

# EMPLOYMENT OBSERVATORY

## Policies

Developments in employment policies in Europe.  
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# 39



**MISEP**



Commission of the European Communities  
Directorate-General  
Employment, Industrial Relations and Social Affairs

# DEVELOPMENTS AT A GLANCE

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Measures for the disabled

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# OVERALL DEVELOPMENTS

## Belgium

### New unemployment regulations

On 1.6.92, two Decrees came into effect: the Royal Decree of 25.11.91 relating to unemployment regulations (*Moniteur Belge* of 31.12.91) and the Ministerial Decree of 26.11.91 relating to the way the unemployment regulations should be regulated (*Moniteur Belge* of 25.1.92). These two Decrees replace the Royal Decree of 20.12.63, relating to employment and unemployment, and the Ministerial Decree of 4.6.63, relating to unemployment, which, as a result of many amendments, had become inconsistent and largely inaccessible. The revision of the regulations has also made it possible to coordinate the provisions within one Royal Decree and one Ministerial Decree: until now they had been the subject of various Royal or Ministerial Decrees. In addition, several administrative or legal interpretations have been incorporated into the laws.

Although basically the text has been reworked in a technical sense and the regulations are still complex, the positive features of the new Decrees are that they are complete, the provisions are formulated in a more comprehensible way and the Articles have been rearranged in a more logical order.

Clearly it is not possible to outline the entire content of the Decrees here. Instead the most important amendments introduced will be described.

### Basic terminology

Articles 27-29 of the Royal Decree include definitions of general terms.

With the aim of clarifying the terminology, some terms have been amended. Hence the term for short-time worker (unemployed person bound by an employment contract which is temporarily suspended, either totally or partially, due to bad weather, work shortage, strike etc.), which used to be "*chômeur à temps partiel*" in Belgium, has been replaced by "*chômeur temporaire*" (cf.

RIB Belgique, B-iii.3). Similarly, the term "person who is involuntarily partially unemployed" replaces "worker who accepts part-time work in order to avoid unemployment" (cf., B-iii.4). The term "reference employee" has also been introduced (a person employed full-time in a function similar to that of an employee within the same firm or, failing that, within the same sector of activity).

The definition of the term "vocational training" entitles the manager of an unemployment office to assess whether individual training within a firm qualifies as "vocational training" according to the regulations relating to unemployment. This individual training should already have been recognised by the community and regional offices of vocational training and employment (Vocational Training and Employment Service (*FOREM*) or the Flemish Office of Placement and Vocational Training (*VDAB*)). If the training does not qualify, the advantages laid down in the Decree relating to unemployment are not accorded; as a result the right to benefits is forfeited for the period in question.

### Eligibility conditions

In order to be eligible for unemployment benefits, a full-time employee must be able to prove that he has worked a number of working days within a given period as indicated in the Table below. The new Decrees use 26-day months as the basis for calculation (instead of 25), so that the employee now has to prove a larger number of working days in order to be eligible. This higher number of days is cancelled out, however, by the new method of calculating the working days. Months of uninterrupted full-time employment are regarded as 26-day months. In the event of an incomplete month, the number of working days is obtained by dividing the number of working hours by 5.77 (instead of by 6).

In order to be eligible for unemployment benefits, an employee voluntarily working part-time must:

Age	Number of working days	Reference period prior to application for benefit (in months)
under 18	78	10
18 - 26	156	10
26 - 36	312	18
36 - 50	468	27
over 50	624	36

- have been in part-time employment comprising normally at least 18 hours a week on average or at least half the number of hours in a working week normally worked on average by the reference employee;
- be able to prove the same number of working half-days as the number of working days required for full-time employees.

### **New rights for young people and industrial apprenticeship**

Henceforth, suspension of an industrial apprenticeship contract becomes equivalent to suspension of an employment contract for the unemployment regulations. If it is temporarily impossible to fulfil the apprenticeship contract due to bad weather, work shortage, closure for annual holidays or *force majeure*, the apprentice shall receive short-time working benefit if he satisfies the other conditions for eligibility.

### **Adaptation of the unemployment regulations to Collective Agreement N° 46**

Collective agreement (CCT) n° 46 (cf. iM 30) provides protection for employees where firms introduce night work. In principle, employees join a night-shift team voluntarily or after consultation between the social partners.

Article 29 of the Ministerial Decree supports this view by stipulating that in some cases night work is not regarded as suitable work.

A job offered is regarded as unsuitable if it involves working mainly between 11 p.m. and 6 a.m., continuously or semi-continuously, or working permanently on night duty where the employer operates 24 hours a day.

This provision does not apply, however, to the employee whose education destines him/her for an occupation which normally entails night work or to a job offer from an employer who is not covered by collective agreement n° 46. Furthermore, an employee who has performed night work cannot then invoke the principle of voluntary night work.

### **Ineligibility due to voluntary unemployment**

An employee who terminates his/her employment with the deliberate intention of remaining unemployed is not eligible for benefits for at least 13 weeks and up to a maximum of 26 weeks. Once the period of ineligibility expires, he/she may only receive benefits:

- if he/she resumed work for at least 4 weeks and then becomes involuntarily unemployed;
- or if he/she has been registered as a jobseeker, without having refused suitable employment, for the same length of time as the period of ineligibility.

The regulations also make provision for special measures for an employee who gives up work to bring up a child or to set up as self-employed. If

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the person concerned wishes to resume work after a period of inactivity to bring up a child, or ceases to be self-employed and seeks employment as a salaried employee, he/she has a right to benefits only if he/she submits an attestation from the former employer to the effect that he/she may not resume work with this employer. Moreover, benefits may only be granted six months after resignation at the earliest.

### **Special scheme: granting benefits during strikes**

Employees who are unemployed as a direct or indirect result of a strike or a lock-out may only receive benefits with the approval of the Board of Management of the National Employment Office. In granting approval, the Committee must take into account whether or not employees who are not on strike are part of the same work unit as those employees on strike and whether or not they may have an interest in the outcome of the strikers' claims.

### **Exemption from certain grant conditions**

Articles 89-98 of the Royal Decree specify the cases of exemption from certain grant conditions.

In the past it was possible to invoke several Articles for the same situation. Anyone who did not satisfy the requisite grant conditions could submit an application for exemption invoking another Article. The aforementioned Articles comprise uniform regulations without loopholes.

### **The amount of benefit**

The amount of benefit has not been fundamentally amended compared with the previous regulations. As before, a distinction is made between the following categories:

- employee with dependents;
- single employee;
- cohabiting employee.

Nevertheless, an employee who lives alone and is liable to pay a maintenance allowance on the basis of either a legal verdict or a notarial deed issued during divorce proceedings, shall henceforth be regarded as an employee with dependents.

