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# Commission of the European Communities DG / V/B Quarterly Newsletter on Employment Policies

InforMISEP is the newsletter of the Mutual Information System on Employment Policies (MISEP). MISEP was created by the Commission of the European Communities (DG V), to meet the need for an exchange of information on employment policies within the European Community. InforMISEP (iM) presents the changing policies and actions, particulary those sponsored by national ministries and agencies, aimed at promoting and improving employment within the European Community. It is compiled on the basis of information provided by national correspondents and is published in English, French and German. The information serves to update Basic Information Reports (BIRs).

The labour market in 1989

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Directorate-General Employment, Industrial Relations and Social Affairs

## **DEVELOPMENTS AT A GLANCE**

Belgium	(8)	The Regional Walloon Executive has modified the amount and some of the conditions for receiving an employment incentive, which is granted for any additional hiring by small and
	(14)	medium enterprises.  A new collective agreement is generalizing leave for urgent reasons to all workers.
	(14)	The applicable rules of the part-time work system are modified. Priority will be given to part-time workers who ask to fill a vacancy within their enterprises, and the performance and flexibility of part-time workers will be monitored.
Denmark	(17)	Major organizational changes have taken place in the Danish Ministry of Labour.
FR Germany	(1)	The high growth rate of the FRG economy in 1989 has benefitted the labour market enormously. Without the unemployed resettlers, the unemployment figure would have dropped significantly below 2 million.
	(2)	The budget of the Federal Employment Services, and with that employment promotion, reaches record level.
	(2)	The Employment Promotion Act 1990 aims to diminish the unemployment rate further, several employment promotion measures have been extended and other instruments have been adapted.
	(10)	Measures for vocational integration of Aussiedler are aimed at resolving short-comings in their command of the German language and at raising their vocational qualifications.
Greece	(12)	The greek government is faced with a new and growing socio-economic problem. Inhabitants of Pontos, in the USSR, of Greek origin have started to return to Greece.
	(19)	A new law establishes a wage index adjustment in 1990 in line with price increases.
Spain	(3)	An agreement between the government and trade unions establishes union control over labour contracts.
	(10)	A resolution of the Council of Ministers was recently promulgated, allowing workers aged 52 or older to stay in the Employment Promotion Funds for the period of time necessary to
	(19)	be eligible for the system of early retirement at 60. A minimum interprofessional wage has been established for permanent, non-permanent and domestic workers.
France	(9)	Two new employment measures (CRE and CES) aim to foster the integration of the most vulnerable jobseekers and to combat long-term unemployment.
Ireland	<b>(5)</b>	The school-leavers survey 1989 shows that the unemployment situation among school-
	(5)	leavers is continuing to improve. FAS, the national training and employment authority, has introduced a new levy/grant scheme for companies within industry, which provide training to their employees.
Italy	(4)	Partial financing by the state of employers' contribution to the national health service will be continued in a number of sectors.
	(12)	New rules have been issued to enable citizens of non-EC-countries to legalize their position as regards entry into Italy and residence for employment.
Netherlands	(6)	A schooling campaign is launched, promoting a positive attitude towards education and motivating employed and unemployed persons to follow labour market-related training courses.
	(12)	On the basis of the Refund Scheme Temporary Employment employers can obtain subsidies if they hire long-term unemployed persons or give them the opportunity to acquire work experience.
	(12)	The group of people provided for in the Act on the Employment of Disabled Workers is extended. From now on the Act also applies to others who experience clear obstacles in finding or executing work owing to illness or disability.
	(13)	The government is preparing a Youth Employment Guarantee Scheme, which aims to pro-vide temporary part-time jobs for unemployed young people.
	(16)	A study has indicated that special arrangements for flexible workers in collective agreements often imply unfavourable differences with the general terms that count for those with a permanent contract.
Portugal	(16)	A new legal regulation stipulates that an enterprise's decision to employ temporary workers is subject to administrative authorization.
United Kingdom	(4)	The Employment Act 1989 aims to increase employment opportunities and flexibility and
	(6)	removes over 100 restrictions on employment of women and young people.  The success of compacts has led to the addition of UKL12m to its 1990 budget, enabling the
	(7)	remaining 14 eligible areas in England, Scotland and Wales to develop compacts.  The Youth Training Scheme has been revised, with the aim of securing a broad-based qual-

ity training for all young people.

agency in April 1990.

(19)

The Employment Service, currently the part of the Department of Employment which administers jobcentres and unemployment benefit offices, will become an executive

# infor **MISEP**

Dear readers,

In January 1990 the secretariat of MISEP has been handed over from the European Centre for Work and Society in Maastricht to the Institute for Policy Research (IPR) in Leiden. Starting with this issue of inforMISEP, all MISEP-publications will be published in Leiden.

IPR is an independent institute, specialized in research which is aimed at finding practical solutions to policy questions facing governments, governmental agencies, non-profit and profitmaking organizations.

In close cooperation with the MISEP-correspondents in all EC-Member States we hope to keep you well informed on policies and actions aimed at promoting and improving employment within the European Community.

Marjolein Peters, MISEP Project Director

#### BASIC INFORMATION REPORTS

Comparable information on labour market operations and policies from the EC-Member States is published in Basic Information Reports. The following country reports are still available in English, French and/or German at the price of ECU 6 each, or ECU 50 for the set of 12.

Country	Published in	Languages
Belgium	1989	$\mathbf{F}$
Denmark	1988	$\mathbf{E}$ / $\mathbf{F}$
France	1987	$\mathbf{E}/\mathbf{F}$
FR Germany	1988	E / G
Greece	1986	$\mathbf{E}$
Ireland	1988	$\mathbf{E}$
Italy	1988	$\mathbf{E}$ / $\mathbf{F}$
Luxembourg	1986	$\mathbf{E}$
Netherlands	1987	$\mathbf{E}/\mathbf{F}/\mathbf{G}$
Portugal	1987	$\mathbf{E}/\mathbf{F}/\mathbf{G}$
Spain	1988	$\mathbf{E}/\mathbf{F}/\mathbf{G}$
U.K.	1988	$\mathbf{E} / \mathbf{F}$

### OVERALL DEVELOPMENTS

## FR Germany

#### The labour market in 1989

In 1989 the Federal Republic has experienced the highest growth rate of the economic recovery which has now lasted for seven years. The labour market fully followed in the wake of the boom. On average 2,037,800 persons were unemployed, i.e. 204,000 (9.1%) less than in the previous year. This is a remarkable result, considering the influx of 716,154 resettlers into the Federal Republic (Aussiedler of German origin from East European countries and Übersiedler from the GDR). They significantly increased the working population and kept pressure on the labour market. Without the unemployed resettlers, the unemployment figure would have dropped significantly below 2 million, which would have meant an even drop over the previous year. (cf.Table 1)

#### Resettlers

Resettlers of working age usually register immediately at the local employment office to find employment and to receive "integration allowances". The employment offices have observed that the labour market has integrated many newcomers surprisingly fast. It is frightening to think of what would have happened if the heavy influx of resettlers had not coincided with such a booming West-German economy.

The rapid occupational integration of the resettlers indicates that they will not just put a strain on the labour market on the medium term. Their enormous backlog of demand for all kinds of consumer goods and services not only creates the demand necessary for their own employment, but it is also likely to benefit the other jobseekers. (see also: "Occupational integration of the Aussiedler" in this edition)

#### Labour market development

This is the background for the following features of 1989:

- Employment continues to be at a record level: in November 1989 27,910,000 persons were gainfully employed. This is 360,000 (1.3%) more than in November 1988.
- Between the end of 1982 and 1989 the number of employees liable to social security rose by 1.5 million. (1982 was the year of the last economic downswing)
- Nearly 4 million people experienced an end to their unemployment in 1989, about 160,000 more than in 1988. That is the highest flow off the register in one year since 1961. The figure

- is proof of the high mobility currently on the labour market.
- At 78,100 (average for 1989) the number of jobseekers under 20 years of age was less than half that of 1989, (165,000)
- 2,229,300 vacancies were notified to the local employment offices in 1989, an increase of 15.3% compared to 1988. Not since 1976 have employers notified so many vacancies.
  - Expansion is in full swing for employers.
- Local employment offices carried out 2,281,000 placemnts in 1989, 7.9% more than in 1988. This is the highest placement result since 1977.
- Short-time working is at an extremely low level with a yearly average of 107,000 persons affected. This is half the figure for the previous year (206,200). (The figure peaked in January 1983: 1.19 million; and had dropped to 49,700 in December 1989)
- As short-time working has been considerably reduced, in-firm reserves of manpower have become virtually nonexistent. Increase in production will therefore lead to new hirings.

#### Effects of employment policy measures

In 1989 labour market instruments once again contributed to improving the chances of the unskilled or inappropriately skilled unemployed to re-enter working life. An average of 96,900 employees participated in job creation measures (ABMs) in 1989 (1988: 114,900). Due to the easing of the labour market situation, ABMs are becoming superfluous in several areas.

In 1989 an average of 327,000 employees participated in vocational training programmes run under the terms of the Labour Promotion Act (AFG), only 7,500 (2.3%) less than in the previous year.

The action programme "Employment aids for Long-Term Unemployed" was launched by the Federal Government. Between July and December 1989 15,400 persons were helped to a job by means of wage cost subsidies. A further 2,300 applications were being processed at the end of the year.

Labour market policy will remain a high priority in 1990. DM 9.5bn will be available to the Local Employment Offices for vocational training and *ABMs* (1989: DM 8.9bn), twice as much as in 1982. The number of participants will rise accordingly. (see also: "The Federal Employment Services' 1990 budget" below)

#### OVERALL DEVELOPMENTS

Tabel 1: Changes of annual averages and amounts 1980 - 1989, compared to previous years (%)

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Unemployed	+ 1,5	+ 43,1	+ 44,2	+ 23,2	+ 0,3	+ 1,7	- 3,3	0,0	+ 6,6	- 9,1
Vacancies	- 13,7	- 20,7	- 17,0	+ 11,0	+ 12,4	+ 10,7	+ 18,6	- 1,0	+ 6,1	+ 15,3
Placing of workers	- 9,8	- 14,8	- 14,0	+ 11,6	+ 12,6	+ 7,0	+ 4,7	+ 1,6	+ 5,9	+ 7,9
Short-time workers	+ 55,9	+ 154	+ 74,7	+ 11,4	- 43,2	- 38,9	- 15,8	+ 40,8	- 25,3	- 48,1

# The Federal Employment Services' 1990 budget

The 1990 budget of the Federal Employment Services (BA) was agreed by the federal government in December 1989. The budget earmarks expenditures of DM 42.7bn. It is financed partly by a federal subsidy of DM 3.1bn. (cf. BIR FR Germany Chap.i on budget financing of the BA)

For continuing vocational training and retraining an amount of DM 6.4bn (1989: DM 5.7bn) has been made available. This means a doubling of the amount spent in 1982, when DM 2.9bn was allocated.

DM 3.2bn has been made available for vocational rehabilitation. This is the largest amount ever earmarked by the BA for the vocational integration of disabled persons.

As in 1989, DM 3.2bn will be provided in 1990 for job creation measures. Compared to 1982 (DM 0.8bn), the resources for job creation measures have quadrupled.

