to consult about these issues at European level and also at sectoral level, with a view to concluding flexible agreements on reducing working hours particularly in sectors currently excluded from the Directive on working hours.
7. Calls on the Commission to draw up a draft recommendation to lay down, for the use of the Member States, options which should avoid imposing administrative, financial and legal constraints in a way that would hold back the creation, retention and development of employment and the conditions for facilitating or encouraging by suitable means a reduction in working hours that would be compatible with stability in the terms of trade and the balance of competitiveness between the various Member States, whether achieved by direct subsidy or by adjusting social security contributions.
8. Calls, moreover, for the Commission and Council to ask Member States and the two sides of industry to enter into all appropriate negotiations with a view to gradually replacing overtime with compensatory leave, thereby making it possible to create several million jobs in the Union as a whole.
9. On the assumption that such measures would lead to a significant increase in leisure, the Resolution suggests that the Commission and the Member States should consider decentralised strategies to support lifelong learning, sporting and cultural activities and community work that would be clearly designed to stimulate social developments. Such measures would contribute to stimulating strong public demand for leisure and a potential increase in employment in emerging industries.
10. Expects the two sides of industry to shoulder their responsibilities towards job-seekers and to create the right preconditions in collective agreements with regard to working hours as employment opportunities arise.
11. Calls on the Council and Commission to create the right preconditions to enable all employees to enjoy equal rights, regardless of the type of working hours for which they opt.
12. Instructs its President to forward the Resolution to the Council, the Commission and both sides of industry.

Introducing his Report, Michel Rocard explained that the aim was to get the Commission to examine the possibilities for significantly reducing working hours and thus encourage new jobs. The member states, he said, had so far tried a number of 'increasingly irrelevant and expensive ways' of tackling unemployment but had ignored the potential offered by a massive reduction in working hours. He acknowledged that this was something that could not be achieved by legislation but rather through negotiation with the two sides of industry.

The Resolution, based on Michel Rocard's Report, was adopted by a large majority (300 votes in favour to 56 votes against with 19 abstentions).

The Future Of Social Dialogue At European Level

The European Commission has adopted a Communication on the future of the social dialogue at European level. Launching the Communication, Social Affairs Commissioner Padraig Flynn said that the time had come to reflect on the whole framework of the social dialogue at European level - reforming it and adapting it in view of the major policy challenges facing the European Union. "We are aiming at a rationalisation of structures and an optimal allocation of the resources available", said Padraig Flynn. "It requires concentrating efforts on the strategic priorities of the EU while at the same time giving the means to the social partners to engage in and build a dialogue".

The Communication raises a number of questions, including the efficiency of certain aspects of the dialogue, the transparency and visibility of the results and the need to facilitate further the dialogue in the context of the Essen strategy for employment. It presents the lessons to be learned and the perspectives for development. Where appropriate, the Communication sets out a number of possible reform measures designed to strengthen the social dialogue both at sectoral and interprofessional levels and to make it more adaptable. It makes suggestions for a rationalisation of structures and for an optimal allocation of resources.

In addition, the Communication identifies a number of questions concerning important, and sometimes sensitive issues where a debate is required in order to identify the best solutions. The social partners and EU institutions have until the end of this year to give their views and suggestions on the questions raised in the Communication, and the Commission will issue a second Communication in 1997 which sets out clearly the steps that are to be taken.

This reflection was prompted by a number of significant recent events in the European social dialogue, the most remarkable being the introduction of the new consultation and negotiation mechanisms under the Protocol on Social Policy which is attached to the Treaty on European Union. These procedures and mechanisms have led to the first European Agreement between the social partners, on the subject of parental leave, in 1995.

Furthermore, recent developments in the field of employment (notably the White Paper on Growth, Competitiveness and Employment and the Commission's proposal for a Pact of Confidence for Employment) have led inevitably to a greater focusing of the social dialogue, including sectorial dialogue, on employment.

Speaking at the launch of the Communication, Commissioner Flynn pointed out that this is the first occasion on which the Commission has expressed an overall position on different aspects of the social dialogue at EU level. He said, "the suggestions for reform in this Communication are aimed at a rationalisation of structures and an optimal allocation of the resources available. It requires concentrating efforts on the strategic priorities of the EU while at the same time giving the means to the social partners to engage in and build a dialogue."

The proposals and questions on which the Commission wishes to hear the views of all interested parties are as follows:

Val Duchesse Social Dialogue:

- The Commission will continue to give its full support to the "val Duchesse" social dialogue.
- The Commission calls on the social partners themselves to reinforce the social dialogue by ensuring adequate representation of all appropriate interests.