Finally, the following amendments should be mentioned:

- 60% benefits are granted for 5 years to all employees who receive the supplementary allowance stipulated in collective agreement n° 46;
- 60% benefits are granted to approved fishermen;
- the calculation of benefit has been modified where unemployment benefits are drawn at the same time as carrying out authorised additional activities, or are drawn concurrently with a pension, etc.

# Belgium

### New measures on unemployment

Within the framework of the Royal Decrees of 3.6.92 (cf. "New employment regulations" in this issue), some amendments came into effect on 1.6.92.

One amendment concerns persons who are involuntarily partially unemployed (cf. iM 17 and article in this issue). During the period of part-time employment, these persons may receive unemployment benefit for the usual number of hours during which they are not working, provided that certain conditions are met. In the case of persons involuntarily partially unemployed who join the scheme after 1.6.92, the number of benefits which may be drawn while in part-time employment is limited to 13 per month. In the case of individuals who were already defined as being involuntarily partially unemployed at the end of May 1992, an interim scheme has been set up whereby the number of benefits they may draw per month is limited to 17, dating from 1.6.92, 15 from 1.1.93 and 13 from 1.3.93, as long as their employment is not interrupted by a period of complete unemployment. The aim of this measure is twofold: to save money and at the same time encourage employers and employees to conclude employment contracts covering at least part-time work. Still in relation to persons who are involuntarily partially unemployed, any unemployed person who resumes part-time em-

ployment with an employer who had terminated his full-time employment contract will not be entitled to receive unemployment benefit for three months, except if the employee is laid off as part of a restructuring plan within a firm experiencing difficulties. This measure is intended to restrict the number of "arrangements" between employers and employees.

Secondly, with regard to interruption of unemployment (i.e. unemployed persons who interrupt a period of unemployment for family or social reasons and who are no longer registered as jobseekers), the daily cash benefit has been reduced from BFR 404 to BFR 328.

Finally, exemption from availability for the employment market and from registration as a jobseeker was abolished on 1.6.92 for persons who are completely unemployed and who are pursuing full-time studies during the day. Anyone who has already been granted exemption may continue to benefit from it until the course of study has been completed; the daily cash benefit will be reduced by 50% from 1.9.92, however. On application, the Board of Management of the National Employment Office (*ONEM*) may, however, grant an unemployed person who is head of a household or single, special dispensation from this reduction. The Board reaches its decision on the basis of shortages observed on the labour market.

# Denmark

### Activation package

On 17.6.92, the *Folketing* (the Danish Parliament) adopted a number of statutes which all introduce new temporary labour market policy measures, the so-called "activation package". Three groups of measures are described in more detail in this issue.

Part of the package offers new possibilities in connection with the job offer scheme for unemployed persons ("New possibilities under job offer scheme").

Another part of the package deals with the introduction of various forms of leave from the workplace ("New rules on leave from the labour market").

Finally, a temporary scheme has been introduced under which certain geographical areas in Denmark are designated as special "industrial zones" and are given some job creation incentives ("Industrial zones").

This package of new measures should be seen as an expression of the Government's plans to reduce unemployment and to use the resources for employment measures in a more active way.

## United Kingdom

### New legislation - the Trade Union and Labour Relations (Consolidation) Act 1992

The Trade Union and Labour Relations (Consolidation) Bill was originally introduced to Parliament on 27.1.1992, but did not complete its Parliamentary passage before dissolution prior to the UK General Election. It was again introduced in the House of Lords on 19.5.1992 and received Royal Assent on 16.7.92.

The Act makes no substantive change to the effect of provisions which are already part of the law. However, the Bill's provisions bring together much existing employment legislation, including major measures concerning:

- the legal status of trade unions;
- the rights of trade union members;
- organising, or taking part in, industrial action or picketing activities;
- protection for employees and workers against closed shop practices;
- collective bargaining;
- procedure for handling redundancies; and
- the constitution and powers of the Advisory, Conciliation and Arbitration Service (ACAS) and other industrial relations institutions.

Now that the Act has completed its Parliamentary passage, a number of statutes will be repealed. A full list of repeals is set out in Schedule 1 to the Consolidation Bill. Copies can be obtained from Her Majesty's Stationery Office (HMSO).

## EMPLOYMENT MAINTENANCE

### Belgium

#### Short-time working system revised

Employers who temporarily cannot provide work for their employees due to bad weather, technical difficulties or for economic reasons, may introduce short-time working (cf. "New unemployment regulations" in this issue). The Government is of the opinion that this system generates abuse and has looked for ways to make it less attractive to employers. The measures set out in Articles 91-100 of the Law of 26.6.92 pertaining to social and miscellaneous provisions (*Moniteur Belge* of 30.6.92) approach the problem from two angles.

Firstly, 27% of the unemployment benefit paid to short-time workers will come out of the Compensation Fund for workers laid off in the event of the closure of a firm. It should be remembered that this Fund is financed solely by employers' contributions. To enable the Fund to fulfil its new task, payment of a further contribution may be imposed on employers by Royal Decree. The total amount of this contribution may not exceed 27% of the unemployment benefit paid to workers whose employment contract is suspended for the reasons indicated above.

Secondly, Articles 49-51 of the Law of 3.7.78 pertaining to employment contracts have been amended in order to limit and specify not only the cases where employment contracts are suspended, but also the period of suspension specific to blue-collar workers. Article 49 concerns tech-

nical accidents which cripple firms. Under the terms of this Article, employers were already obliged to provide the regional office of the National Employment Office (*ONEM*) with certain information regarding the accident in question. Henceforth, this information has to be made available within one day, instead of four days.

Furthermore, the manager of the regional office may refuse to acknowledge that the circumstances described by the employer constitute a technical accident. His refusal will not only have the effect of blocking payment of unemployment benefit to the employees concerned: the employer will also be obliged to continue paying his employees' wages throughout the period of suspension of the employment contract.

Article 50 of the Law of 3.7.78 stipulates that bad weather may lead to the employment contract being suspended where work cannot proceed and where the employee has been notified that he need not report for work. The interpretation of what constitutes bad weather has until now been left to the employers. In future, a Royal Decree, introduced after consultation with the Board of Management of the Fund concerned with closures of firms and with the National Labour Council (*CNT*), can determine what is meant by bad weather which prevents work proceeding. Article 51 concerns total suspension of the employment contract or the introduction of a reduced-time working scheme in the event of a shortage of work on economic grounds. New lim-

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itations are introduced or made possible:

- henceforth, the introduction of a Royal Decree limiting suspension will no longer require a proposal to be made by the *CNT* or the Joint Commission: these bodies shall simply be consulted beforehand;
- a Royal Decree, introduced after consultation with the Board of Management of the Fund concerned with closures of firms and with the *CNT*, can determine the minimum notice required concerning the new working scheme introduced;
- similarly, a Royal Decree can set a maximum time limit for this reduced-time working scheme. At the moment, working schemes involving three working days a week or working every second week may be introduced for an indeterminate period of time;
- furthermore, a Royal Decree can limit the duration, per year, of the reduced-time working schemes and of the total period of suspension of an employment contract. At the present time, the employer may give notice of consecutive periods of suspension provided that work is resumed for seven days between each period.