The BA will spend DM 5,5bn for integrating resettlers (Aussiedler and Übersiedler) in 1990. No less than DM 2.7bn. is devoted to language training of Aussiedler. (see also "Occupational integration of Aussiedler" in this issue)

An amount of DM 16.8bn has been allocated to unemployment benefits (38,8% of total expenditure). This is DM 2bn less than in the previous year (45,4% of total expenditure).

With the budget approved, the BA will be in the position of purposefully combatting unemployment in the coming year, with targeted application of labour market policy instruments.

### **Employment Promotion Act 1990**

The Bundesrat (the Upper House of the Federal Republic) has passed the Employment Promo-

tion Act 1990 which is thereby enacted. The Act aims to reduce the rate of unemployment further. To this end several employment promotion measures, which would otherwise have lapsed, have been extended to 31.12.95. Other labour market instruments have been adapted.

# Law on the legal provisions on employment promotion

This law is part of the Employment Promotion Act 1985. The existing dispensations concerning the conclusion of limited term contracts have been extended.

#### Labour Promotion Act (AFG)

The following measures are being extended:

- 1. placing young persons, free of charge, in vocational training by bodies mandated by the Federal Employment Services;
- 2. promoting the participation of unemployed young persons under 25 in preparatory vocational training programmes, without charge, if they have been liable to social security for at least 4 months;
- 3. promoting the participation of unemployed young persons under 25 in preparatory courses for obtaining the lower secondary leaving certificate or in general education courses with the aim of reducing vocationally significant educational shortcomings;
- 4. promoting the participation of young persons under 25 in part-time vocational training programmes by granting part-time subsistence allowances;
- promoting the participation in vocational training programmes of workers who have been looking after and educating a child by granting them a part-time subsistence allowances.
- 6. paying short-time working allowance to workers in so called *Personal-Einsatzbetrieben*; this measure, which has so far only applied to the steel industry, will be extended to overcome difficulties in other sectors of the

#### OVERALL DEVELOPMENTS

economy stemming in particular from the coal industry;

- lowering the minimum age at which job creation measures can be applied to workers aged 50 years;
- 8. applying the rules for obtaining unemployment benefits more flexibly for unemployed 58 year-olds who undertake to apply for pension-schemes as soon as they are entitled to;
- 9. extending the period in which payment of unemployment benefits can be blocked after resignation.

#### Temporary Employment Businesses Act

The supply of workers by temporary employment businesses will continue to be allowed for a maximum period of 6 months.

#### Severely Disabled Persons Act

In determining the quota of severely disabled persons to be employed in a firm, trainee posts are not considered. Another rule that will be continued is that severely disabled trainees will be counted double or even triple when deciding on the quota.

# Adaption of the instruments of the Temporary Employment Businesses Act

Provision in the Temporary Employment Businesses Act for help among colleagues (Kollegenhilfe), aimed at avoiding short-time working and dismissals, will be eased by replacing the system of granting permission for hiring out workers by one in which employers merely have to give a statement of the use they make of hired workers. The regulation is limited to small firms with less than 20 employees, which are located in the same or immediately bordering, geographical area of the chamber of trades.

## Spain

#### Union control over labour contracts

The agreement between the government and trade unions, reached on 31.1.90, establishes union control over labour contracts in observance of the Workers Statute (cf. BIR Spain, Ch.II-1). The agreement lays down the duty on employers to hand over a simplified copy of written contracts (both open-ended and temporary) to the legal shop-stewards, within a time limit of 10 days following the drafting of the contracts. Contract extensions must also be notified. The simplified copy shall contain the necessary data in order to check if the contract content is in accordance with the rules in force. Nonobservance of this obligation will be considered a serious contravention of the Social Order Offences and Sanction Law.

The agreement also concerns the papers stating the settlement of the sum owed by the employer in case of the ending of the employment contract (discharge). The employer is required to include a discharge proposal when giving the worker advanced notice or notice of termination. A legal shop-steward will be allowed to assist the worker in this proceeding if the worker so desires.

The agreement implies the creation of Regional Committees for following up on labour recruitment. The purpose of these tripartite (employers, administration and trade unions) committees is:

- to study and analyze the development of labour recruitment in each region;
- to assess the results obtained from application of employment promotion programmes and measures;
- to foster specific actions against fraud;
- to participate in the follow-up and evaluation of the results of the actions of the Labour Inspectorate;
- to contribute to improving the situation as regards labour recruitment in the region.

The agreement includes cooperation between trade unions and the Labour Inspectorate. This will be carried out through the mandatory consultation of the most representative trade unions with regard to the plans of the inspectorate relating to recruitment checking. At the same time shop-stewards will be allowed to attend the proceedings filed against workers before the Labour Inspectorate in person. They shall receive information on the results obtained by the Inspectorate, in case notice of termination is given.

# United Kingdom

### Employment Act 1989

The Employment Act 1989 was passed on 16.11.89 and most of its provisions have now come into force. The act increases employment opportunities and flexibility. It removes over 100 restrictions on the employment of women and young people.

#### Sex discrimination

Most sex discrimination in employment was already unlawful under the Sex Discrimination Act 1975 (SDA). The Employment Act 1989 gives priority to the SDA over other employment requirements except in specific circumstances, e.g. safety risks specifically affecting women and single-sex recruitment at "Oxbridge" women's colleges while under-representation of women in academic posts continues.

The age at which women cease to be eligible for statutory redundancy pay is raised to the same age as men. Restrictions on women working in mines and quarries are removed.

#### Young people's employment

All restrictions on the working hours of young people (over minimum school-leaving age and under 18) are lifted. Some restrictions on the type of work they may perform are also removed. The 1989 Act does not remove restrictions wherever the Health and Safety Commission have advised that they are desirable for health and safety reasons (e.g. working with dangerous machinery and chemicals). Restrictions on young people working in betting shops and on the

sale of alcohol are also retained. Rules on employment of children below the minimum school-leaving age are not affected by the Act.

#### Deregulation

The 1989 Employment Act:

- reduces the paperwork burden in setting out grievance procedures in small firms;
- restricts entitlement of trade unions officials to paid time off for trade union activities (under the Act entitlement now only applies to tasks for which the employer recognises and negotiates with the union);
- brings the period for entitlement to a written statement of reasons for dismissal into line with the entitlement to take a complaint to an industrial tribunal;
- provides for a new mechanism for discouraging frivolous applications to industrial tribunals: a deposit may be required at the tribunal's discretion.

#### Training

The Act provides for the dissolution of Training Commission (already largely abolished in practice) and includes provisions to facilitate the hiving-off of Skillcentres and reforms of Industrial Training Boards.

#### Other provisions

Among other miscellaneous provisions the Act exempts Sikhs, who may insist on wearing turbans for religious reasons, from requirements to wear head protection on construction sites, provided they are wearing turbans.

### **EMPLOYMENT MAINTENANCE**

### Italy

# Fiscalization of social security contributions

For several years the employers' contribution to the national health service in a number of sectors has been partly financed by the State (cf.iM26). This will be continued for the period from January to May 1990 by decree-law no. 3 of 20.1.90. Instead of the scheduled increase the monthly amounts of the previous period will continue in force.

The new decree, however, extends the list of enterprises which are allowed a reduction of the employers' contribution to road transport enterprises (for third parties). Moreover, the reductions for maritime workers, who have no continuity of employment contracts, have increased by an additional third.

Enterprises within the relevant branches (cf. iM26) which are situated in the Mezzogiorno, the south of Italy, may further reduce the employers'

#### EMPLOYMENT MAINTENANCE

contribution in future. However, further promoting the additional hiring of women as well as persons under the age of 29 by way of fiscalization of social security contributions will be applied to the whole country. In the case of such an additional hiring, a special reduction of the employers' contribution to the national health service is granted for up to six months. This may be added to the extra reduction for enterprises in the Mezzogiorno as stated above.

The amounts of the reduction in the agricultural sector have also been prolonged to May 1990. The time limit for relief in contributions in the Mezzogiorno, which had been fixed by previous legislation, has been extended to 31.5.90.

### **TRAINING**

### Ireland

#### School-leavers survey 1989

The Department of Labour's annual school-leavers' survey was published in December 1989. The survey was carried out in May and June 1989. It examines the career developments of second-level school-leavers from the 1987/1988 academic year. In line with the practice in previous years, almost a full year was allowed to elapse before conducting the survey. This time lapse allows a more settled picture to emerge in relation to school-leavers entering the labour market or continuing in further education. The results are based on a national sample of 1,990 school-leavers from an estimated total of 67,900 students who left second-level education in 1987/1988.

The main findings show that an estimated 28,400 school-leavers (41.8%) were in employment, while 21,400 (31.5%) were engaged in further education. A further 7,600 (11.2%) were still seeking their first job, while 3,200 (4.6%) were unemployed after having had a job and lost it. Emigration accounted for 6,500 (9.5%) of school-leavers and 900 (1.3%) were unavailable for work (through being engaged on home duties, through illness or other causes).

Compared to the previous years' survey, the findings show that the unemployment situation among school-leavers is continuing to improve. Compared to 1988 there was a substantial drop of 3.6% in their level of unemployment. At 15.8%, the unemployment rate amongst school-leavers is now at its lowest level since 1981. The proportion of school-leavers in employment, however, also declined slightly (0.7%). The number going to further education increased by 1.6%, while emigration rose from 7.3% in 1988 to 9.5% in 1989.

The 1989 survey also highlighted once again the importance of educational qualifications in de-

termining employment prospects. Almost 45% of those leaving school without any formal qualifications during the 1987/1988 academic year were unemployed one year later, compared to 28.5% of those who left after completing the junior cycle of secondary education ("Intermediate/Group Certificate" examinations) and 9.3% of those who left after completing the senior cycle of secondary education ("Leaving Certificate" examinations).

# Changes in operation of Levy/Grant Scheme

FAS, the national training and employment authority, has introduced a new self-assessment levy scheme for companies within industry, which provide training to their employees. This new scheme replaces the original levy/grant system, introduced under the 1967 Industrial Training Act, with the objectives of increasing the amount and improving the quality of training, as well as distributing more equally between employers the cost of training in industry. The Scheme, in its new format, continues to apply to eligible firms in the following industries: engineering, printing and paper, textiles, clothing and footwear, construction, chemicals and allied products, and food, drink and tobacco industries.

Under the old system, firms paid for training through a levy amounting to between 1 and 1.5% of the total payroll for the previous year. Generally, a participating firm could then reclaim up to 90% of this levy payment from FAS, in the form of training grants, if the firm's training performance was considered to be adequate. FAS kept the remaining 10% of levy payments to cover its administrative costs.

Following a major review of the levy/grant system, it was decided that, while the concept of levy/grant should continue, the structure of the scheme should be refocused. Firms should be

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given greater responsibility for deciding and implementing their own training priorities. It was also felt that there should be a response to calls from industry to make the operation of the scheme simpler and less bureaucratic.

Under the changes now introduced to the scheme, firms, on the basis of their own assessment, may claim entitlement to a credit for training undertaken and offset this credit against the levy due. In practice, this means that, where a

firm has shown adequate training activity, FAS will credit that firm with a training grant of 90% of the assessed levy and the firm will only have to pay a net 10% (up to 20% in some sectors of engineering) of its total levy.