Interprofessional Advisory Committees:

- The continuation of the committees in their present form will be examined.
- The advisory committee on social security for migrant workers and the advisory committee on freedom of movement for workers could be merged.
- The status of the European social partners on the committees will be reviewed.
- *Question: Are there other reforms which should be considered for improving their functioning?*

Sectoral Social Dialogue:

- More substance could be given to the social dialogue at sectoral level by focusing it on strategic issues and sectors.

FOCUS : Communication On Future Of Social Dialogue

- *The Commission wishes to have the views of all interested parties on how to develop a more intensive and relevant sectoral social dialogue.*
- The Commission will strengthen co-operation and co-ordination within its services concerning the consultation procedures.
- *Question: What are the views on the organisation of responsibilities for sectoral dialogue?*
- A study of the representativeness of social partner organisations in the sectors will be launched.
- The Commission considers that in order to ensure efficiency the number of members of the Joint Committees should be reduced.
- *Question: How can the sectoral dialogue operate more effectively and with a view to the efficient allocation of resources? What are the views on the co-ordination of the sectoral social dialogue and communicating its results?*

The Standing Committee On Employment:

- The reform of the Standing Committee on Employment should be linked to the implementation of the European Council Decision on a stable structure for employment.
- The SCE should establish a work programme.
- *Question: Should the conclusions of SCE meetings be given a higher profile?*
- The current composition of the Committee should be modified and rationalised.
- The various social partner organisations should be called upon to express their views through a liaison committee.

Consultation Under The Agreement On Social Policy:

- *Question: Should the representativeness criteria for organisations to be consulted be adapted?*
- The Commission will keep under review the list of European organisations to be consulted, in line with the undertaking in its 1993 Communication.
- The Commission will organise regular meetings between all interested social partner organisations for information and an exchange of views.
- The time limit of the first-stage consultations should be reconsidered.
- *Question: Are there any other procedural changes which should be considered?*
- *Question: What are the views of the social partners on the first experience of negotiation of an agreement?*
- *Question: What steps can the social partners take to reinforce the acceptability of a negotiated agreement to all interested parties?*

Broader Issues For The Development Of Social Dialogue:

- The social dialogue should be increasingly focused on employment.
- Ways of assisting the EU social partners in developing links and practical co-operation with social partner organisations in Central and Eastern European countries should be examined.
- Regular meetings for the exchange of information between interprofessional social dialogue and sectoral social dialogue representatives should be held.
- There should be increased dissemination of information about the European social dialogue and encouragement for social partner organisations to inform their members on the activities and results of the social dialogue.
- *Question: What steps and practical assistance are necessary to create an effective information policy on the social dialogue?*
- Regular information on developments in the social dialogue should be provided to the EU institutions.
- Operational joint initiatives under the social dialogue should be strengthened and supported.
- In the light of challenges facing the EU, new levels of social dialogue should be developed.

An annex to the Communication provides a list of European social partner organisations currently consulted in accordance with Article 3 of the Agreement on Social Policy. These are as follows:

1. General Cross-Industry Organisations: (*)

- Union of Industrial and Employers' Confederations of Europe (UNICE)
- European Centre of Enterprises with Public Participation (CEEP)
- European Trade Union Confederation (ETUC)

2. Cross-Industry Organisations Representing Certain Categories Of Workers Or Undertakings:

- European Association of Craft, Small and Medium-Sized Enterprises (UEAPME - "Joint Committee of Social Dialogue")
- Confederation européenne des cadres (CEC) - Eurocadres

3. Specific organisations

- EUROCHAMBRES

4. Sectoral Organisations With No Cross-Industry Affiliation

- Eurocommerce
- COPA/COGECA
- EUROPECHE

FOCUS : European Confidence Pact For Employment

- Association of European Cooperative Insurers, AECI
 - International Association of Insurance and Reinsurance Intermediaries, BIPAR
 - European Insurance Committee, CEA
 - Banking Federation of the European Community
 - Savings Banks Group of the European Community, GCECEE
 - Association of Cooperative Banks of the EC
 - European Confederation of woodworking industries, CEI-bois
 - Confederation of the National Hotel and Restaurant Associations in the EC, HOTREC
 - European Construction Industry Federation
 - European Regional Airlines Association, ERA
 - Airports Council International - European Region, ACI-Europe
 - Association des Transports aeriens a la demande
 - Association of European Community Airlines, AECA
 - Association of European Airlines, AEA
 - Organisation europeenne des bateliers
 - International Union for Inland Navigation
 - European Community Shipowners Association, ECSA
 - Community of European Railways, CER
 - International Road Transport Union, IRU
- (*) Sectoral organisations of UNICE and committees of the ETUC also consulted

The European Confidence Pact For Employment Progress Report

Jacques Santer presented a progress report on the implementation of the European Confidence Pact for employment at the end of October. This report summarises progress so far and explores the prospects for implementing the Pact in the run-up to the European Council in Dublin. It identifies the first real traces of movement. In presenting the Report to the Commission, Jacques Santer said "there are fragile but promising signs of movement. Since the European Council in Florence, the Pact is beginning to gather momentum. Nonetheless, the process of mobilising support must be carried much further."