## Germany

### Short-time working benefit period extended - uniform regulation for old and new *Länder*

In the event of a work shortage on cyclical grounds, short-time working benefit will continue to be paid for a longer period than the 6 months provided for by law. The provision whereby short-time working benefit was payable for 12 and 18 months in the old and new *Länder*, respectively, expired on 31.3.92.

A legal regulation of the Federal Ministry of Labour provides for uniform benefit periods for both old and new *Länder*: 15 months for the period between 1.4.92 and 30.9.92, and 12 months for the period between 1.10.92 and 30.6.93. Without this new regulation the benefit period according to the Labour Promotion Act (*AFG*) would have been 6 months as from 1.4.92.

The decision to extend the period for short-time working benefit helps prevent lay-offs and large-

scale unemployment which would have been unavoidable otherwise. It is now up to the companies themselves to use this improved regulation in order to prevent unemployment whenever possible.

Viewed from the present perspective, companies which are hit by work shortage would do well to expect a legal benefit period of 6 months as from 1.7.93.

However, the *AFG* offers an alternative solution: after a period of at least 3 months without short-time working benefit, companies may begin a new benefit period. The intervening time could also be filled by works holidays etc.

The recent decision does not affect the period for which short-time working benefit is payable in the case of structural work shortages. In these cases, short-time working benefit can be obtained from the company for an uninterrupted period of up to 24 months, ending on 31.12.95.

## TRAINING

## Germany

### The market situation for training places at the end of April 1992

#### Old *Länder*

After 7 months of the report period 1991/92, the trend towards an applicants' market continues which means that the situation for applicants on the training places market is improving. A growing number of training companies are finding it harder to fill vacancies in certain areas.

By the end of April 1992, occupational guidance offices had received 328,300 applications for

training places, 14,460 (4.2%) less than in the previous year. At the same time, 682,000 training places were reported to the employment agencies by companies and administrations, an increase of 22,400 (3.4%) over the previous year.

As a result of the better prospects for applicants, it is expected that by the end of the year under report (30.9.92), only a few applicants will find themselves without a training place. Due to regional differences and structural problems (e.g. discrepancies between job aspirations and demand or between available and required qualifi-



cations), even the changing situation in the training places market does not ensure a place for each applicant, however.

At the same time, given a continuation of the present trend, the persistent difficulty in filling vacancies will lead to a further increase in vacant training places by 30.9.92, compared with the previous year.

Opening up training places to individuals who, until now, had no or only minimal vocational qualifications, offers new and better prospects to acquire vocational qualifications for the teenagers and young adults concerned, on the one hand, and for the firms providing training, on the other.

### **New Länder**

The targeted activities of the occupational guidance offices which were aimed at companies and young people, have led to a marked increase in the acceptance of the offices' placement services. By the end of April 1992, approximately 109,500 applicants had registered with the occupational guidance offices, an increase of 6,900 (6.7%) compared with the previous year. The number of applicants whose apprenticeship contract had been terminated is significantly lower (April 1991: 18,440; April 1992: 3,200). Excluding this group of applicants, the number of people seeking a training place is 26.3% up on the previous year.

## **Greece**

### **National Vocational Education and Training System**

Act 2009 of 2.10.92 has established a National Vocational Education and Training System (NVETS) which aims to:

- organise, develop and provide vocational training;
- provide the official certification of the vocational training;
- coordinate vocational training with the education system;
- develop all kinds of national or community programmes of vocational education and training.

The NVETS follows the current needs of the labour market, the economic and social conditions in the country at national and local levels and scientific and technological developments. It is being formulated and developed in cooperation with the social partners, with all private and public bodies, both Greek and international, and more specifically with the European Community bodies.

The "Organisation for Vocational Education and Training" has been established under the same Act. It is based in Athens and has the following

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Between the beginning of October 1991 and the end of April 1992, over 71,700 training places were reported to the occupational guidance services in the new *Länder*. Of these, 4,800 have been cancelled, primarily for economic reasons. The overall number of reported training places includes 4,000 in inter-company institutions. Compared to the year before, the number of training places within companies has increased by 22,700 (56.6%).

At present there are 29,600 vacant training places and 73,800 young people without the promise of a place; efforts are continuing on their behalf. At the end of April 1992, there were 0.57 training places (statistically speaking) available for each applicant. During the report period 1991/92, the ratio of supply to demand has markedly improved compared to the year before (0.39 in April 1991; 0.43 in September 1991).

Due to the expected increase in the number of applicants, the gap between supply and demand in the new *Länder* will probably continue into the present year under report, despite the increase in training places within companies.

By the beginning of the 1992 school year, additional training courses or measures will have to be offered in and out of schools in order to provide all applicants with a training offer.

aims:

- the organisation and operation of the public Institutes for Vocational Training (IVTs) under the authority of the Ministries of National Education and Religious Affairs;
- the supervision of private IVTs;
- accomplishing the goals of the NVETS.

Its tasks include the following:

- to submit proposals to the Ministers of National Education and Religious Affairs outlining guidelines, planning and programming of the policy on vocational education and training;
- to recognise and certify professions corresponding to the education and training provided by the IVT in accordance with the state and the needs of the Greek labour market, taking into account the current situation in the EC;
- to certify the titles conferred by other Greek bodies involved in vocational education and training;
- to recognise the equivalence of degrees awarded abroad and to provide the necessary information relating to the recognition of rights and certificates and to other requirements for access to regulated professions;
- to define the professional rights of all levels of

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vocational education and training covered by this Law in collaboration with the competent Ministry and social partners;

- to coordinate activities and make recommendations to the Ministries of National Education and Religious Affairs on issues relating to specialisation in secondary technical/vocational education and vocational training;
- to define the specifications and grant approval for programmes of formal vocational training

provided by other bodies not supervised by the Ministries of National Education and Religious Affairs;

- to take care of programmes relating to the training of vocational education trainers under the authority of the Ministries of National Education and Religious Affairs.

On 1.9.92, 15 IVTs started operating on a trial-basis. Actual operation will commence on 1.1.93.

## Denmark

### Educational support for adults

Since 1.10.89 a scheme has been in operation whereby adults without a vocational training background may obtain leave from their workplace in order to receive education/training. This was a temporary measure which has now been made permanent. This scheme is administered by the Ministry of Cultural Affairs.