FAS will ensure the effectiveness of the new scheme by way of random training audits. Companies failing to comply fully with the conditions of the new scheme will be required to pay the full levy, which is nonreturnable.

### Netherlands

### Start of extensive schooling campaign

"Learning - you don't know half the possibilities". This is the motto of an extensive information campaign on schooling conducted by the Ministry of Education and Science. The campaign aims to promote a positive attitude towards education in general, improve the perception of employees and unemployed people of the prospects of labour market-related training, and motivate them to follow these courses.

The campaign consists of two phases. In 1989/1990 the umbrella organizations of employed and unemployed people are being approached. In the second phase (1990/1991) the campaign will focus on special target groups, such as employers and ethnic minorities. All in all the campaign will last for 3 years. The cost of the campaign amount to HFL 1m per annum.

The Cabinet has decided to allocate extra funds for the extension of training capacity (in 1989 HFL 125m, in 1990 and beyond HFL 250m). The additional training opportunities will be specially for ethnic minorities, early school leavers (dropouts), and women (re-entering the labour market).

A well trained working population is one of the conditions for the successful development of the Dutch economy in the 1990s. This is clearly shown by the growth of vacancies that are filled with difficulty, e.g. in metal and building industry and nursing. Furthermore, Dutch society is increasingly "knowledge-intensive". Technological knowledge and skills, needed in ten years' time, will have to be acquired in the intervening years by training.

What is essential for a successful schooling policy is a firm belief by both the employed and the unemployed in the importance of good training. A study has shown that many are not familiar with all the possibilities for education and training outside the regular school system. Moreover, those organizations that can point out these possibilities are often badly known (organizations for apprenticeship training; study and career guidance bureaus; Women and Work Shops etc.).

Mainly because of this obscurity the schooling campaign has been developed in consultation with these organizations.

## United Kingdom

#### Further expansion of compacts

Compacts have become a key component of the British Government's inner cities strategy (cf.iM 23). They encourage young people in inner cities to improve their performances by guaranteeing them jobs with training. Following an excellent response to the initiative there are now 40 compacts being supported by Government. This

injection of funding has provided a major stimulus to the partnership movement in the United Kingdom.

A compact is an agreement between employers, schools, colleges and young people. The employers will provide further training and jobs to youngsters who reach agreed standards and goals. Compacts have caught the imagination

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of many. Employers, education authorities, schools, colleges and training providers are working together on a scale previously unprecedented. Young people are enthusiastic too. They are attending school more regularly and are also staying on at school. This early success led to the addition of UKL 12 m to the Compacts Budget this year, to enable the remaining 14 eligible areas in England, Scotland and Wales to develop compacts.

# Youth Training Scheme: review and revision

#### Setting the scene

In the White paper "Employment for the 1990s", the Government paid tribute to the achievements of the current Youth Training Scheme (YTS). However, the White Paper also identified the need to review the Scheme in the light of the rapidly developing labour market and skill needs of the economy, lessons learnt about the operation of YTS since 1983, and in particular the advent of the Training Enterprise Councils (TEC) era, with its emphasis on outputs, employer involvement, local delivery, and flexibility.

The White Paper also pointed to the importance both of the Government's Guarantee of a training place for young people under 18 without a job, and of the importance of training to standards leading to nationally recognised qualifications.

The YTS review also identified a number of areas on which further progress is needed. Still only 40% of trainees secure recognised qualifications, and most of these are at low levels. The training provided does not always reflect the needs of the national or local labour market. There is currently not enough emphasis on achieving training results or qualifications, coupled with too many rigid rules on time-serving and on prescribed procedures. Moreover, the current system of fixed value grants can lead to underfunding of certain key types of training, and some over-funding of other provisions.

### Youth Training: aims, objectives and targets

The key objectives of the new arrangement are:

- achievement of qualifications equivalent to National Vocational Qualifications (NVQ) level 2 as the minimum attainment level for young people on the programme;
- a strong emphasis on still higher level skills, particularly at craft and technician levels;
- improved job finding for young people covered by the Government's Guarantee;
- appropriate quality provision for young people with special training needs.

Overall, the new programme is aimed at securing broad-based quality training, leading to recog-

nised vocational qualifications for all young people, raising the levels of skills in the economy, and helping to bring about improvements in other features of the provision of vocational education and training for young people at local level. The programme will contain a strong emphasis on outputs and flexibility.

# Consequences to Training and Vocational Training Programmes

Each programme under Youth Training must be capable of delivering a named NVQ, at a minimum of level 2 (or equivalent qualification). This is the minimum attainment level to be available to all young people on Youth Training (with certain exceptions in the case of those with special training needs). It is recognised that it will take some time for the complete NVQ structure to be in place. The Training Agency (TA) will therefore issue shortly a list of all qualifications - NVQs and others - which for the time being are to be regarded as being equivalent to each of the four levels in the framework of the National Council for Vocational Qualifications (NVCQ), together with guidelines for assessing other qualifications not listed.

Relative to the standards and qualifications to be achieved and the needs of the young people concerned, there must be an appropriate combination of training inputs and processes. There will however be no mandatory training design framework. The programme must take into account young people's school-based Record of Achievements and any individual action plans, where these exist.

All programmes must ensure health and safety and equal opportunities for young people, and each young person is to be given a personal training plan which is to be kept up to date. Each trainee is to be issued with a National Record of Vocational Achievements (NROVA).

Where relevant, the programme must enhance job prospects for non-employed young people on Youth Training, and appropriate provision for Special Training Needs participants.

#### **Eligibility and Entitlement Conditions**

All young people are eligible to participate in Youth Training, except students seeking vocational opportunities, overseas nationals who are subject to employment restrictions, young people who are or who have been on a course of Employment Training, and young people still at school. Except in the case of the Guarantee, there are no age-related restrictions concerning entry, length of stay, or leaving the programme.

There is no change in the terms of Government's Guarantee, i.e. each young person under the age of 18, who is in the labour market but without a

#### **TRAINING**

job, is entitled to an offer of a place on Youth Training. Progress to jobs with training is to be encouraged. If despite earlier efforts a young person remains without a job with 6 months to go before completion of the particular programme, he/she is to be offered opportunities to enhance his/her prospects of finding jobs, including as appropriate job search and testing or training in enterprises and self-employment.

All young people participating in Youth Training are entitled, at a minimum, to the nationally-set level of training allowances. Non-employed trainees are entitled, also as a minimum, to the nationally-set terms and conditions for such trainees

All young people with special training needs (STN) must be identified and appropriately provided for. There will be 3 types of STN: young people needing a period of Initial Training or preparation (for a maximum of 6 months); those for whom it would be unfair and unreasonable to expect to participate effectively in level 2 training; and those who have reasonable prospects of achieving qualifications at level 2 provided they receive sufficient additional support and help.

Each young person on the second group is to be offered an individual action plan and be given the support he needs to progress as far as he can towards general and vocational competence (and wherever possible to achieve NVQ level 1). Training young people with STN must, by a condition of contract, take full account of the TA codes of practice on initial training and STN as appropriate.

In short, the major differences between YTS and Youth Training are:

- a guaranteed opportunity to achieve a recognized qualification at an acceptable level;
- an emphasis on outcomes, not processes;
- entry and exit points not bound by time or age;
   training tailored to the individual and local/
- training tailored to the individual and local/ national economic needs;
- local planning and delivery.

### JOB CREATION

## Belgium

# Employment incentive in the Walloon Region

The law on economic reorientation of 4.8.78 aims in particular to promote job creation by providing an employment premium to small and medium enterprises (SME) with less than 15 employees, which hire additional workers. The incentive is granted for any additional hiring which does not bring the total number of workers above 15; it is given for a maximum period of 5 consecutive years.

SMEs in all branches of industry and trade can benefit from this incentive, with certain exceptions such as banks, insurance companies, estate agents and the professions.

The amount of the incentive and the ways of of granting are determinded by the Regional authorities. Concerning its application in the Walloon Region, the decree of the Regional Walloon Executive of 13.7.89 (M.B. 23.10.89) has modified the amount and some of the conditions required for receiving the incentive.

#### Amount and period of payment

The amount of the incentive has been fixed at FB 100,000 per additionally hired worker. The incentive is paid in a single tranche as soon as the employer has proved he has employed the worker for 12 months. However, he must employ the worker for at least 24 months. In case this condition is not respected, the employment incentive will be reclaimed.

#### Entitlement to the incentive

Every additional worker hired, employed parttime or full-time, entitles an employer to the grant as long as this employment does not bring the total of the workers above 15 and the employed person stays for at least 24 months. No incentive will be granted if the person was already employed in an other enterprise owned by the applicant or in which the owner has the majority of the shares or stocks. Similarly, if the enterprise applying for the incentive belongs to one or more persons that hold the majority of the shares or stocks in another enterprise, staff transfer from the second firm will not be taken into consideration.

#### JOB CREATION

#### Ban on accumulation

The incentive will not be granted on top of another premium or subsidy which has been granted for the same engagement by the Walloon Region. Moreover, an employer can only apply for the incentive once in a period of 4 successive quarters.

#### Proof and check

The employment incentive can only be granted if the average employment, after the new hiring, increases by at least one full-time post compared to the 4 quarters which preceded the hiring. Proof of the increase in employment will be established by producing the attestations of the National Social Security Office (ONSS) which cover the 4 quarters following the quarter in which the hiring was made. These will be compared to the ONSS attestations covering the 4 quarters preceding the quarter in which the hiring was made. The proof that the worker has continued to be employed by the enterprise for 24 months will be provided by the attestations of ONSS relating to the 4 quarters following those which gave rise to the granting of the premium. The full-time or part-time hiring is only considered and the incentive granted if the ONSS attestations prove that the required number of days has been reached.

## France

#### New CRE and CES Schemes

Two new employment measures from the 1990 Employment Programme came into operation in February 1990: the Return to employment contracts (Contrat de Retour à l'Emploi - CRE) and the Employment solidarity contracts (Contrat Emploi Solidarité - CES) (cf.iM 28). The schemes aim to foster the integration of the most vulnerable jobseekers and to combat long-term unemployment (LTU).

#### Return to employment contracts CREs are targeted at the two groups of jobseekers

who have the greatest need for being supported in their quest: LTUs who have been registered at the National Employment Agency (ANPE) for more than 1 year or for at least 12 months in the last 18 months, and beneficiaries of the minimum "integration" income (RMI). CRE combines and replaces two previous measures: the former CRE-scheme and the alternance reintegration contract (CRA) (cf.BIR France vi.CLD1). CREs must last for at least 6 months. Employers benefit from the measure in two ways. First, they are generally fully exempt from social contributions for a period of 9 months, and 18 months when hiring long-term unemployed *RMI*-beneficiaries, or LTUs who have been unemployed for more than 3 years. For LTUs of 50 years and older, employers are exempt from social contributions for the total length of the contract. Secondly, employers receive a lump sum payment of FF 10,000 for a full-time contract from the ANPE.

The new measure also contains an option for training. If the employer offers the wage earner a training programme during working hours, he will be refunded at a rate of FF 50 per training hour, with a maximum of 1,000 hours.