The European Confidence Pact For Employment was a process, launched on the 31st January 1996 by the President of the European Commission. The aim was to fight against a general climate of despondency by mobilising everyone concerned. The idea was very well received by the social partners, Parliament, the Committee of the Regions and the Economic and Social Committee. The Commission Communication of 5 June 1996 spelled out the four key objectives:

- to create a favourable macro-economic climate;
- to harness the full potential of the internal market;
- to quicken the pace of labour reform;
- and to use the Structural Funds to help create jobs.

The Progress Report reviews progress in these four areas to date. The main elements are as follows:

Macro-Economic Framework:

Significant progress has been made on economic and monetary union over the past year. The single currency will be introduced as planned and on schedule. The technical preparations are already well advanced. The main stages in the process so far have been marked by two major events:

- the Madrid European Council, which set the timetable and laid the plans; and
- the Florence European Council, which paved the way for the technical preparations for the introduction of the euro.

In addition, the informal Council meeting (Economic and Financial Affairs) of the 21st of September 1996 also made significant progress towards confirming the single currency as a common reference for everyone.

Internal Market:

The Pact process has helped to increase awareness amongst the business community and national administrations that the internal market is the mainstay of Europe's competitiveness. An integrated economy, with a single set of rules, provides far better prospects for growth and new jobs than the individual countries acting alone could hope for.

An unprecedented effort was required to reach this point. But we will not reap the benefits of the European multiplier effect unless we achieve all our objectives fully. The potential must be realised.

LEGISLATION : European Confidence Pact For Employment

The Florence European Council emphasised "the essential contribution made by the internal market to promoting growth and employment." A good start has already been made, with the Council's adoption, shortly before the European Council, of the directive on the single market in electricity.

The European Council also called on the Member States to speed up transposal of the remaining internal market Directives and asked the Council to draw up a report on taxation and its relationship with employment.

Labour Market:

Significant progress has been made in this area, in terms both of the reform of the Member States' structural policies and of the role of the social partners. But there is still some way to go in terms of making political recommendations on the basis of the successes and failures of national reforms, mobilising the various groups within the Member States and persuading them to work together and holding in-depth debates at European level on some of the options with regard to the labour market. The Commission has already launched the study on training schemes and job creation, called for by the European Council, and has adopted an action plan on learning in the information society.

Structural Funds:

The Confidence Pact draws attention to the job-creating power of the Structural Funds. The Commission Communication spells out two measures designed to ensure this power is used effectively. These are:

- giving local development and employment initiatives and support for SMEs priority when allocating spare funding;
- launching the first generation of territorial pacts.

The Florence European Council supported this. Objectives have been set and a timetable drawn up for Dublin:

- a conference will take place in Dublin on 11 and 12 November on local development, the conclusions of which should help with implementation of the territorial pacts;
- in the run-up to Dublin, towns and regions will be put forward by the Member States for participation in the territorial-pact pilot scheme.

Following the European Council, letters were sent out last August to the authorities concerned at all

levels: Heads of State or Government, ministers with responsibility for structural policies and chairmen of the monitoring committees. Some countries have already officially proposed certain areas and regions for the territorial pacts.

The conclusions of the Report state that the project is now underway. Though it holds promise for the future, it is still quite fragile. The Pact calls for:

- a comprehensive, integrated approach to employment, enabling us to make the best use of the resources available;
- a willingness from national or local administrations, businesses and or trade unions, to shoulder their responsibilities and a firmer commitment to creating jobs;
- social cohesion, an effort to work for closer solidarity and acceptance of the idea that consensus and joint effort are the only routes to a solution; and
- imagination - History has taught us that there are no problems which cannot be solved, given time. The spirit of resistance and determination must never flag and be allowed to give way to resignation and failure.

The Pact is thus built on the European model: discussion, solidarity and imagination are the key words. The Pact will provide the basic framework for Community action on employment.

The Pact has already set the ball rolling at various levels. The momentum must grow - supported by the Essen monitoring procedures, which are already well established, and the procedures for co-operation between the different branches of the Council (economic and financial affairs and social affairs). We still have to ensure that European public are aware of what is being done and to support any movement forwards to break down resistance.

The December 1996 Dublin European Council meeting will review progress on the implementation of the Pact and determine what further measures need to be taken. The Progress Report concludes that whilst progress has been made since Florence, the mobilisation process must continue and, indeed, be taken much further. There is still much to be done, the employment situation in Europe still gives cause for concern, and this strengthens the case for pushing ahead with the process set in motion by the Pact.