Under the scheme it is possible to obtain leave from the workplace for 1-16 weeks within a 2-year period. In order to obtain such leave the person concerned must satisfy the following conditions. He/she must:

- be between 25 and 60 years of age;
- be economically active (i.e. working as an employee or self-employed person);
- have only a basic educational background and

no or only poor vocational skills;

- have been working for his/her present employer for at least 26 consecutive weeks.

The amount of support granted to participants in education/training under this scheme is equivalent to the maximum rate of unemployment benefit (i.e. DKR 2,550 per week as of 1.7.92). The employer may choose to supplement this amount so as to give the employee full compensation for the loss of income.

It is possible to combine this scheme with the job offer scheme so that the enterprise takes on a long-term unemployed person with a wage subsidy while the employee is on leave for educational/training purposes. The job offer scheme is administered by the Public Employment Service.

## Ireland

### Employment Subsidy Scheme and Job Training Scheme

The recently established Employment Subsidy Scheme and Job Training Scheme were formulated last November against the background of a worsening employment situation in Ireland. The two initiatives are aimed at increasing the level of training of enterprises and reducing unemployment.

#### Employment Subsidy Scheme

This Scheme is open to employers in the private sector, commercial State bodies and voluntary bodies which can provide additional permanent full-time employment opportunities. The normal wage for the job must be paid and jobs subsidised under the scheme must be additional. The target for the Scheme is 15,000 jobs and it is now operational.

#### Job Training Scheme

This Scheme is a work-based training programme provided by employers in cooperation with the National Training Authority (FAS).

Under the scheme, the world of work and training will be linked in a positive manner, trainees taken on by employers will follow a structured and supervised programme of training in a work-based setting, tailored to their individual needs. Employers will in turn gain by having a potential workforce and the long-term spin-off benefits this will bring in terms of improved company performance.

The Job Training Scheme will be administered by FAS which will also award certificates to successful trainees. Trainees will receive normal FAS allowances from the employer.

To make use of the scheme, an employer must be able to provide training on a full-time basis. The employer must also complete an application incorporating a training specification which sets out the aims, the training outline, the duration, the approach and the proposed system for assessment and certification.

The participation target for the scheme is 10,000 trainees. This target is considered to be ambi-

tious as the scheme is thought to be a major new departure though it also represents an important opportunity to make a major breakthrough

in encouraging training by employers, as this is generally believed to be an area which could be expanded upon.

## Portugal

### Recognition of vocational qualifications by means of certificates

In July 1992, within the context of the Agreement on Vocational Training Policy signed by the Government and the social partners (cf. Po 36), a legal system was set up whereby vocational qualifications, acquired as a result of completing training courses which are incorporated in the employment market, are recognised by means of certificates (Decree-Law 95/92 of 23.5.92).

This system will need to:

- ensure there is coordination between the recognition of training which is incorporated in the employment market and of training incorporated in the education system;
- take into account not only training but also other criteria for practising a profession, in particular those subject to regulation;
- ensure that work experience is acknowledged via objective and justified assessment procedures;
- enable any worker who so wishes to officially register his training history which can then be approved by means of a certificate;
- contribute to ensuring that training received in Portugal is recognised in other Member States of the European Community and to promoting the equivalence of qualifications.

Two types of certificate will be issued:

- a vocational training certificate which proves that the holder has met the objectives defined

in the teaching programmes or training activities;

- a certificate of professional skill which testifies to the holder's ability to perform a certain professional activity as a result of having completed training or gained work experience.

The training bodies themselves issue the training certificates. Responsibility for the certificates of professional skill is shared, on the one hand, by the Institute for Employment and Vocational Training (*IEFP*) through the agency of public or semi-private vocational training centres and other training bodies and, on the other hand, by the departments and bodies of the various Ministries and of the competent Autonomous Regions.

The system whereby vocational training which is incorporated in the employment market is recognised via certificates is coordinated by a Permanent Committee which operates in parallel to the Board of Management of the *IEFP*. The Committee is made up of 16 representatives, 8 from Public Administration, 4 from trade unions and 4 from employers' confederations. The intention is to set up specialised technical committees which would also be based on tripartite management and which would come under the responsibility of the Permanent Committee. The aim of these committees will be to define the standards for recognition of training in certain professional sectors. Technical support for the coordination structure is provided jointly by the Directorate General for Employment and Vocational Training and the departments of the *IEFP*.

## Portugal

### Training grants

In the wake of the Agreement on Vocational Training Policy signed by the Government and the social partners (cf. Po 36) and against a background of an upsurge in continuous training, a legal system has been set up (D.N. 86/92 of 5.6.92) whereby grants for training undertaken on the initiative of the worker are awarded by the *IEFP*.

Employed or unemployed persons may benefit from the training grants by submitting an application to the Jobcentre. With regard to the award of the grants, priority should be as follows:

- workers in sectors or regions experiencing

grave difficulties or undergoing restructuring;

- workers in firms experiencing grave difficulties or undergoing restructuring;
- other workers, especially those with a low standard of training.

In order to be able to participate in training activities, employees need to have the agreement of the employer concerned. Contact with the firm is maintained and the basic wage continues to be paid. The firms receive compensation from the *IEFP* for the basic wage paid and for other costs incurred. The activities are monitored by a tripartite committee appointed by the Board of Management of the *IEFP*.

## Denmark

### **New possibilities under the job offer scheme**

As part of the so-called "activation package" which the *Folketing* (the Danish Parliament) adopted in June (cf. article entitled "Activation package"), the job offer scheme (cf. Denmark BIR, DK-i.1) now offers three new possibilities:

- optional job offer for young people;
- job offer combined with an introductory period;
- "self-found" job offer.

### **Optional job offer for young people**

A scheme has been introduced whereby young unemployed persons under the age of 25 may now receive an optional job offer after only 6 months' instead of 1 year's unemployment. This scheme applies in both the public and private sectors and will expire on 1.1.94.

It should be noted that young unemployed persons have no statutory right to be offered a job. On the other hand, the optional nature of the scheme also means that young unemployed persons may refuse to accept a job offered to them under this scheme without losing their entitlement to unemployment benefit or to a new job offer at a later stage.

The working week is 30 hours; the duration of the job offer is the same as in other job offer schemes, i.e. 7 months in the public sector and 9 months in the private sector.

Participants in the new job offer scheme are paid according to the normal rules for other job offer schemes. This means that the wage must be the wage fixed by collective agreement within the sector concerned, subject, however, to a ceiling of DKR 80 per hour in the public sector. The minimum weekly wage for 30 working hours will be equivalent to the weekly amount of unemployment benefit.