The CRE Scheme aims to conclude 100,000 contracts in 1990.

#### **Employment solidarity contracts**

CESs foster the integration of the most vulnerable groups into the working population and to promote local initiatives. In general a CES is an employment contract lasting for a period of 3 to 12 months which can be extended to 24 months for those who have been unemployed for more than 3 years, for persons of 50 years and older, or for RMI-beneficiaries. The wage is fixed on statutory minimum wage (SMIC) level and is based on a maximum of a half-time working week. The wage costs are divided between the State (85%) and the employer (15%). The employer is also charged for the employer's unemployment insurance contributions. The State fully covers the remuneration of the most deprived groups. Like the CRE, the CES is exempt from other employer's social security contributions.

Some CES beneficiaries can take part in a training course, 200 hours on average. The costs of such training are borne by the State. The CES is aimed at persons who need most help with re-intergrating into the labour market:

- 16 25 years old, who face severe integration problems;
- LTUs who have been registered at the ANPE for more than 12 months during the last 18 months;
- RMI-beneficiaries;
- unemployed persons of 50 years and older.

The CES Scheme combines and replaces three existing schemes:

 the Community Work Projects (TUC) (cf. BIR France vi.J3);

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- the Local Integration Programmes (PIL) (cf. BIR France vi.CLD2);
- general interest activities (cf.iM 28).

The persons who can draw on the *CES* and the *CRE* are partly the same, but they have different

target groups of employers: the CES is specially designed for local authorities, non-profit organizations, social security organization, works councils and council housing bodies.

The CES Scheme aims to conclude 300,000 contracts in 1990.

# Spain

### **Employment Promotion Funds**

The Employment Promotion Funds were established by Royal Decree 335/84 of 8.3.84 as collaborative bodies of the National Employment Institute (INEM). Tripartite in composition (administration, enterprises and trade unions), they have their own juridical identity. The Funds are the main instrument for implementing joint social and employment agreements to alleviate the negative consequences for the workers affected by the process of industrial reconversion in Spain.

The agreements are established both by the Royal Decree as well as by Act 27/84 on reconversion and re-industrialization, together with Royal Decrees on sectorial reconversion and resolutions on social and employment agreements signed by trade unions and enterprises undergoing reconversion. They centre essentially on obtaining the reintegration into the labour market of workers younger than 55 who are voluntarily admitted into the Employment Promotion Funds. It also guarantees workers older than 55 an allowance and aid equivalent to that of early retirement so that these workers, voluntarily admitted into the system, can - on reaching ordinary retirement age - obtain the pension which could be allocated to them on the basis of old age and according to their Social Security system.

After a period of 3 years and an additional period of one year and a half (established by Royal

Decree 341/87) the Funds had still not achieved their original purpose of reintegrating all workers younger than 55 years into the job market and this despite the efforts made by all parties concerned. It was therefore necessary to draw up a juridical document, which would allow the minimum age of early retirement to be reduced for those workers who, affected by a process of reconversion, remained in the Employment Promotion Funds.

A Resolution of the Council of Ministers was recently promulgated which allows workers aged 52 or older to stay in the Funds for the period of time necessary to be eligible for the system of early retirement at 60, as provided for in article 23 of Act 27/84. During this extension period workers will continue to receive the aforementioned financial guarantees as well as their Social Security payments.

This formula means facilitating, through the Employment Promotion Funds, access to ordinary retirement for more than 2500 workers older than 52 who, because of their age, would not have returned to the job market. This finally resolves the problem of this group of workers who are affected by the process of reconversion. At the same time, given the absence of workers younger than 52 in the Employment Promotion Funds and of those who have rejoined the labour market, the full attainment of the objectives indicated at the beginning of this process will be able to be achieved.

### SPECIAL CATEGORIES OF WORKERS

# FR Germany

# Occupational integration of Aussiedler

Aussiedler are the former inhabitants of Poland, Roumania, the USSR or other eastern European states from German origin who have emigrated to the FRG. In 1989 their number ran up to 370,000 persons and in the last decade to almost a million. Measures for vocational integration are aimed at resolving shortcomings in their com-

### **CENTREFOLD iM 29**

### Index of articles published in inforMISEP

#### (Nos. 1 - 28 Winter 1989)

Descriptors of the ILO Thesaurus have been used which try to reflect the subjects dealt with in the different articles. Each descriptor is followed by numbers, indicating the issue number of inforMISEP and the sub-heading as they appear on the front page of every issue. When necessary, more than one descriptor is used to index an article.

#### The codes of the themes referred to, are:

- 1. Overall measures/developments
- 2. Employment maintenance
- 3. Aid to the unemployed
- 4. Training/retraining/occupational mobility
- 5. Job creation
- 6. Special categories of workers
- 7. Working time
- 8. Placement
- 9. Other measures/miscellaneous
- 10. Short notes
- 11. Studies

## The abbreviations in parenthesis refer to the countries concerned, i.e.:

B = Belgium

D = Federal Republic of Germany

DK = Denmark
E = Spain
F = France
GR = Greece

 $\begin{array}{ll} I & = \text{Italy} \\ IRL & = \text{Ireland} \\ L & = \text{Luxembourg} \\ NL & = \text{Netherlands} \end{array}$ 

P = Portugal UK = United Kingdom

EC = European Community

#### ABSENTEEISM:

2-1(I).

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2-4(IRL);14-4(E);18-4(E).

#### **ALTERNATING TRAINING:**

 $\begin{array}{l} 8\text{-}6(F);12\text{-}6(IRL);14\text{-}1(E);14\text{-}4(E);14\text{-}5(I);15\text{-}4(E);\\ 15\text{-}6(I);16\text{-}6(F);17\text{-}6(F);20\text{-}4(F);20\text{-}6(D);21\text{-}3(F);\\ 21\text{-}4(D,E);22\text{-}4(E). \end{array}$ 

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#### ARRANGEMENT OF WORKING TIME:

1-1(I,NL,EC);1-7(DK,NL,EC);2-1(B,D,I); 2-7(B,D,DK,L,NL,UK);3-1(EC);3-7(B,L); 4-1(B,DK,I);4-7(B,NL,EC);5-1(D);5-7(B,D); 6-2(I);6-7(B,D,DK);7-7(B,F);8-5(B); 8-7(D,DK,NL);9-7(NL);10-7(F);11-7(B); 11-10(NL);13-7(B,NL);14-5(NL);14-7(B,D,F); 15-7(NL);17-1(DK);17-7(E,UK);17-9(NL); 18-7(NL);19-7(B,F);21-7(GR);22-1(L);22-7(D); 25-7(L);26-7(B).

See also:

Flexible hours of work;

Overtime:

Part time employment;

Retirement;

Work sharing.

#### CHILD CARE:

2-9(IRL);8-1(GR);12-6(D);25-9(L).

#### CLANDESTINE EMPLOYMENT:

4-1(D);8-1(D);10-1(B);23-9(D);28-9(B).

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1-5(B,D,DK,GR,UK);2-1(B);2-5(GR,NL,UK); 3-1(NL);3-5(B,IRL,NL);4-1(B,I); 4-5(D,GR,IRL,EC);5-1(D); 5-5(B,D,DK,F,IRL,L,NL,UK,EC);6-1(I);6-2(I); 6-5(B,GR,IRL,L,NL,UK);7-5(D,GR,UK,EC); 8-1(D);8-5(B,I,IRL,NL);8-6(NL);9-5(B,D); 10-5(D);10-7(UK);11-1(D);11-5(IRL,UK); 11-6(NL);11-10(D);12-5(DK,D,I,NL);13-1(E,IRL,UK);13-8(I);14-1(UK); 14-5(GR,I,NL,P);15-1(GR);15-5(I);16-1(UK); 16-5(E,F,P);16-6(B,P);17-3(B);17-5(B,GR,P,UK); 17-6(D,F,NL);17-9(IRL);18-1(D,E);18-5(E,F,I); 19-1(D,UK);19-3((I);19-5 (F,UK);19-6(NL); 20-1(GR,E,IRL,P);20-3(I);20-6(F);20-7(B,L); 20-8(B);21-1(IRL,I);21-4(NL);21-5(GR,P,UK); 21-6(E,NL);21-7(GR);22-1(UK);22-3(I);22-4(L); 22-5(B,I);22-6(I,NL);23-5(EC);23-6(B,E,NL);

25-5(B);26-1(B,NL);26-5(IRL);27-1(E,IRL);27-5(B);

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28-1(GR,IRL).

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14-3(DK);14-4(GR);14-5(P);15-1(GR,NL); 15-5(P);16-1(UK);17-3(UK);17-4(NL); 17-5(GR,UK);18-5(E,P);18-6(UK);19-1(E); 19-6(IRL);20-1(GR,E,P);20-5(P);21-5(EC,GR,P); 22-1(UK);22-5(B,UK);23-5(UK);24-1(E); 25-3(NL);25-4(UK);25-5(NL);26-4(UK);26-5(F).

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4-3(L);5-3(D,F,);6-3(F,NL);7-1(I);7-5(NL);
8-3(D,NL);8-7(NL);9-2(D);9-3(D);9-6(DK);
10-3(GR,NL);10-5(NL);11-1(NL);11-3(GR);
11-6(NL);12-1(D);12-3(B);12-4(B);14-3(D,UK);
15-1(NL);16-2(B,L);17-3(B,D,E,NL);17-4(I,NL);
17-5(B,GR,P,UK);17-6(NL);17-7(B);17-8(F);
18-1(B);18-2(D);18-3(E,I,P);18-4(E,F,NL,UK);
18-5(GR,E,F,I,P);18-6(D,F,I,NL);18-9(NL);
19-1(D);19-4(NL);19-5(F,UK);19-6(NL);20-1(P);
20-3(L);20-5(P);20-6(NL);20-8(B);21-1(E,I,UK);
21-3(F);21-4(E,UK);22-3(B,I);22-4(L);24-4(UK);
25-1(D);25-3(E);26-1(F);26-3(B,E,I,P);27-5(NL);
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#### IN PLANT TRAINING:

 $\begin{array}{l} 14\text{-}11(IRL); 18\text{-}4(UK); 18\text{-}6(F); 20\text{-}1(E); 20\text{-}4(F); \\ 20\text{-}6(D); \ 21\text{-}4(E); 22\text{-}4(E,NL,L); 22\text{-}6(D); 23\text{-}4(E); \\ 23\text{-}6(B). \end{array}$ 

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see also: employment service

#### LABOUR MOBILITY:

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#### LOCAL EMPLOYMENT INITIATIVES:

see: enterprise creation

#### LONG TERM UNEMPLOYED:

1-1(NL);1-5(B);2-6(F,UK);3-1(EC);3-3(B); 4-5(D);4-6(F,IRL,L);5-4(IRL);5-9(D);6-4(DK); 6-5(IRL,NL);6-6(F);7-5(NL);8-3(DK); 8-6(NL,UK,EC);9-1(F);9-5(D);9-6(DK,I,NL,EC); 13-1(IRL);13-6(D,NL,UK);14-1(UK); 14-4(GR,E);14-5(I,P);14-6(NL);14-11(IRL); 15-3(E,NL);15-4(F);15-5(I);15-6(IRL,I); 16-1(IRL);16-5(P);16-6(B,F,IRL,P);17-1(DK); 17-3(E);18-1(B);18-4(UK);18-5(B,P); 18-6(F,P,UK);19-1(NL);19-6(NL); 20-1(GR,NL,P);20-8(B);21-1(E,UK);21-3(F); 21-4(E,UK);21-5(P);22-5(I);22-6(NL);23-1(NL); 23-4(P,UK);23-6(B);24-6(IRL);25-6(NL); 26-6(NL,P);27-6(B,D,NL);28-1(NL);28-6(D).