EUROPEAN WORKS COUNCIL DIRECTIVE COMES INTO FULL FORCE

European Works Council Agreements Adopted Before Final Implementation Date

It is now two years since the European Works Council Directive was adopted by the Council of Ministers on the 22nd September 1994. Article 14 of the Directive sets the final transposition date (the date by which Member States must comply with the provisions of the Directive) as the 22nd of December 1996. Article 13 allows for an exemption from the obligations of the Directive in cases of Community-scale undertakings and groups of undertakings where, by the final transposition date there is already an agreement providing for the transnational information and consultation of employees. Such agreements have become known as "Article 13 Agreements" and there follows a full list of such agreements adopted by the 22nd of September 1996 deadline.

<u>Enterprise</u>	<u>Country</u>	<u>Sector</u>	<u>Date of Agreement</u>
ABB-ASEA BrownBoveri	Switzerland	Metal products	08/07/1996
AGF	France	Banking / insurance	21/04/1994
ACCOR Group	France	Hotels / restaurants	09/04/1996
ADTRANZ	Germany	Metal products	10/09/1996
AgrEvo	Germany	Food and beverages	08/06/1995
AIRBUS Industries	France	Metal products	24/01/1992
ALCATEL ALS HOM	France	Metal products	17/06/1996
ALLIANZ	Germany	Insurance	08/03/1996
APV	Denmark	Metal products	17/09/1996
ARBED	Luxembourg	Metal products	23/05/1996
AXA	France	Insurance	26/06/1996
BRAUN	Germany	Chemical products	31/08/1994
Banque Nationale de Paris	France	Banking	10/07/1996
BASF	Germany	Chemical products	24/05/1995
BAYER AG	Germany	Chemical products	04/10/1994
BEIERSDORF	Germany	Chemical products	20/07/1994
BARTELSMAN	Germany	Publishing / printing	24/01/1995
BOEHRINGER ING.	Germany	Chemical products	25/06/1996
BOREALIS Polymers	Denmark	Chemical products	1994
BOUGUES	France	Construction / building	05/05/1995
BP OIL Europe	UK	Chemical products	02/06/1994
BRAAS GmbH	Germany	Construction / building	29/11/1995
BULL	France	Metal products	30/09/1992
CARNAUD METALBOX	UK	Metal / chemical products	07/06/1996
CIBA GEIGY	Switzerland	Chemical products	12/12/1995
COATS VIYELLA	UK	Textiles	27/02/1995
CONTINETAL - AG	Germany	Chemical products	24/06/1993
CORNING	USA/Ireland	Chemical products	18/06/1996
COURTAULDS	UK	Textiles	15/02/1996
CPC	UK	Food and beverages	11/05/1995
CREDIT LYONNAIS	France	Banking / insurance	12/09/1994
DANONE	France	Food and beverages	11/03/1996
DEGUSSA AG	Germany	Chemical products	20/04/1995
DLW	Germany	Metal products	16/11/1995
DUPONT	Luxembourg	Chemical products	28/11/1995

LEGISLATION : European Works Councils

<u>Enterprise</u>	<u>Country</u>	<u>Sector</u>	<u>Date of Agreement</u>
ELECTROLUX	Sweden	Metal products	02/1995
ELF AQUITAINE	France	Chemical products	07/07/1994
ENI	Italy	Chemical products	19/04/1995
ERICSSON	Sweden	Metal products	18/01/1995
ERIDANIA BEGHIN	Italy / France	Food and beverages	08/03/1995
EUROCOPTER	Fr. / Germany	Metal products	14/11/1995
EUROPIPE	Germany / Fr.	Metal products	10/1993
FAG	Germany	Metal products	06/04/1995
FERRERO	Italy	Food & agriculture	08/02/1996
GAN	France	Banking / insurance	08/1996
GATE GOURMET	Switzerland	Metal / food / beverages	13/08/1996
GENERALE DES EAUX	France	Construction / building	16/11/1995
GKN	UK	Metal products	07/11/1995
GRUNDIG	Germany	Metal products	27/08/1993
HAFSLUND NYCOMED	Norway	Chemical products	06/06/1995
HARTMAN	Germany	Textiles	30/10/1995
HENKEL	Germany	Chemical products	15/09/1994
HERBERTS	Germany	Chemical products	21/03/1995
HOECHST	Germany	Chemical products	01/09/1994
HOLDERBANK Group	Germany	Construction / building	03/05/1996
HONDA	Japan	Metal products	12/12/1994
ISS	Denmark	Business activities	28/06/1995
ICI	UK	Chemical products	25/03/1996
ING Group	Netherlands	Insurance	03/1996
ITALCEMENTI	Italy	Construction / building	27/06/1995
ITT CANNON	USA/France	Metal products	19/09/1996
ITT Industries	Germany	Metal products	05/09/1996
KAEFER	Germany	Construction / building	15/03/95
KEMIRA	Finland	Chemical products	07/02/1996
KNP LEYKAM	Netherlands	Chemical products	02/07/1996
KONE	Finland	Metal products	21/06/1995
KONINKLIJKE KNP BT	Netherlands	Chemical products	02/05/1996
KRAFT JACOBS	Switzerland	Food and beverages	03/1996
LAFARGE COPPEE	France	Construction / building	08/12/1994
LYONNAISE DES EAUX	France	Construction / building	31/05/1995
L'OREAL	France	Chemical products	17/06/1996
MAYR MELNHOF	Austria	Chemical products	1995
MIERCK KGaA	Germany	Chemical products	22/03/1996
MERLONI	Italy	Metal products	1996
MITSUBISHI	Japan	Metal products	21/06/1996
MYLLYHOSKI OY	Finland	Media / printing products	09/1994
NAT. WEST	UK	Banking	17/04/1996
NESTE Group	Finland	Chemical products	24/04/1996
NOKIA-NCM	Finland	Metal products	06/1993
NORSK HYDRO	Norway	Metal / chemical products	11/08/1994
OUTOKUMPO	Finland	Metal products	22/05/1996
OTIS	USA/France	Metal products	07/1996
PANASONIC	Japan/Germany	Metal products	13/11/1995
PARMALAT	Italy	Food and beverages	09/07/1996
PECHINEY	France	Metal / chemical products	17/12/1992
PETROFINA	Belgium	Chemical products	26/06/1995