The Public Employment Service administers this scheme and pays a so-called "retraining allowance" of DKR 41.60 (as of 1.7.92) to the employer who recruits a young person under this scheme.

A young person who wishes to receive a job offer after only 6 months' unemployment must contact his/her local employment service, but the employment service may also, on its own initiative, give young persons an optional job offer.

The new rules will come into effect at a date to be fixed by the Minister of Labour.

### **Job offer combined with an introductory period**

This new scheme makes it possible to combine a job offer with a short introductory period. The aim is to place more unemployed persons under job offer schemes in the private sector, by making it possible to have a 2-week introductory period prior to the job offer. After this introductory period it is up to the employer to decide whether he/she wants to offer the job to the unemployed person concerned. During this introductory period, the unemployed person will be given the chance to familiarise him/herself with his/her future tasks.

This scheme only applies for job offers in the private sector and during the introductory period the person concerned is still considered unemployed, but need not be actively seeking a job.

The unemployed person receives his/her normal unemployment benefit during the introductory period. This means that the scheme involves no costs for the employer. The number of working hours per week is fixed in such a way that the allowance paid per hour corresponds to the wage paid under the existing collective agreement in the subsequent job offer. For example: if the amount of unemployment benefit paid to an unemployed person is DKR 2,500 and the contractual wage in the sector concerned is DKR 100 per hour, then the working week will be fixed at 25 hours.

If the employer does not wish to employ the unemployed person after the introductory period, he must inform the Public Employment Service of his decision in writing.

This scheme is a temporary scheme which will come into operation on a date to be fixed by the Minister of Labour and will run until 1.1.94.

### **"Self-found" job offer**

This new scheme is aimed at placing unemployed persons who qualify for unemployment benefits and who are under 60 years of age in a job offer in the private sector. Candidates are placed after only 6 months' unemployment if they are able to find such a job offer themselves.

The person placed under such a job offer scheme will receive the wage fixed by collective agreement within the sector concerned. The subsidy paid to the employer is equivalent to the full wage of the unemployed person for 3 months, subject, however, to a ceiling of DKR 123 per hour. It is a condition that the employer undertakes to employ the person for 9 months. The subsidy is paid in 3 instalments over the 9-month period.

Anyone who wishes to make use of this scheme must first find a job offer in the private sector. He/she must then contact the Public Employment Service which has to approve that the employer concerned may recruit a long-term unemployed person.

This scheme, which aims at promoting job opportunities for the unemployed, will come into operation on a date to be fixed by the Minister of Labour and will run until 1.1.94.

## Denmark

### Industrial zones

In June, the *Folketing* decided that it should be possible to establish industrial zones in 3 of the 14 Danish counties, namely Northern Jutland, Storstrøm and Bornholm. Up to 10 industrial zones may be set up in the 3 counties and it is the intention that they should each cover an area of about 50 hectares.

The aim of this new non-traditional labour market policy instrument is to create new jobs in those regions in Denmark which have the most urgent need for new jobs.

An industrial zone is a geographical area within which enterprises are offered special favourable conditions with a view to strengthening development in trade and industry and in employment within the area concerned.

The special favourable conditions are as follows:

- quick procedures for approval of applications to set up new enterprises;
- possibility of obtaining exemption from certain legislative rules such as holiday legislation, working environment legislation and other la-

bour law rules;

- exemption from liability to pay certain land taxes and other local taxes;
- favourable depreciation rules in respect of operational assets;
- exemption from liability to pay stamp duty in connection with conveyancing and mortgaging of real estate.

With regard to the possibility of obtaining exemption from labour law legislation, the aim is not to abolish this legislation in the industrial zones, but to comply with wishes expressed by enterprises and their employees for a more flexible and less bureaucratic set of rules. As a positive side-effect, perusal of applications for exemption will also show whether and in which areas the rules concerned have unintended effects and hamper the growth potential of enterprises. Exemptions will not be granted from rules originating from EC directives or ILO conventions.

The industrial zones will be set up following negotiations between the Minister of Industry and the individual municipalities.

## Denmark

### New rules on leave from the labour market

As part of the so-called "activation package" adopted by the *Folketing* in June 1992 (cf. "Activation package"), new schemes concerning leave from the labour market have been introduced.

#### Parental leave

Under this scheme, which is temporary and will be operative from 1.7.92 until 1.1.94, parents with children under the age of 9 may now be given paid leave in order to take care of them, provided that a substitute is recruited. The aim of this scheme is two-fold. Firstly, to give more unemployed persons better opportunities for job training through job rotation and, secondly, to help families with small children. The scheme applies to both the public and private sectors.

In order to obtain leave, the employee must sat-

isfy the conditions for obtaining unemployment benefit and the same applies to the unemployed substitute. Part-time employees will also be entitled to leave if a substitute is recruited for at least the same number of working hours.

The period of leave is for 13-36 consecutive weeks. If the child is under the age of 3, the use of public child care facilities during the period of parental leave will not be permitted. If the child is between 3 and 8 years of age, public child care facilities may be used on a half-day basis.

The employee on parental leave receives 80% of the maximum rate of unemployment benefit, i.e. DKR 2,040 per week (as of 1.7.92). The employer may choose to pay the full wage during the period of leave. The substitute is paid the full wage fixed by collective agreement for the type of work concerned. The unemployment insurance fund pays the allowance to the person on leave or to the em-

## JOB CREATION

ployer if he pays the full wage to the employee.

An employee who wishes to take parental leave must conclude an agreement with the employer specifying the duration of the leave and the conditions for returning to the job. A special form obtainable from the Public Employment Service must be completed and the Public Employment Service may also assist the employer in finding a substitute.

This parental leave scheme is very liberal and flexible. For instance, it is possible to combine parental leave with maternity leave. Both parents may take leave at the same time and there is no limit to the number of periods of leave.

### Leave for training purposes

This scheme makes it possible to obtain leave for educational/training purposes for 4-36 consecutive weeks provided that the employer recruits an unemployed person as a substitute.

The aim of the scheme is two-fold: to make it possible for people in employment to acquire new skills and qualifications and to bring unemployed persons back into employment.

The scheme is intended for both full-time and part-time employed persons who are members of an unemployment insurance fund. It is a condition for obtaining leave with financial remuneration that the person concerned has had a stable position in the labour market and that he/she has been working for his present employer for at least 1 year.

The scheme applies to both the public and private sectors and is administered by the Public Employment Service. The provisions as regards financial remuneration to the person taking leave for educational/training purposes and the wage paid to the substitute are the same as those described above applying to parental leave. The administrative procedures are also the same.

### Training and job rotation

The aim of this scheme is to promote job rotation in the private sector in order to improve employment opportunities for the unemployed and to improve the general level of skills of the labour force.