#### **MIGRANT WORKERS:**

3-1(EC);4-5(GR);4-6(D);5-6(UK);7-5(GR); 7-6(D,F);8-1(D);8-6(D,NL);9-6(B);9-9(D); 11-6(D);13-6(NL);13-10(NL);15-6(D);15-10(NL); 19-1(D);19-6(I);19-9(I);20-1(GR);20-6(D,F,NL); 21-4(D);21-6(NL);21-9(GR);22-4(D,NL); 22-6(D);23-4(P);23-6(NL);24-6(NL);26-6(D,E); 27-6(I);28-6(D).

#### **OLDER WORKERS:**

2-3(B);2-5(NL);2-9(L);3-3(F);5-5(GR);6-5(IRL); 8-7(B);8-9(NL);9-3(D);9-5(D);10-7(UK);14-7(D); 19-1(D);20-6(NL);22-5(I);23-4(UK);23-6(B); 25-1(B);25-7(D);27-6(UK).

#### **OVERTIME:**

5-7(B);11-1(D);11-7(B);14-7(F);15-1(GR); 17-7(E);18-7(NL);19-6(NL);19-7(F).

#### PAID LEAVE:

3-1(D);4-1(DK);12-5(UK);14-7(D);21-4(NL).

#### PART-TIME EMPLOYMENT:

 $\begin{array}{l} 2\text{-}1(D); 2\text{-}7(D,UK); 2\text{-}9(IRL); 3\text{-}7(B); 4\text{-}1(I); \\ 4\text{-}7(NL); 7\text{-}7(F); 8\text{-}1(D); 9\text{-}5(B); 9\text{-}7(NL); 10\text{-}1(I); \\ 10\text{-}6(IRL); 10\text{-}7(F,UK); 11\text{-}1(D); 11\text{-}7(NL); 13\text{-}1(E); \\ 13\text{-}7(B,NL); 14\text{-}1(E); 14\text{-}7(D); 16\text{-}5(E,F); 16\text{-}6(IRL); \\ 17\text{-}7(B); 18\text{-}1(D); 18\text{-}5(B,I); 19\text{-}5(UK); 20\text{-}1(P); \\ 20\text{-}7(B); 21\text{-}1(I,NL); 21\text{-}6(NL); 22\text{-}1(L); 22\text{-}5(I); \\ 25\text{-}7(D); 26\text{-}7(NL). \end{array}$ 

#### PRACTICE PERIOD:

1-1(NL);2-4(D,GR,IRL,NL);3-4(I);4-1(I); 4-4(D,IRL);5-1 (D);5-4(I,IRL);6-1(I);6-2(I); 6-4(B,UK);12-6(IRL);14-1(E);14-4(E,IRL); 15-4(IRL);18-4(E,NL);18-6(F);21-4(D);23-4(E); 23-6(E);26-6(F).

#### RECRUITMENT:

 $\begin{array}{l} 2\text{-}6(UK); 7\text{-}3(B); 17\text{-}9(F); 19\text{-}6(NL); 19\text{-}9(I); \\ 20\text{-}1(E); 20\text{-}3(I); 20\text{-}6(UK); 21\text{-}1(I); 21\text{-}6(NL); \\ 22\text{-}5(B). \end{array}$ 

#### **REGIONAL DEVELOPMENT:**

2-1(I);2-5(GR);3-1(NL,EC);3-4(UK);4-1(I); 4-5(D,IRL,EC);5-4(UK);5-5(DK,F,EC);5-8(I); 6-1(I);6-2(F);6-4(IRL);6-5(NL,UK);7-5(I,EC); 8-3(I);8-5(I);9-1(I,UK);9-2(I);12-5(D);13-1(I); 13-8(I);14-5(I);16-1(P);16-5(E);19-3(I);20-1(E,P); 20-5(P);21-1(I);22-1(I);22-3(I);22-5(B,I); 23-1(GR);23-6(B);24-1(E);27-4(I).

#### RETIREMENT:

 $\begin{array}{l} 2\text{-}7(DK,L,UK);5\text{-}7(D);6\text{-}7(D);7\text{-}7(I);8\text{-}7(B,D);\\ 9\text{-}7(NL);10\text{-}7(UK);11\text{-}10(D);13\text{-}7(D);14\text{-}7(D);\\ 15\text{-}1(GR);16\text{-}5(F);16\text{-}6(B);17\text{-}1(I);19\text{-}3(I);19\text{-}7(E);\\ 20\text{-}7(B,L);21\text{-}5(UK);25\text{-}1(B);26\text{-}1(I);26\text{-}3(I);\\ 27\text{-}7(B). \end{array}$ 

#### **SEASONAL WORKERS:**

2-6(GR);5-8(I);14-4(E);16-6(P);20-1(GR).

#### SICK PAY:

3-1(D);4-1(I);11-1(NL);11-7(B);25-1(D);25-2(I).

#### SMALL SCALE INDUSTRY/SME-SMI:

1-1(IRL);1-5(B);2-1(B);2-5(GR);3-1(EC); 3-5(IRL);4-1(DK,I);4-4(IRL);4-5(GR);5-1(EC); 6-5(B);8-5(IRL,NL,UK);10-2(I);10-5(IRL,NL); 13-1(UK);14-1(UK);19-1(E,I,UK); 20-1(GR,E,IRL,P);20-5(P);21-7(GR);21-5(GR); 22-1(UK);22-5(B,I,UK);23-1(NL);23-5(UK); 27-5(B).

#### SOCIAL PROTECTION LEGISLATION:

6-9(GR);19-9(I);21-6(E);26-1(NL,UK).

#### **TAXATION:**

2-1(I);4-1(DK);13-1(E);14-5(I,P);19-1(DK,NL); 21-3(F);26-1(NL);26-2(I).

#### **TEACHERS:**

4-3(NL);14-5(NL);21-5(P).

#### **TECHNOLOGICAL CHANGE:**

4-1(I);5-9(B,EC);12-4(I,NL);12-10(NL);17-4(NL); 22-4(NL);22-5(I);23-1(E,NL);23-4(P);25-1(I).

#### TEMPORARY EMPLOYMENT:

2-6(NL);2-9(IRL);8-1(D);9-5(B);9-6(I,NL); 9-8(NL);10-1(UK);10-6(F,IRL);11-1(D);13-1(E); 14-1(E);14-11(UK);16-5(E,F);16-6(P);17-3(B); 17-6(NL);17-8(NL);17-9(NL);18-1(I);18-3(E); 18-5(I);19-5(F);19-6(NL);20-1(E);20-7(B); 21-1(I,NL);21-4(NL);21-6(NL);22-1(L);22-5(I); 22-6(NL);23-1(NL);23-6(B);23-8(NL);26-1(P); 28-1(L).

#### TRADE UNIONISM:

8-9(NL);9-9(UK);14-3(D);18-9(NL);23-9(UK); 25-1(B).

#### TRAINING (UNEMPLOYED):

9-6(DK);10-4(IRL,UK);11-6(F,NL);12-10(UK); 13-2(F);13-3(NL);13-4(D);14-3(DK); 14-4(GR,E,IRL);14-5(I);14-6(NL);15-4(F); 16-4(D);16-6(F);17-3(E,UK);18-4(F,UK); 18-6(F,NL);19-1(NL);19-4(F);19-6(NL); 20-1(E,NL);21-3(F);21-4(E,NL,UK);21-5(P); 22-4(L,NL);22-6(DK);23-1(NL);23-4(F,P,UK); 23-6(B);23-8(NL);24-1(B,E,NL,UK); 24-4(D,I,UK);24-6(DK);25-4(NL,UK);26-6(F); 27-4(I,NL);27-6(NL);28-1(NL). See also: agricultural training; compulsory education; further training - continuing; education; practice period; alternating training; training centre; vocational guidance;

#### TRAINING CENTRE:

vocational training.

1-4(NL);4-4(IRL);5-4(UK);6-4(IRL);10-4(GR); 15-4(E);18-4(F,UK).

#### **UNEMPLOYED:**

4-9(NL);5-9(D);10-1(B);10-3(B);11-1(NL); 11-3(D,GR,IRL,UK);11-6(NL);13-3(L,NL); 14-11(D);15-3(E,NL);15-6(DK);16-2(B); 17-3(E,NL,UK);17-4(NL);17-5(B,GR);17-6(DK); 17-7(B);18-2(D);18-3(E,P);18-4(F); 18-5(B,GR,E,F,I,P);186(P,NL);189(NL); 19-1(D);19-4(P);19-5(UK);19-6(NL); 20-1(GR,E,IRL,P);20-3(I,L);20-6(F,NL); 20-7(B,L);21-1(I);21-3(F);21-4(E,NL); 21-5(EC,UK);21-6(DK,NL);21-9(E);22-1(UK); 22-3(B,I);22-4(EC,L);22-5(I,UK);22-6(I); 23-1(NL,P);23-6(E);23-9(NL);24-1(E);24-3(B); 24-6(DK);25-1(NL);26-1(B);28-1(NL).

#### **UNEMPLOYMENT DURATION:**

4-9(D,NL);13-6(D);17-3(D);17-9(F);18-1(E); 18-6(F);18-9(NL);24-1(B);26-1(D).

#### **UNEMPLOYMENT INSURANCE:**

see: financial aid

#### **VOCATIONAL GUIDANCE:**

 $\begin{array}{l} 2\text{-}4(GR);\!4\text{-}6(UK);\!6\text{-}6(IRL);\!11\text{-}3(IRL);\!14\text{-}4(NL);\\ 16\text{-}4(NL);\!17\text{-}1(DK);\!19\text{-}6(DK);\!20\text{-}1(E,\!NL);\\ 20\text{-}6(D,\!NL);\!21\text{-}6(E);\!22\text{-}4(E);\!22\text{-}6(NL);\!23\text{-}1(NL);\\ 23\text{-}6(B,\!D,\!NL);\!24\text{-}9(I). \end{array}$ 

#### **VOCATIONAL TRAINING:**

1-4(NL);2-4(NL);3-4(B,D,I,UK);4-1(DK); 6-4(DK,UK);7-4(GR);9-1(F);9-4(D,UK); 10-1(UK);10-4(D,IRL,UK);114(GR);116(UK); 11-10(UK);12-1(D);12-4(B,D,I,UK);13-4(NL); 14-4(GR,E,NL);15-4(E,IRL,UK);15-7(NL); 16-(IRL);16-4(D);16-6(UK);17-1(DK);17-4(I,NL); 17-6(D);18-4(E,UK);18-6(B,UK);18-9(NL); 19-1(D);19-4(NL,P);19-6(DK);20-1(IRL,NL,P); 20-4(F,UK);20-6(D,F,NL);21-1(E); 21-4(D,E,IRL);21-5(P);21-6(E);22-1(UK); 22-4(D,DK,E,EC,L,NL,P);22-6(D);23-1(GR,NL); 23-9(UK);24-4(I);25-1(D);25-4(IRL,P);26-1(B); 26-4(E);26-6(E);27-1(E);28-1(GR);28-4(E,D,I,P); 28-6(P).