FOCUS : European Works Councils

<u>Enterprise</u>	<u>Country</u>	<u>Sector</u>	<u>Date of Agreement</u>
PHILIP MORRIS	USA	Food and beverages	02/1996
PHOENIX-KONZRN	Germany	Chemical products	
PILKINGTON	UK	Metal / chemical products	06/11/1995
PIONEER	Japan	Metal products	30/05/1996
PREUSSAG	Germany	Metal products	01/02/1995
PRIMAGAZ SA	France	Chemical products	24/01/1996
PSA	France	Metal products	07/1996
REDLAND PLC	UK	Construction / building	01/1996
RENAULT	France	Metal products	05/04/1993
ROTHMANS Int.	USA	Food and beverages	04/03/1996
ROYAL DUTCH SHELL	Netherlands	Chemical products	01/08/1996
RHONE POULENC	France	Chemical products	14/11/1994
RWE AG	Germany	Chemical products	21/11/1995
SAINT GOBAIN	France	Chemical products	12/05/1992
SANDVIK	Sweden	Metal products	30/11/1995
SANYO	Japan/UK	Metal products	13/09/1996
SARA LEE	USA/France	Textiles	04/06/1996
SCA	Sweden	Paper products	22/11/1995
SCANSPED	Sweden	Transport	02/05/1989
SCHERING AG	Germany	Chemical products	22/06/1994
SCHERING-PLOUGH	Ireland	Chemical products	04/06/1996
SCHMALBACH-LUBECA	Germany	Metal products	25/05/1993
SCHNEIDER	France	Metal products	20/10/1993
SCHWARZKOPF	Germany	Chemical products	29/06/1995
SGS	Switz./France	Metal products	16/09/1996
SIEMENS	Germany	Metal products	23/10/1995
SKF	Sweden	Metal products	09/1994
SOLVEY	Belgium	Chemical products	05/10/1995
SONY	Japan	Metal products	27/09/1995
SUMITOMO RUBBER	Japan	Chemical products	07/09/1995
TDK Recording Media	Japan	Chemical products	23/07/1996
TETRA LAVAL	Sweden	Metal products / printing	1995
THOMSON C.E.	France	Metal products	28/08/1992
THOMSON CSF	France	Metal products	08/04/1993
THOMSON DASA	France	Metal products	1995
THOMSON Multimedia	France	Metal / chemical products	18/06/1996
TRACTABEL	Belgium	Chemical products / Energy	30/04/1996
TRIUMPH International	Germany	Textiles	08/01/1996
UAP	France	Banking and insurance	07/1996
UNITED BISCUITS	UK	Food and beverages	09/11/1994
USINOR SACILOR	Fr./Germany	Metal products	19/09/1996
Verlagsgruppe PASSAU	Germany	Printing / publishing	10/02/1995
VAW	Germany	Chemical / metal products	14/10/1994
VALMET	Finland	Metal products	27/06/1996
VF EUROPE SA	Belgium	Textiles	20/05/1996
VIAG	Germany	Chemical products	20/07/1995
VILLEROY & BOCH	Germany	Chemicals / construction	12/06/1995
VOLKSWAGEN	Germany	Metal products	07/02/1992
VOLVO	Sweden	Metal products	25/08/1993
WHIRLPOOL	USA/Italy	Metal products	11/09/1996
ZUMTOBEL	Austria	Metal products	10/07/1995

ETUC Calls For European Day Of Action On IGC

The ETUC Executive Committee - which met on the 10th and 11th of October in Brussels - decided to call a European Day of Action to coincide with the final stages of the Intergovernmental Conference on Treaty reform next Spring.