The right to be absent from work may be granted for 4-36 consecutive weeks provided that the employer recruits a substitute.

The scheme is linked with the Act on Educational Support to Adults (the so-called *VUS - voksen-uddannelsesstøtte*) and is administered by the Ministry for Cultural Affairs.

The employee receives his/her normal full wage while undergoing education/training in the absence of any other agreement between the employer and the employee. The substitute is paid the normal contractual wage within the sector concerned. The Ministry of Cultural Affairs reimburses the employer. The amount of this reimbursement corresponds to the maximum level of unemployment benefit.

## Netherlands

### 8000 unemployed in jobs in the health sector in 1993

The Employment Service, employers and employees in the health sector and the Ministry of Welfare, Health and Cultural Affairs (WVC) have agreed to help roughly 8,000 unemployed persons find jobs in hospitals and medical institutions in 1993. Furthermore, they want 3,000 members of ethnic minority groups to enter the sector over the next four years. An agreement has been reached for 1993 that 2,850 unemployed persons will be placed through wage cost subsidies and a further 5,000 through, for example, training measures.

The Employment Service estimates the cost of the initiative at approximately HFL 60 million. In addition, the Central Employment Board (CBA) will finance experiments, research and projects (for ethnic minorities amongst others) and has set aside HFL 1 million for the time being.

The social partners in the hospital health care sector will provide their share of HFL 27.5 million (WVC subsidy) for measures aimed at good supervision and improvement of the labour market. The money will be allocated as follows:

- HFL 10 million for training existing employees;
- HFL 8 million for the supervision of members of the target groups;
- HFL 3 million for policy on ethnic minorities;
- HFL 2.4 million for the improvement of personnel management;
- HFL 0.9 million for job enrichment;
- HFL 3.2 million for miscellaneous projects (including child care facilities and public relations).

# CENTREFOLD

## Measures for the disabled

### Introduction

In several Member States there is a tendency to encourage the participation of the disabled in general schemes in order to prevent stigmatisation and exclusion. However, there are still a large number of measures that are specific to the disabled. This review presents the measures targeted at the disabled or with the disabled as one of the target groups. For countries with no specific measures for the disabled, the possibilities of special provisions for the disabled within standard schemes are examined.

The measures are classified as follows:

#### 1. Training

This category includes vocational rehabilitation and training and work experience schemes (basic education is not included).

#### 2. Recruitment incentives

This category includes wage cost subsidies, exemptions from social security contributions and bonus payments.

#### 3. Sheltered workshops

Sheltered employment schemes offer opportunities for people whose mental or physical disabilities rule out regular employment. Sheltered workshops enable disabled people to work in an adapted work situation.

#### 4. Financial assistance to disabled people starting enterprises

This kind of support can consist of a capitalisation of unemployment benefits or special grants or loans.

#### 5. Quota

A quota system determines that at least a minimum percentage of the personnel have to be people with disabilities.

Not included in this overview are other forms of assistance for the disabled such as specific regulations concerning adaptation of workplaces, dismissals, paid leave and financing for the construction of specialised centres for the disabled (e.g. in the field of training or placement).

The information for this overview was based on information from the MISEP system, complemented and corrected by the MISEP correspondents. In addition, two publications were used:

- OECD: Employment policies for people with disabilities, report by an evaluation panel. Labour market and social policy, occasional papers No 8., Paris 1992 (OECD).
- *NIMO: Arbeidsongeschiktheid en reïntegratie, Nederland en Europa* (Disablement and Reintegration, The Netherlands and Europe), 1990, 's-Hertogenbosch (*NIMO*).

# Belgium

As a result of institutional reforms, careers guidance and vocational training for the disabled, as well as integration of the disabled on the labour market, are now administered on a community level in Belgium. A community fund has been set up in each community (French, Flemish and German-speaking) for the social and vocational integration of disabled people.

## 1. Training

In addition to the normal apprenticeship and vocational training schemes, there are also specific schemes required as a result of the nature of the disability:

- the apprenticeship contract specially for the disabled (on-the-job training);
- individual training in a vocational training centre for the disabled;
- assimilation of school education with vocational training.

Disabled people undergoing vocational training are entitled to allowances and supplementary payments with the aim of ensuring that they receive a remuneration which is equivalent to the allowances granted to participants on vocational training courses.

Jobseekers registered as disabled belong to special risk groups among the unemployed. An amount may be granted from the Employment Fund under the terms of a vocational integration agreement relating to training these jobseekers. The amount is fixed in the agreement.

## 2. Recruitment incentives

A disabled worker who is employed in a new job receives a proportion of his salary and social security contributions from the community fund for a maximum period of one year; this is in the form of a lump sum to cover the loss of income by the employer during the worker's period of adaptation (cf. also collective agreement n° 26 of 15.10.75).

Employers in the private sector enjoy a temporary reduction in employers' social security contributions when they hire certain jobseekers, particularly those registered as disabled. The reduction is granted on the gross salary limited to the guaranteed minimum monthly income and continues until the end of the eighth quarter following recruitment.

Various financial incentives are paid in the three regions.

Cf. also under Training.

## 3. Sheltered workshops

Most of the workshops (159 as at 1.1.90) are private initiatives subsidised by the authorities. A proportion of the salary and social security contributions of disabled workers employed in sheltered workshops is also paid.

## 4. Financial assistance to disabled people starting enterprises

No special schemes.

## 5. Quota

Under the Law of 16.4.63 relating to the social rehabilitation of the disabled, there is an obligation to employ disabled people in industrial, commercial and agricultural enterprises with 20 or more employees. In practice, this rule does not apply.

The Royal Decree of 11.8.72 encouraging the employment of the disabled in state administrations stipulates that the number of jobs to be set aside for disabled people in state administrations with at least 20 employees is 1.00. The jobs to be provided are distributed between the various ministries. There are no sanctions where these obligations are not met.

# Denmark

## 1. Training

Under section 91 of the Danish Social Assistance Act, the county authorities have a duty to provide access to training, vocational rehabilitation and employment assessment for the disabled.

## 2. Recruitment incentives

Special scheme for personal assistance to disabled people administered by the Public Employment Service (cf. Po 37).

## 3. Sheltered workshops

Under section 91 of the Danish Social Assistance Act, the county authorities have a duty to offer sheltered employment or other employment measures to people who are unable to find and maintain employment on the open labour market due to a physical or mental disability. The county authorities may set up and operate institutions for sheltered employment or they may place contracts with independent institutions offering such employment.

The total number of so-called section 91 places was 14,415 as per 1.7.91. This figure includes training/vocational rehabilitation places. It also includes 2,505 individual places in sheltered employment in ordinary companies.

## 4. Financial assistance to disabled people starting enterprises

No special schemes.