#### **VOLUNTEER WORK:**

1-1(NL);2-3(B,UK);3-3(NL);7-3(IRL);8-3(NL); 11-3(UK);15-3(NL);19-6(NL);24-3(IRL);25-3(B); 28-1(L).

#### **WAGE POLICY:**

1-1(I,NL);2-1(B,GR,I);3-1(D,NL);4-1(B,I);
7-1(B,IRL);8-1(D);10-1(DK,UK);11-1(B);
11-3(D);11-7(B);12-1(IRL);12-5(UK);
13-1(E,GR,I);14-1(UK);15-1(I,E);16-5(UK);
16-6(UK);17-1(D,P);18-3(I);18-6(NL);19-1(NL);
20-1(GR);20-3(NL);20-6(NL);21-1(IRL);
22-1(IRL,L);23-1(NL);23-9(B);25-1(NL);25-9(E);
26-1(NL);27-4((NL);28-1(NL).

#### WOMEN:

1-6(D);3-1(EC);3-3(B);3-6(EC);4-1(DK);4-6(EC); 5-6(GR);7-6(EC);7-9(NL);8-5(NL);8-7(D); 8-9(DK,I,NL);9-3(NL);9-6(EC);11-1(D); 11-9(UK);14-4(GR);15-4(NL);15-6(DK); 16-6(F);17-1(I);17-4(NL);17-6(DK,D);17-7(UK); 18-6(F,I);18-7(NL);19-4(P);19-6(DK,IRL,NL); 19-7(F);20-1(NL,P);20-6(B,NL);21-4(E); 21-5(GR);21-6(E,NL);22-1(IRL);23-4(P); 23-6(D,NL);24-6(E);25-1(B);25-6(NL);28-6(NL); 28-9(DK).

#### **WORK SHARING:**

1-1(NL);1-5(UK);2-7(B);3-7(B);4-1(B);6-2(D,I); 6-5(IRL);11-7(B);13-7(B);14-1(E);14-5(NL); 15-7(B,NL);17-7(B);18-3(I);19-5(UK);20-7(B,L); 21-4(NL).

#### **WORKING CONDITIONS:**

2-9(NL);5-9(EC);8-7(D);9-1(I);10-1(I);10-4(D); 11-10(UK);12-6(B);17-1(D);19-6(NL);19-7(F); 19-9(NL);20-1(E);22-9(E);28-9(IRL).

#### YOUTH:

1-1(EC);1-4(DK,NL);1-5(DK,GR);1-6(D,F); 2-1(I);2-4(IRL);2-5(NL);2-6(GR,EC); 3-1(NL,EC);3-4(B,I,UK); 3-6(D,F,IRL,NL,UK,EC);4-1(I);4-3(NL);4-4(D); 4-5(GR,IRL);4-6(IRL);4-7(NL);5-4(I,IRL,L,UK); 5-5(GR,NL);5-6(F,IRL,L,EC);6-1(I);6-2(DK,I); 6-4(B,DK,UK);6-5(GR,IRL,L); 6-6(D,DK,F,IRL,NL);7-5(GR);7-6(NL,UK); 8-6(F,IRL,NL);9-4(D);9-5(D);9-6(I,NL);9-9(IRL); 10-1(I,UK);10-4(D,IRL,UK);10-5(D); 10-6(D,IRL);11-6(NL);11-7(NL);12-3(B); 12-4(B,I,NL);12-5(DK);12-10(UK);13-1(E); 13-4(IRL);14-1(UK);14-4(GR,E,IRL,NL); 14-5(I,P);14-11(IRL);15-4(E,IRL,UK);15-5(I); 15-6(F,IRL,I);16-1(IRL);16-5(P);16-6(F,NL,UK); 17-1(DK);17-4(IRL);17-6(D,F,NL);18-1(E); 18-3(P);18-5(GR,I,P);18-6(B,NL);19-1(D); 19-4(NL,P);19-5(F);19-6(NL);20-1(NL,P); 20-4(F);20-6(D,NL);21-1(E,I);21-4(D,E); 21-5(P,UK);21-6(DK,IRL,NL); 22-4(D,E,L,NL,P);22-5(I,UK);22-6(I);23-1(NL); 23-4(E,P,UK);23-6(D,E);24-1(B);24-6(IRL); 24-9(I);25-1(B);25-2(I);25-4(IRL,P,UK);25-6(I); 26-1(B);26-6(F,I);27-1(E);27-4(NL); 27-6(GR,NL);28-1(NL).

#### SPECIAL CATEGORIES OF WORKERS

mand of the German language and at raising their vocational qualifications.

#### Aussiedler cover a lack of skilled workers

The Aussiedler enter a labour market characterized by high unemployment rates, rapidly increasing employment and regional and sectoral shortages of skilled workers. (see also "The labour market in 1989")

The Aussiedler have generally speaking a favourable age structure, are keen to work and often have a solid basic training. They can therefore contribute to covering the shortage of skilled workers.

This emerges from a report approved by the government on the character and extent of placing *Aussiedler* in employment.

Male workers with industrial-technical professions, engineers and scientists appear to have the best chances to find employment. It is harder to find a job in administrative, organizational and clerical functions. For these jobs one generally needs a good command of the German language and occupational knowledge which meets the standards applied in the FRG. Moreover, in these segments of the labour market there is greater competition with a larger number of the existing unemployed.

Lawyers, economists and social scienctists need re-orientation because of the differences in economic and social structures.

#### Specific guidance and placement services

The Federal Employment Service (BA) is trying hard, by using the Labour Promotion Act (AFG), to accelerate the process of occupationally integrating the Aussiedler. BA officers are present in the reception centres and offer the newly arrived persons a broad, mostly multilingual information and guidance package. The local employment offices are also equipped for guidance and placement services for the Aussiedler.

Between January and December 1989 roughly 30,000 Aussiedler were offered jobs by the local employment offices. Besides these, a substantial part of the Aussiedler has found employment by their own efforts, without the help of the placement service of the Federal Employment Services. During the same period the number of Aussiedler registered as unemployed increased from about 85,500 to 132,000.

# Language training stimulates occupational integration

Occupational and social integration of the Aussiedler demands a basic command of the German language. This is the main theme of a report approved by the government concerning language training and the occupational integration of Aussiedler. An increasing proportion of the newly arriving Aussiedler speak no German. Coupled with the exceptionally large increase in the

number of Aussiedler, this has led to capacity problems of the language training measures. To reduce the overall problems, the local employment offices are increasingly putting a time limit of 5 to 6 months on the language training. After this period the need for and length of prolongation of the training is individually assessed. Besides full-time language training it is also possible now to follow:

- "block-trainings" (alternation of work and language training);
- part-time training (together with part-time work);
- a combination of language training and education.

If Aussiedler follow a German language training course they continue to receive the normal "integration allowance". These payments will also be continued when they participate in a further vocational training programme and, if necessary, during a period of, at most, one year of unemployment which might ensue. The option of part-time training, which can be followed besides a part-time job, will certainly assume greater importance when the integration adaption law (Eingliederungsanpassungsgesetz) comes into forcethis settles part-time grants for part-time workers. The integration adaption law should in general contribute to the effective integration of Aussiedler.

All in all language training has been succesful. From those *Aussiedler* who finished their language programmes in 1988, only 26% were still receiving unemployement benefits after a period of 6 months.

#### Improving vocational qualifications

To cover shortages in the vocational qualifications of *Aussiedler*, the Federal Employment Services is making full use of the instruments provided for by the Labour Promotion Act (cf. BIR FR Germany Chap.iii).

German business is also concerned with the vocational integration of *Aussiedler* by providing, if it is not already able to create employment, information, education and follow-up training programmes. The willingness of employers, who recognise in the inflow a new potential of skilled workers who can fill their vacancies, is badly needed for successful integration.

The Federal Employment Service is promoting further education measures in the field of new technologies. The sooner the vocational integration of the *Aussiedler* succeeds, the more rapidly will the economy also experience positive influences from the *Aussiedler* on the economic growth.

## Greece

### Pontos migrants

The Greek government is faced with a new and growing socio-economic problem. Inhabitants of Pontos, in the USSR, of Greek origin have started to return to Greece.

So far some 6,000 people have returned and are received in Menidi, near Athens. Most of them

have no command of the Greek language and speak only their own dialect and Russian. The immigrants lack communicative skills and find it hard to get a job.

The government has proposed to the European Commission to set up a Greek language training programme for 2,000 people in 1990-1993.

## Italy

# Legalizing the status of non-EC-countries citizens

New rules have been issued to enable citizens of non-EC countries to legalize their position as regards entry into Italy and residence for employment. Thus, such persons who were already residing on the territory of the Italian State on 1.12.89 have been given 120 days from 31.12.89 in which to make the necessary arrangement. They will then be given the opportunity of being enrolled on the appropriate register and allowed to run business activities. However, there is no reciprocity required from the countries of the citizens concerned.

Decree no. 416 of 30.12.89 also introduces new regulations on political asylum and on the entry, residence, registration and possible expulsion of citizens of non-EC-countries. A review of the regulations on the recognition of political refugee status is planned, as well as a yearly review of the influx of non-EC-countries citizens.

To carry out the tasks laid down by the new rules, the Ministry of Employment has been authorised to hire 300 social workers (200 social assistants, 80 sociologists and 20 psychologists) to strengthen the staff of Employment Offices.

### Netherlands

# Temporary employment for long term unemployed

The Minister of Social Affairs and Employment has informed Parliament about the Refund Scheme Temporary Employment (Vergoedings-regeling Uitzendarbeid). The scheme is connected to the Framework Regulation Integration into Working Life (KRA). On this basis, employers can obtain subsidies if they hire long-term unemployed persons as temporary workers or give them the opportunity to acquire work experience.

These subsidies amount to 33% of the gross minimum wage. Employers are eligible for the subsidies if they hire long-term unemployed persons who are referred by the employment offices to a number of selected temporary work agencies.

The Refund Scheme Temporary Employment will run until 31.12.91. In 1990 HFL 50m is being

devoted to this scheme. With this amount some 6,400 long-term unemployed persons will be able to work for 6 months to acquire work experience.

# Act on the Employment of Disabled Workers extended

The group of people provided for in the Act on the Employment of Disabled Workers (WAGW - cf.iM15 and 27) has been extended from the 25.1.90. The purpose of the WAGW is to foster and ensure the participation of the handicapped in working life. So far the Act only applied to people with a disablement benefit (WAO) and to the handicapped for whom special provisions on the work place were necessary. From now on the Act also applies to others who experience clear obstacles in finding or executing work owing to illness or disability:

 employees for whom the employer is exempt from paying the usual wages; this

#### SPECIAL CATEGORIES OF WORKERS

so-called wage dispensation can be granted for hiring employees who, because of their handicap, cannot reach the normal level of productivity:

- people who used to work in Sheltered Workshops;
- employees who, because of their handicap, have to rely on special provisions for commuter traffic, e.g. an allowance for special transport;
- handicapped people who received training on one of the special training institutes for the handicapped;
- employees for whom special adjustments on the work place are necessary;
- employees whose disablement benefit expired because of their re-entry to the labour market.