Although confident that the proposals on employment seem assured of a positive reception, the ETUC has decided to step up its lobbying on Treaty reform. The ETUC's 8-point programme of specific proposals for the IGC centres essentially on policies for jobs, social and employment rights, taxation and the role of the public services. Other priorities include the Social Policy Protocol, democratic decision-making, equality between men and women, and the elderly.

The ETUC and its national organisations will start by stepping up their contacts with the Union institutions and national governments to get backing for their demands, and will look for common ground with other like-minded organisations.

The European day of action will probably take place in the second half of May 1997, with events in major towns and cities throughout the Union all linked by the same keynote slogan.

Flexible Working Time And Worker Safety

The social partners (ETUC, UNICE and CEEP) started negotiations on "flexible working time and worker safety" on the 21st of October 1996. In a statement issued to mark the start of the negotiations, the ETUC said that it was looking for undertakings which cover all new forms of work. The ETUC's Executive Committee has appointed its 29-strong team of negotiators.

The ETUC's senior negotiator, Deputy General Secretary Jean Lapeyre, outlined the aims of the negotiations in his introductory speech. The overriding aim, he said, must be to ensure equal social protection and employment rights for all forms of work, which would also help redress the balance of equality for women (who account for 80% of all part-time workers). The view of atypical forms of employment as second rate must be changed; they must come to be seen positively as new and appealing employment opportunities that help develop quality jobs which accommodate

personal choices and promote a new organisation of work and working time.

Lapeyre confirmed the ETUC's desire to work these bases up into a European framework agreement which would lay down the essential principles and minimum guarantees, leaving the details to be fleshed out by national and industry bargaining.

EMF Collective Bargaining Objectives

The European Metalworkers' Federation (EMF) held its 2nd Collective Bargaining Conference on the 24th and 25th of October in Brussels. The Conference reviewed collective bargaining objectives in the vital period leading up to Economic and Monetary Union. The main conclusions of the Conference were confirmed by the EMF Executive Committee at its meeting on the 6th of November.

The European metalworkers' unions committed themselves to working towards a stronger and more effective European co-ordination of their collective bargaining policies. They stressed that improved European competitiveness must not be achieved through a decline in pay and working conditions. A more strongly co-ordinated European collective bargaining policy is a decisive element in the reinforcement of the social dimension in Europe. It is the duty of the European metalworkers' unions to achieve effective co-ordination at European level within the metalworking sector with regard to the safeguarding and improvement of real pay levels, the further reduction in working hours and limitations of overtime. The following aims for future collective bargaining were agreed by the conference:

1. Stressing within collective bargaining that guaranteed demand and social stability are essential for pan-European development.
2. Besides safeguarding real earnings absolute priority should be given to reducing working hours.
3. Support for utilising the possibilities for freer and more independent participation in the work process.
4. Collective bargaining and/or legal provisions making it compulsory for employers to offer further training to their employees.
5. The limitation of atypical contracts and ensuring that they are equated with normal employment conditions as regard labour law and collective bargaining rights.

Health and Safety in the Electricity Industry

Social partners in the electricity supply industry at European level have signed a joint discussion document establishing the general principles on health and safety and training. The document was signed on the 13th September 1996 by the electricity suppliers' organisation EUROELECTRIC and the ETUC affiliated EPSU (the European Federation of Public Services Unions), in the presence of European Social Affairs Commissioner Padraig Flynn.

The document - which is the result of several months of negotiations between EUROELECTRIC and the EPSU was described as "a first and successful step towards closer co-operation and collaboration between employers and trade unions in this sector". Representatives from both organisations welcomed the strengthened advisory role of the social partners in the context of both the European level and sectoral social dialogue. In a joint statement they said that they hoped such co-operation would enable the Commission "to see more clearly what areas can be regulated through legislation and what areas should be left to employers and unions to resolve between them".

EP Debate Equal Treatment Amendment

The September Plenary session of the European Parliament received a Report from the Portuguese MEP, Helena Torres Marques, on the European Commission's proposal to amend the 1986 directive on equal treatment for men and women in occupational social security schemes to bring it into line with a number of Court of Justice rulings, in particular the 1990 Barber case (when the Court ruled that men and women should receive equal pensions as well as equal pay for equal work).

Helena Torres Marques explained that the aim of the Women's Rights Committee was to ensure that women did not suffer discrimination as a result of the legislation hence amendments designed to introduce flexible pension arrangements for a variable retirement age, the calculation of pensions is another concern for the committee which has tabled another amendment designed to rule out the use of different actuarial factors for men and women and ensuring that part-time and atypical workers would also be included. The 1986 directive contains

certain derogations from the Treaty principle of equal treatment as it gives the member states the option of excluding pensionable age and survivors' pensions from its scope. But with the Barber and subsequent judgments ruling that these exceptions were invalid, the Commission is seeking to transpose the Courts' case-law into EU legislation.