## 5. Quota

Disabled people have priority in connection with certain jobs in the public sector and in private institutions etc. which are financed by more than 50% out of public funds (state or local authorities). This scheme is administered by the Public Employment Service.

# Germany

## 1. Training

Grants-in-aid for employers covering up to 100% of the training allowance depending on the nature and severity of the disability.

## Vocational rehabilitation

In Germany the term "vocational rehabilitation" covers vocational training including initial training, further training and retraining aimed at preparing people for an occupation. It also covers measures required to integrate people into a suitable job (including employment in a workshop for the disabled).

Subject to certain conditions, participants in vocational training measures receive a training allowance or a transition allowance. The costs of the measures are reimbursed. Employers who employ disabled people can be granted a settling-in allowance of maximum 80% for up to two years.

## 2. Recruitment incentives

Grants-in-aid covering up to 100% of the salary for a maximum period of 3 years.

## 3. Sheltered workshops

There are about 120,000 jobs in sheltered workshops.

## 4. Financial assistance to disabled people starting enterprises

There are no special measures for disabled people.

## 5. Quota

6% of jobs in firms with at least 16 employees have to be filled by disabled people. Same percentage for public sector.

# Greece

## 1. Training

A respective number of special schemes for disabled people are implemented by the Manpower Employment Organisation (*OAED*), the local authorities, the institutions which are supervised by the Ministry of Health and Social Security, universities etc. Apart from these, 10% of the places in the ordinary vocational training courses of the *OAED* are reserved for people with disabilities.

## 2. Recruitment incentives

The *OAED* finances the wages of 550 disabled people for up to 65% of the wage rate of unskilled workers for a period of one year. For a further four months, the employer is obliged to continue employing the disabled person without any kind of subsidy.

## 3. Sheltered workshops

At the present time, the Coordination Council for Vocational Integration of the Disabled examines the operation and organisation of sheltered workshops. It is expected that a certain number of sheltered workshops will be set up next year.

## 4. Financial assistance to disabled people starting up enterprises

Disabled people starting up enterprises in the services or trade sector receive a subsidy of DRA 450,000. The subsidy is DRA 550,000 for the industrial sector.

## 5. Quota

Companies with 50 or more employees are obliged to employ the disabled at the rate of 5%. Same percentage for public sector.

# Spain

## 1. Training

In Spain, the National Vocational and Integration Plan (*FIP*; presently regulated by Royal Decree 1618/1990) regulates the vocational training programmes aimed at different groups of workers who, as a result of their special circumstances, encounter greater problems associated with integration into the labour market. Article 16 of this Royal Decree regulates the "vocational training programme for the disabled" which was specially devised to enable disabled workers to become integrated into the free labour market. The National Employment Institute (*INEM*) and the National Institute of Social Services (*INSERSO*) are responsible for devising the content of these programmes.

Other training programmes intended for other groups of workers (young peo-



ple, women, LTUs etc.) have no places specially reserved for disabled people, though they may participate in them.

## 2. Recruitment incentives

A grant of PTA 500,000 is awarded for every disabled worker hired, plus a 70% or 90% reduction in employers' social security contributions according to whether the disabled worker is under or over 45. (cf. Spain BIR, ESP-v.8).

## 3. Sheltered workshops

Specialised centres employing the disabled are supported in several ways (exemption from social security contributions, technical assistance grants etc.) (cf. Spain BIR, ESP-ii.4).

## 4. Financial assistance to disabled people starting enterprises

Aid is available to disabled people wishing to become self-employed, in the form of:

- a partial grant towards interest on investment loans;
- a grant of up to PTA 400,000 for investment in fixed assets (cf. Spain BIR, ESP-v.17).

## 5. Quota

2% of jobs to be reserved for the disabled in firms with more than 50 permanent employees. Same percentage for public sector.

# France

## 1. Training

There is a general scheme for the unemployed. Jobseekers who receive training which is regulated, subsidised or approved by the Government, the Region, the Social Action Fund (FAS) or another national group, receive remuneration. If the jobseekers are disabled, they are paid the equivalent of 100% of their previous salary.

## 2. Recruitment incentives

Under the "aid to integration into companies" scheme, the employer receives:

- a subsidy of FF 30,000, paid on a proportional basis related to time, to any company irrespective of its situation in relation to employment obligations;
  - Permanent contract, 50% of the subsidy on recruitment, 50% after 6 months employment;
  - Fixed-term contract (lasting at least 6 months), one third of the subsidy on recruitment, the remainder only being paid if the fixed-term contract becomes a permanent contract.
- a lump sum subsidy to "integration companies":
  - FF 9,000 on recruitment;
  - FF 30,000 on transfer to the ordinary working environment, in the case of a fixed-term contract.

Use of sheltered employment in the ordinary working environment: companies receive a maximum reduction of 50% in the salary. The beneficiary is a salaried employee of the company. The extra remuneration is equivalent to the difference between 80% of the *SMIC* (statutory indexed minimum wage) and the salary paid by the employer.

Income maintenance for disabled workers: income maintenance is provided to any disabled person who carries out a professional activity, irrespective of the terms. It is provided by the state in the form of an extra payment added to the salary paid by the employer. It is fixed in relation to the *SMIC*. In an ordinary production environment, the salary is normally equivalent to that paid to an able-bodied worker who performs the same job.

## 3. Sheltered workshops

The aim is to enable disabled workers, whose working capacity is at least equivalent to a third of the capacity of an able-bodied worker performing the same tasks, to carry out a paid professional activity under conditions adapted to their capabilities, to encourage the advancement of these disabled workers and to foster their integration into jobs in an ordinary production environment.

## 4. Financial assistance for disabled people starting enterprises

The subsidy for setting up in business is FF 15,000.

## 5. Quota

Employers in the private sector who have more than 20 employees are obliged to recruit a quota of disabled workers, equivalent to 6% of their workforce. The same obligation to employ disabled people applies for the public sector (cf. France BIR, F-vi.H).

# Ireland

## 1. Training

There are no minimum targets concerning the participation of the disabled in general community training centres organised under the control of the National Training and Employment Authority (FAS). When possible it is FAS policy to accommodate disabled persons on its training programme. The special

centres for the disabled provide skills training, general work training and vocational preparation courses. These are organised under the aegis of the National Rehabilitation Board (NRB). There is liaison between the FAS and the NRB on the training needs of disabled people.

## 2. Recruitment Incentives

**The Employment Incentive Scheme** applies to LTUs, early school-leavers and the disabled. In the case of the disabled, premiums awarded are IRL 60 per week for those aged over 25 and IRL 45 per week for those aged under 25, for a period of 39 weeks.