Those belonging to one of these groups will from now on be included in the official number of handicapped an employer hires. Employees coming from sheltered workshops or special training institutes will count as being handicapped employees for a period of three years. Employees who used to receive a disablement benefit count for handicapped for one year.

Finally the extended Act states that employees must work for 15 hours per week or more to be counted as employed handicapped. Only those who work less than 15 hours for medical reasons may count as being employed handicapped.

# Youth Employment Guarantee Scheme

The government is now preparing a so-called Youth Employment Guarantee Scheme (JWG). This scheme aims to provide temporary parttime jobs in the public sector for young people between 16 and 21 years of age, who have left school for more than six months and are unemployed. The coverage of this target group will be gradually built up: beginning with 16, 17 and 18-year-olds and continuing with the higher age groups in 1991. It is expected that when the guarantee scheme is in full operation, youth unemployment will be reduced by 35,000 persons.

The JWG-scheme will function as a kind of safety net: those who have not found a regular job or training place in an enterprise and who cannot (or not yet) participate in one of the labour market programmes, will be offered a job by their local authorities. In this situation no young person will be unemployed for more than six months after leaving school: after this period of time he/she will either have found a job or training place by himself or with help from the labour market agencies, or have been offered a job through the JWG.

Because of its safety net character, it is envisaged that the availability of a job through the *JWG*-scheme will exclude a person's entitlement to an unemployment benefit. The *JWG*-scheme will in this way also function as a safety net for income, albeit by the provision of work and not by an unemployment benefit. The compulsory character of the scheme is a new development in Dutch labour relations. Because of this aspect there is considerable discussion on the effectiveness of a compulsory programme.

The ultimate aim of the *JWG*-scheme is to integrate every participant in a regular job or training place. This will have to be achieved by fostering two main elements:

- the work experience gained on the job in the JWG-scheme;
- improvement of the qualifications of the participant by additional training (in combination with the job).

In addition to these elements, careful mentoring of the activities of the participants on the scheme will provide as much as possible for an individual approach to each person and will try to give every additional stimulus to a person's labour market potential.

Furthermore, it is expected that the JWG-scheme will induce social partners in the private sector to make arrangements for absorbing persons coming out of the JWG. For instance, such persons could be given a preferential treatment in the recruitment for certain jobs or training places in private enterprises. The final success of the JWG will depend on the extent to which participants on this scheme will ultimately be integrated in regular jobs. To this end it is essential that both public and private employers coöperate.

Implementing of the *JWG* will be the prime responsibility of local authorities. For the provision of jobs they will have to cooperate with other public employers. Central government will reimburse all wage costs as well as the costs of supervising and mentoring activities. The programme will be cost-neutral to public employers.

### WORKING TIME

## Belgium

#### Leave for urgent reasons

In family life different situations need an urgent solution. A child falling sick often presents problems for the working parents. Assisting a parent, spouse or partner who is hospitalized, is almost impossible when one is working. When there is a fire at home urgent arrangements have to be made. To remedy such situations, leave for urgent reasons has been accorded in collective agreements in several sectors and enterprises. Following the recommendations of the working group "Family and labour market" (cf.iM 27), the Minister of Employment and Labour has proposed that the leave be generalized to all workers. The National Labour Council (CNT) was directly seized of this problem. It decided to establish leave by agreement rather than by law. This resulted in collective agreement (CCT) no.45 instituting leave for urgent reasons.

#### **Definition**

The worker has the right to leave of absence for unexpected events, unrelated to work, which require his presence, and which were not thus far laid down in the employment contract. The following are considered as being particularly urgent reasons:

- sickness, accident or hospitalization of a person living with the worker (e.g. spouse, parents or children) and of a parent or of a relative of the first remove with whom the worker does not live together (e.g. children, stepchildren etc.);
- serious material damage to the worker's property, e.g. fire or a natural catastrophe;
- being called on as a member of a jury in a lawsuit.

This list is not exhaustive. Employer and employee(s) can agree on other reasons which can be considered urgent.

#### Field of application

Both employers and employees are held to the law of 5.12.68 on collective agreements and joint commissions. Leave for urgent reasons covers almost all private sector workers. For the benefit of workers for whom *CNT* collective agreements do not apply, a legal provision is envisaged. In case collective agreements in a particular sector or enterprise are more favourable than the one accorded in *CCT* no. 45, the more favourable terms will stay in effect.

#### Duration

The worker can take leave for the length of time

to resolve the problems regarded as being urgent. The period of leave may not exceed 10 working days per calendar year. For part-time employees, the period of leave is reduced proportionally.

#### Remuneration

Leaves for urgent reasons are not remunerated (except for otherwise agreed dispositions) and the non-performed working time is not regarded as working time.

#### **Modalities**

Employees who take leave for an urgent reason must inform their employer as soon as possible. It is obvious that the worker can only use this leave for the accorded purpose. At the employer's request the employee must prove the urgent reasons for his leave.

#### Part-time work

Programme-law of 22.12.89 (Title II, chapter IV-M.B. 30.12.89) introduces important modifications to the applicable rules of the part-time work systems. The modifications concern the priority that is given to part-time workers who ask to fill a vacancy within their enterprise, and to monitoring the performance and flexibility of part-time workers.

#### Priority for filling a vacancy

Collective agreement of 27.2.81 (CCT no.35) already laid down that the part-time worker should be given priority, if he so requested, to fill a vacancy for a full-time job within the enterprise. The above-mentioned programme-law increases this priority and modifies some elements in the procedure. From now on the part-time worker is given priority to get a full-time job or another part-time job which, carried out alone or in addition to another job, gives him work which, on a weekly basis, is longer than his current number of hours of work.

There is, however, an important limitation. The right of priority for vacant jobs (full-time or part-time) is only applicable in the same type of job which the worker already holds, and when he has the necessary qualifications.

A part-time worker who wants to avail himself of the priority rule must send the application to his employer in writing. The employer must confirm receiving this application, also in writing. This acknowledgment of receipt must mention clearly that the employer commits himself to communicate in writing all vacancies for full-time or part-

#### WORKING TIME

time jobs which meet the above conditions.

When a part-time worker, who is in receipt of unemployment benefit for his unemployed hours, does not accept the job (full-time or part-time) proposed by his employer after having submitted such an application, the employer must inform the unemployment office of the National Employment Office. The programme-law contains penal and administrative sanctions in cases where the above-mentioned arrangements are not respected.

# Monitoring the part-time worker's performances

To put an end to certain abuses in part-time work, three new measures have been taken, to improve the monitoring of the performances of part-time workers.

- 1. Announcement of the part-time worker's schedule:
- in conformity with the Act of 3.7.78, concerning employment contracts, a written part-time employment contract must be signed by the worker at the latest at the time of actually starting work. The programme-law lays down that a copy of this contract, or that part of it dealing with working hours and the worker's identity, must be kept in the place where working regulations can be examined;
- when the part-time working system is based on a cycle of more than one week, it must be possible to determine exactly when the cycle starts. The programme-law describes a cycle as a succession of daily working hours in a fixed order, laid down in the working regulations;
- when the working hours are flexible, the workers concerned have to be notified of their daily working hours, at least 5 working days in advance.
- 2. Monitoring dispensations from the normal time schedule for the part-time workers:

  The employer, who employs part-time workers, must dispose of a document in which all dispensations from the normal working hours are indicated. In each case of dispensation from working hours the document must show opposite the name of the worker the date of the day and the time when work starts and ends. Employers using suitable instruments (such as time clocks) are exempt from keeping this new document.

#### 3. Sanctions:

To ensure that these obligations are respected, the programme-law lays down civil sanctions, in addition to penal and administrative fines. When there is no record in a monitoring document or registration instrument, the part-time workers will be presumed to have

performed the work in conformity with the working time laid down in their employment contract (or the working schedule which the contract refers to), and, in cases of flexible working hours, that were published according to the procedure laid down by the programme-law. If the time is not published (in contract copy, on posters or otherwise) the workers will be presumed to have worked as on a full-time employment contract.

# Flexibility of part-time workers' performances

The working time of part-time workers can be flexible (Act of 3.7.78, Art.11 bis, concerning employment contracts). The programme-law stipulates that, on average, the length of a working week must be respected for a maximum period of 3 months. This also applies to full-time workers (cf.iM 11). This period can be extended to a maximum of one year by CCT or by Royal Decree. The duration of the working week of part-time workers can never, however, be shorter than one third of the working week of full-time workers in the same function in the enterprise or the same sector. Dispensations to this limit can be laid down by a Royal Decree of the Council of Ministers, or by a *CCT* approved by the Ministry of Employment and Labour. When the employment contract allows services shorter than the limits fixed by the programme-law, payment is still based on these lower limits.

When flexible hours are applied, the length of each period can from now on never be shorter than 3 hours (Law of 16.3.71, modified by the programme-law). This limit applies for both full-time and part-time workers.

As far as salaries are concerned, full-time and part-time workers employed under the same flexi-time regulations, are paid according to the principle of deferred payments ("paiement differé").

## Netherlands

# Flexible working in collective agreements

Special arrangements for flexible workers in collective agreements (CAO's) often imply unfavourable differences with the general terms that count for those with a permanent contract. Examples of these differences are: a different trial period; a shorter period of notice; a lower supplement to the sick pay and disablement benefits; and excepting flexible workers from the general provisions in the collective agreement on holiday allowances and the number of holidays.

All this is described in a recent research report "Flexibele arbeidsrelaties in CAO's" (Flexible labour relations in collective agreements) of the Ministry of Social Affairs and Employment. The researchers analyzed 59 CAO's in sectors having relatively large numbers of workers with on-call-contracts, temporary workers and other flexible workers (food, clothing and graphical industries, trade, hotel and catering, transport, and commercial and non-commercial services). These CAO's concern 1.6 million workers. Approximately 10% of the total Dutch working population consists of flexible workers.

# Portugal

#### Temporary employment regulation

Decree-Law No. 358/89 of 17.10.89 aims to regulate the labour market, to achieve more flexibility in human resources' management in companies employing temporary workers, and to protect temporary workers.

The new legal regulation stipulates that an enterprise's decision to employ temporary workers is subject to administrative authorization. It also requires employers to make a deposit of an amount corresponding to 150 months of the minimum national wage fixed for industry, commerce and services. This sum guarantees the payment of wages and other charges, particularly those relating to social security and occupational accident insurance, of the temporary workers by the enterprise.

Recourse to temporary work is strictly regulated, with only the following situations being recognised:

- temporary substitution for an absent worker;
- temporary or exceptional increase in business;
- specific tasks of limited duration;
- seasonal work:
- intermittent need for labour caused by fluctuations in activity, or for carrying out projects of a limited and temporary nature, and, in addition, an intermittent need for workers to provide direct social support to families.

As regards social protection, the new decree emphasizes that temporary workers shall be treated in exactly the same way as other workers of the employing enterprise as regards pay and other

conditions of employment. It is thus forbidden to employ temporary workers successively in the same post, for periods of time longer than those specified in the contract of employment.