The Barber judgment made it clear that the concept of different retirement ages for men and women was contrary to the Treaty of Rome, Article 119 on equality. In the debate MEPs were anxious to ensure that women, already the victims of social security cuts in some Member States did not suffer further discrimination. But Commissioner Padraig Flynn's reply that for legal reasons he was not in a position to take on board the proposed amendments did not go down too well with MEPs from the Committee.

Communication On Public Services

The European Commission has published its Communication on public services in Europe. The introduction to the Communication stresses that the people of Europe have come to expect high quality public services at affordable prices, indeed many see such services as a social right which make important contributions to economic and social cohesion. The economic importance of the public sector is considerable - public sector companies, for example, account for around 9% of total employment in the EU.

With the continued development of the Single Market leading to greater cross-border competition and with the progressive liberalisation of many of the sectors where public services and public companies are strongly represented has led the Commission to attempt a general overview of the role of the public sector and services of general interest in the future growth of the EU economy. The Communication is divided into three sections.

1. Services of General Interest : A Key Element In The European Model Of Society.

This section reviews both the shared values of public sector undertakings in the EU and the various different organisational arrangements. It also examines the impact of the Single European market on the public service sector.

2. The Community Contribution : Dynamism, Flexibility and Solidarity.

This section examines the current situation in each

of the major sectors where the public sector is an important player - telecommunications, postal services, transport, electricity and broadcasting.

3. Objectives For The Future.

The final sector looks at ways of strengthening European co-ordination and solidarity and examines the question of whether there should be a reference in the Treaty to public services.

Social Affairs Council Main Conclusions

The Social Affairs Council met on Tuesday the 24th of September under the Presidency of the Irish Social Affairs Minister, Eithne Fitzgerald. The main decisions reached by the Council were:

- The Common Position on the proposed Directive on the protection of workers against risks linked to the exposure to carcinogens at work was adopted.
- The Council reached a political agreement on the establishment of a Committee on Employment and the Labour Market, the objective of which is to facilitate co-operation between the Social Affairs Council and the Economic and Finance Council.
- The definitive adoption of the Directive on the secondment of workers in the context of the provision of services (Posting of Workers Directive).
- An agreement on the substance of the content of the recommendation concerning the balanced participation of men and women in the decision-making process.
- An agreement on the draft Resolution, introduced by the Irish presidency, concerning the integration of men and women and equal opportunities in the context of the European structural funds.
- Receiving a Report from the Irish presidency on the progress achieved in the preparation of a joint report on Employment (Social Affairs Council and ECOFIN Council) which will be presented to the December Dublin European Council.
- Discussions on a proposal from Commissioner Flynn to establish a special expert group to examine the situation with respect to outstanding proposals on the consultation of workers.

The proposed Directive on the burden of proof in sex discrimination cases is likely to be discussed at the next Social Affairs Council meeting in December.

Implementation of Social Policy Directives

In its thirteenth annual report on monitoring the application of Community law, the European Commission provides details of the current state of play with regards to the implementation of Directives applicable to employment and social policy.

The following table shows for each Member State:

- (a) the number of directives applicable on the 31st December 1995 / the number of directives for which measures have been notified to the Commission, and
- (b) the percentage of Directives thus implemented.

Member State	(a)	(b)
Belgium	45 / 34	76%
Luxembourg	45 / 42	94%
Denmark	45 / 43	96%
Austria	45 / 41	91%
Germany	45 / 39	87%
Netherlands	45 / 43	96%
Greece	44 / 36	82%
Portugal	45 / 36	80%
Spain	45 / 30	67%
Finland	45 / 45	100%
France	45 / 39	87%
Sweden	45 / 45	100%
Ireland	45 / 40	89%
United Kingdom	45 / 41	91%
Italy	45 / 35	78%

The directives covered in the above table relate to:

Labour Law (6 directives) - 75/129, 77/187, 80/987, 91/383, 91/533, 92/56

Equal Opportunities (6 directives) - 75/117, 76/207, 79/7, 86/378, 86/613, 92/85

Freedom of Movement (3 directives) - 64/221, 68/360, 72/194

Public Health (3 directives) - 89/622, 90/239, 92/41

Health and Safety at Work (27 directives in all)

PUBLICATIONS

The European Social Dialogue

The Commission has just published a major review of social dialogue in the EU in its "Social Europe" series (Issue 2.95, but only just published). It covers the following areas:

- The background to, and development of, the social dialogue at European level. This section includes discussion of the Val Duchesse European level cross-industry social dialogue and the impact of the Maastricht Agreement on Social Policy on social dialogue at this level.
- An examination of the sectoral social dialogue in sectors with formal joint committees, informal working parties and non-structured discussion groups. Some 26 sectors are examined in detail. Sectors where formal joint committees already exist include agriculture, road transport, inland navigation, railways, marine transport, civil aviation, fishing, telecommunications and postal services. Sectors with informal working parties include hotels and restaurants, commerce, insurance, banks, footwear, construction, cleaning, textiles and clothing and private security.
- The texts of all the major agreements adopted by both the European level social dialogue and the joint opinions and statements arising from the sectoral social dialogue. This latter group includes statements on agriculture, transport, telecommunications, commerce, footwear, textiles and clothing, and woodworking.