The placement of workers abroad is also regulated. Their repatriation and social protection is guaranteed through means of subjecting their contracts to special formalities, and by the establishment of a system of joint responsibility, comprising national matching bodies and the employers of temporary workers.

The decree-law also regulates the occasional use of workers within the enterprise. It expressly stipulates the lawful conditions, the agreement of the worker, and the requirement that the worker is hired by the enterprise by an openended contract of employment.

The Institute of Employment and Vocational Training (IEFP) will advise enterprises on the authorization of employing temporary workers. In addition to its advisory functions, IEFP runs the national register of enterprises employing temporary workers and it advises on and administers the deposits to be provided by petitioners. IEFP acts jointly with the General Labour Inspectorate, the organization entrusted with monitoring the application of the law.

### STRUCTURAL CHANGES

### Denmark

# New structure of the Danish Ministry of Labour

Organizational changes have taken place in the Danish Ministry of Labour<sup>1</sup>. The Ministry of Labour is now in charge of the following matters:

- Surveillance of the labour market and analysis of current and long-term labour market policy problems, including economic and statistical calculations and evaluations, preparations of legislation, etc.
- 2. Legislation in the field of safety and health at work.
- 3. Labour market services, including:
  - the public employment service, educational and vocational guidance, analyses and forecast activities, guidance of enterprises, equality activities, special measures for refugees and migrants;
  - job offer and training offer schemes, including the rules on training and enterprise allowances;
  - legislation concerning employment measures for young people and special risk groups;
  - adult vocation training measures: training of semi-skilled workers, further training for skilled workers, supervisors and technicians, work introduction courses, courses for refugees, retraining measures;
- 4. Labour law matters, including employment law and collective labour law, legislation on salaried employees, the Holiday Act, the Equality Act, the Maternity Act, the Act on the Legal Position of Employees in connection with Transfers of Companies, the legislation on profit-sharing and establishment of social funds.
- 5. Legislation on the Labour Market Supplementary Pension Scheme (the ATP Fund), the Employees' Guarantee Fund (the LG Fund), the Employees' Capital Pension Fund (the LD Fund), the Labour Market Training Fund (the AUD Fund).
- Activities in connection with the participation of the Ministry of Labour in international cooperation within the EC, the OECD, the ILO, the Council of Europe and Nordic cooperation in the Nordic Labour Market Committee (NAUT).

The organization of the Ministry of Labour The Ministry of Labour is composed of the Department, the Labour Market Authority and two directorates with their subordinate units. Furthermore, there are a number of councils, committees and boards with representatives of, inter alia, the social partners. In addition, there are a number of institutions which have some attachment to the Ministry of Labour. (see Diagram)

The <u>Department</u> is in charge of general management and planning activities in the fields covered by the Ministry of Labour. Moreover, the Department functions as secretariat to the Minister, for instance in connection with his relations to the Danish parliament, the *Folketing*.

The National Labour Market Authority is, among other things, responsible for the public placement service, educational and vocational guidance, legislation on migrants, equality, mobility promoting measures and the job offer and training offer schemes.

There are about 200 local <u>Public Employment</u> Offices in Denmark. There are 28 main offices, of which 14 are regional offices (one in each of the 14 counties in Denmark).

The National Labour Market Authority is also in charge of the administration of the legislation on adult vocational training programmes. There are 23 Vocational training schools and centres of which 18 are organized as independent institutions, while 5 schools are state schools catering for trainees from the whole country. Attached to the schools 48 special centres have been set up which offer work introduction training.

Training courses for skilled workers, supervisors and technicians take place at the <u>Technical schools and Commerce schools</u>, which fall under the Ministry of Education.

A <u>Training Council</u> and 4 <u>Training Committees</u> (for respectively training of semi-skilled workers, further training for skilled workers, further training for supervisors and technicians, and work introduction courses) have been set up. They act in an advisory capacity in relation to the Minister of Labour and the National Labour Market Authority.

One the tasks of the <u>National Labour Board</u> is to participate in the general management, planning and coordination of the public employment service. The National Labour Board also acts in an

<sup>&</sup>lt;sup>1</sup> This article replaces the first 3 pages of the Danish Basic Information Report.

#### STRUCTURAL CHANGES

advisory capacity in relation to the <u>Directorate</u> for the Unemployment Insurance System.

In each region a <u>Labour Market Board</u> has been set up. Their task is to follow the development on the regional labour markets and on this basis participate in the general management and planning of the Public Employment Offices.

The <u>Unemployment Insurance Funds</u> are private associations operating within the framework of rules approved by the Minister of labour.

The Directorate of the National Labour Inspection Service is responsible for giving guidance to companies, trade safety councils, labour market organizations and the general public as regards matters concerning safety and health at work (the working environment) and to supervise compliance with the working environment legislation. Furthermore, the Directorate is in charge of the administration of holiday legislation.

In connection with this Directorate a Working Environment Council has been set up to carry out research into the working environment. The Council acts in an advisory capacity to the Minister of Labour and the Director of the National Labour Inspection Service. It is also responsible for following the work of the trade safety councils. A Working Environment Fund has been set up to offer guidance and information in the field of the working environment and to initiate research activities in this field.

There are 15 Inspection Districts / Regional Offices under this Directorate of the National Labour Inspection Service (one in each of the 14 counties in Denmark and one in Greenland). They are

responsible for direct contact with companies and workplaces, they offer guidance concerning safety and health measures and they supervise compliance with the legislation.

# Institutions loosely connected with the Ministry of Labour

The <u>Industrial Court</u> deals, inter alia, with breaches of collective agreements between employees and employers (including state and local authorities).

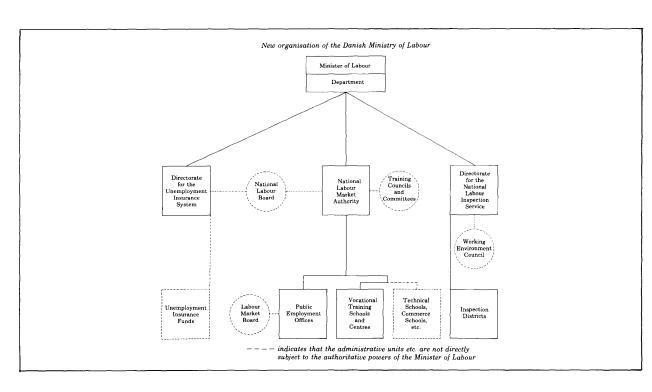
The <u>Public Conciliation Service</u> is responsible for conciliation and settlement of industrial disputes, particularly in connection with the renewal of collective agreements.

The <u>Labour Market Appeals Board</u> has the final decision in matters concerning entitlement to unemployment benefits and cases concerning compensation in connection with participation in training courses.

The Council for Educational and Vocational Guidance follows developments within the field of guidance and is in charge of production and dissemination of information and guidance material.

The  $\underline{ATP}$  House administers the  $\underline{ATP}$ -legislation ( $\underline{ATP}$  = the Labour Market Supplementary Pension Scheme) and gives technical assistance in connection with, inter alia, the administration of the Employees' Guarantee Fund, the Employees' Capital Pension Fund and the Holiday Giro System.

The <u>ATP Appeal Board</u> has the final decision in cases concerning the Labour Market Supplementary Pension Scheme and, to a certain extent, the Employees' Guarantee Fund.



# United Kingdom

# **Employment Service gets Agency Status**

The Employment Service, currently the part of the Department of Employment which administers jobcentres and unemployment benefit offices, will become an executive agency in April 1990. It has about 38,000 staff and will be the largest agency created so far in the "Next Steps" programme to improve the delivery of government services to the public.

Under the programme, the staff of agencies remain civil servants, but their chief executives are set targets and have more managerial discretion than in traditional government departments. The chief executive is directly responsible to ministers who continue to answer to parliament for policy and for the agency's performance. The agency will progressively replace the existing local offices by a new network of about 1,100 offices, bringing together the full range of employment service activities under one roof wherever possible. This development will represent a significant improvement on the present system, where most people have to visit both a benefit office and a jobcentre as part of claiming benefit and looking for work.

### **MISCELLANEOUS**

## Greece

### Wage index adjustment

The government, which was formed in November 1989 as a coalition of the three principal political groups, has proposed law 1874 of 13.2.90 on wage indexation. The law, voted in January 1990, establishes a wage index adjustment in 1990 in line with price increases. The standard rate of wage

increase will be 5.7% for the first 4 months of the year.

The increases, however, will vary according to wage brackets. The wages under DR 130,000 per month will be granted the total increase. The wages above DR 130,000 will only receive 75% of the total increase.

## Spain

# Minimum interprofessional wage regulation 1990

By Royal Decree 170/1990 of 9.2.90, the government has established the minimum *interprofessional* wage that will be enforced on 1.1.90, for permanent, non-permanent and domestic workers.

The amount of the new minimum wage has increased by 7,13% compared to that of 1989. This takes into account the estimated rate of inflation for 1990, the guarantee of purchasing power, productivity increase and the development of labour's share in national income. Thus the minimum wages for any activity, with no discrimination according to sex, are PTA 50,010 per month for workers of 18 years and older, and PTA 33,000 per month for workers under 18.

Decree 170/1990 also includes two new provisions regarding the minimum wage system. Besides daily pay and monthly pay, an annual amount has now been fixed, at PTA 700,140. This takes into account two extra payments of 30 days instead of the 21 days' extra pay, meaning a substantial annual increase compared with 1989. The increase is higher than that of the minimum daily or monthly pay.

Finally, the lower salary of the workers under 16 years of age has been replaced by the salary of the 17 year-old workers. Only two age groups have therefore been provided for, instead of the three so far existing: workers younger than 18 and workers of 18 years and older.

The objective of the new provisions is to reduce the difference between the minimum wage and the wage of the rest of the workers.

### Rough currency conversion rates

One European Currency Unit (ECU) was roughly equivalent to the following amounts of national currencies in mid-March 1990:

Belgium	BFR	42.6
Denmark	DKR	7.9
FR Germany	DM	2.04
Greece	R	193
Spain	PTA	132
France	FF	6.9
Ireland	IRL	0.77
Italy	LIT	1,513
Luxembourg	LFR	42.6
Netherlands	HFL	2.30
Portugal	ESC	180
United Kingdom	UKL	0.72

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Netherlands

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### **MISEP Secretariat**

Institute for Policy Research

### **COLOPHON**

### Correspondents

FR Germany

Belgium Joseph Remy

Ministère de l'Emploi et du Travail

Denmark Karen Thrysøe
Arbeidsministeriet

Arbejdsministeriet Felicitas von Weichs

Bundesministerium für Arbeit und

Sozialordnung Detlef Hein

Bundesanstalt für Arbeit

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Portugal Victor Viegas

Ministério do Emprego e da Segurança Social

United Kingdom Peter Irwin

Department of Employment

European

Commission Andrew Chapman

DG V/B/1

Editors Marjolein Peters

Tony Hubert Hans Weening Fabienne Calléja Martin Touwen

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Institute for Policy Research P.O.Box 985

2300 AZ Leiden Netherlands

tel: (31) 71 25 37 37 fax: (31) 71 25 37 02