Social Europe is available on a subscription basis, but individual copies of this report on the social dialogue can be ordered at a price of 24 ECU

Collective Bargaining In Western Europe 1995-6

For many years the European Trade Union Institute (ETUI) has published an annual review of collective bargaining trends in EU and EEA Member States within its regular series of Research Reports. This year, however, brings a new departure with the upgrading of the annual report to the status of a full-sized book which manages to retain the same basic approach as the Research Reports of previous years but also provide a greater depth of analysis.

The book is divided into three main chapters:

CHAPTER 1 provides an overview of economic and social developments in Western Europe in 1995-96 and contains information on the main

indicators such as economic growth, labour market developments, inflation, wages and working time.

CHAPTER 2 describes the trends in collective bargaining during 1994-95 in selected countries of Western Europe. The countries covered in the survey are Belgium, Finland, France, Germany, Greece, Ireland, Italy, the Netherlands, Norway, Portugal, Spain, Sweden, and the UK. Each national section has been written by a researcher from one of the relevant national trade union centres and each section contains details on the economic, social and political background to bargaining, trends in pay, working hours and labour market flexibility, gender issues, and the trend towards the Europeanisation of collective bargaining. Each of the national reports reflects developments up to the Spring of 1996.

CHAPTER 3 provides a summary and overview of the 1995-96 collective bargaining round in Europe.

Industrial Relations And The Environment

The August 1996 issue of the European Trade Union Institute's European Review of Labour and Research (Transfer) concentrates on the subject of industrial relations and the environment..

The first article ("Industrial Relations and the Environment - Some Theses") provides a general overview of the way in which industrial relations has been affected by a growing concern for the environment throughout Europe and how this concern has affected environmental problem solving approaches.. A second article asks the almost rhetorical question "Do workers and trade unions have a role to play in environmental protection?". The answer draws on a number of case studies carried out throughout the EU in the early 1990s. The general conclusions suggest that whilst undoubtedly workers and trade unions do have an important role to play, currently their inputs tend to be rather narrow and limited. Evidence of exceptions to this conclusion is provided by the recent agreement concluded by the Italian Trade Union organisations and the Italian Environmental Organisations - "Protocol of Agreement with Regard to Employment, the Environment and Sustainable Development". The full text of this Protocol is reproduced.

Information on subscriptions to "Transfer" can be obtained from the European Trade Union Institute.

STATISTICS

Density Of Trade Union Membership In EU Member States

Estimate Of Trade Union Membership As A Ratio Of Total Number Of Workers (%)

Country	1980	1985	1990	1991
Belgium	59.7	71.7	67.7	67.4
Denmark	86.7	90.8	86.5	90.5
Germany	40.6	40.5	38.4	41.8
Greece	-	36.7 (1986)	-	-
Spain	8.5 (1981)	10.6	13.2	15.1
France	18.8	15.6	10.5	10.6
Ireland	45.9	49.9	49.5 (1988)	-
Italy	62.1	61.5	65.0	65.6
Luxembourg	54.3	-	46.0 (1989)	-
Netherlands	37.5	31.4	27.1	27.1
Portugal	61.1	58.2	49.0 (1987)	-
UK	56.3	50.5	43.4	-

Source: Eurostat on the basis of various national sources (trade union organisations, Ministry of Labour Registers)

Taxes and Social Contributions In EU Member States

A Eurostat report on taxes and social contributions as a % of GDP puts Sweden on top of EU Member States with 51.5% of GDP share taken last year by taxes and social contributions (TSC). Denmark is next with 51.4%. Spain is lowest with 34.8%, just under the United Kingdom (34.9%). EU average is 41.7%.

Taxes & social contributions in 1995, in % of GDP

1. Sweden	51.5%	8. Germany	42.6%
2. Denmark	51.4%	9. Austria	42.3%
3. Belgium	46.8%	EU average	41.7%
4. Finland	46.3%	10. Italy	40.7%
5. Netherlands	45.4%	11. Ireland	36.3%
6. France	44.6%	12. United Kingdom	34.9%
7. Luxembourg	43.3%	13. Spain	34.8%

Data for Greece & Portugal not available

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