**The Employment Subsidy Scheme** aims to support the creation by employers of additional jobs. The scheme offers employers financial support to increase their employment levels. To qualify, employees must have been signing on the Live Register for at least 8 weeks. Persons in receipt of a Disabled Persons Maintenance Allowance are also eligible.

**The Employment Support Scheme** is designed to enable people with disabilities whose work productivity is assessed at between 50-80% of standard, to work alongside their able-bodied colleagues. The employer pays a wage which actually reflects work performance and the State pays the remainder of the salary.

**The Job Integration Grant Scheme** assists employers who wish to employ someone with a disability but whose workplace or premises need to be adapted. Grants of up to IRL 5,000 are available to help adapt a workplace or to provide specialised equipment needed by an employee who has a disability.

## 3. Sheltered workshops

Long-term sheltered work for the disabled is provided within the community workshops organised under the aegis of the NRB. A small number of sheltered workshops catering mainly for physically disabled people are also provided by voluntary organisations.

## 4. Financial assistance to disabled people starting enterprises

The Enterprise Scheme which has been established to help those who are unemployed to set up their own business is available to those who are disabled.

## 5. Quota

3% of the total number of jobs in the public sector are reserved for disabled people.

# Italy

## 1. Training

There are no national programmes specifically for the disabled (cf. Italy BIR, I-vi.7). There are, however, specific programmes on a regional level to train the disabled.

## 2. Recruitment incentives

There are no national programmes specifically for the disabled (cf. Italy BIR, I-vi.7). There are, however, specific recruitment incentive programmes on a regional level.

## 3. Sheltered employment

In order to integrate disadvantaged people into the labour market, social cooperatives have been created. These cooperatives should include at least 30% disadvantaged workers and are exempt from the payment of social contributions. The authorities can draw up agreements with cooperatives for the supply of goods and services aimed at creating job opportunities for these disadvantaged groups.

## 4. Financial assistance to disabled people starting enterprises

Some regions have specific programmes for the disabled.

## 5. Quota

Employers in the private sector who have more than 35 employees have to hire a quota of disabled workers equivalent to 15% of their workforce. The same percentage applies in the public sector (cf. Italy BIR, I-vi.7).

# Luxembourg

## 1. Training

The Employment Administration bears the cost, totally or partially, of training, rehabilitation and retraining. The costs mainly include allowances for physical rehabilitation, preparation and return to work, in addition to other costs in respect of these measures. In the case of candidates who do not receive invalidity pension, full accident pension or the guaranteed minimum income, the Employment Administration may pay monthly premiums and allowances up to the level of the full unemployment benefit.

## 2. Recruitment incentives

The Employment Administration can give grants to companies, mainly in the form of:

- a proportion of the salary, granted depending on the severity of the disability. The amount varies between 40 and 60% of the gross salary, including the employer's share of social security contributions;
- a settling-in allowance, granted monthly to the employer as compensation for the slight loss of productivity that occurs initially in connection with a new job;
- a return to work allowance, granted monthly to participants of a training course covering preparation and return to work aimed at their complete integration into employment;
- a refund of social security contributions, granted to the employer who has taken on more disabled people than is laid down by law.

### 3. Sheltered workshops

The Minister of Labour may subsidise investment in and operation of sheltered workshops which are set up by groups or bodies.

Approval may be granted to managers of economic production units who enable disabled workers to carry out a paid professional activity under conditions adapted to their capabilities and who also encourage the advancement of disabled workers and foster their integration into jobs in an ordinary working environment.

### 4. Financial assistance to disabled people starting enterprises

Self-employed workers may be granted total or partial exemption from social security contributions.

### 5. Quota

In public sector companies which are obliged to take on disabled people, disabled workers have to make up at least 5% of the total workforce.

Companies in the private sector with at least 25 employees have to employ at least one worker recognised as being disabled. In the case of private sector companies with 50 or 300 employees, the level is 2% and 4% of the workforce, respectively.

## Netherlands

### 1. Training

There are special provisions for the disabled in mainstream vocational training/work experience schemes, e.g. extra subsidies and priority for the disabled (cf. Netherlands BIR, NL-iv.2).

### 2. Recruitment incentives

All employers who take on a person who has been declared unfit for work can apply for a wage cost subsidy. This amounts to a maximum of 20% of the salary and can be paid for up to 4 years. In addition, there is a supervision subsidy of a maximum of HFL 4,000. This is only granted if it is clear that extra time and effort would be necessary to integrate a potential candidate (i.e. declared unfit for work) into the workplace. An employer is not eligible for a wage cost subsidy if he/she has already received a bonus through the bonus/penalty system (cf. Po 38).

An employer who offers employment for at least one year to a person who has been declared unfit for work, can apply to the industrial insurance board for a bonus payment. This bonus amounts to half of the gross annual salary (cf. Po 38).

### 3. Sheltered workshops

Enterprises are set up and opportunities are sought for external placement. Local authorities receive subsidies for this based on the regulation on "financial formula for social work provision". Local authorities are awarded an amount for every employee who transfers from a sheltered workplace to regular employment (cf. Netherlands BIR, NL-vi.5).

### 4. Financial assistance to disabled people starting enterprises

Associations which help the disabled to set up on their own can receive financial aid.

### 5. Quota

Having announced a long-term target of 5% of jobs being taken up by disabled people, the Government is considering imposing compulsory quotas of a minimum of 3% and a maximum of 7% if the necessary steps are not taken to enhance employment opportunities for the disabled.

## Portugal

### 1. Training

Development of technical/vocational training activities for the disabled (cf. Portugal BIR, P-vi.H5). In the case of general programmes for the unemployed, there are no minimum participation figures for disabled people.

### 2. Recruitment incentives

Employers who take on disabled people on a permanent basis receive a reduc-

tion in their social security contributions of almost 50% (cf. Portugal BIR, P-vi.H1).

### 3. Sheltered workshops

1,034 people participated in this programme in 1991 (cf. Portugal BIR, P-vi.H3). In 1992 the figure has reached 1,064.

### 4. Financial assistance for disabled people starting enterprises

Financial assistance is granted aimed at helping disabled people set up on their own in the form of non-refundable grants, topped up if necessary by interest-free loans (cf. Portugal BIR, P-vi.H2).

There are no minimum standards in respect of participation of the disabled in the general programmes for unemployed persons starting an enterprise.

### 5. Quota

There is no quota system.

## United Kingdom

### 1. Training

Integration of people with disabilities into mainstream programmes is backed up by a range of measures such as special funding based on individual training needs. Some who are unable to attend courses open to disabled and non-disabled clients may need to follow employment assessment or basic skills training at rehabilitation centres or follow a course at a residential training college.

### 2. Recruitment incentives

All mainstream schemes are open to people with disabilities and in many cases there are relaxed entry conditions to ease their use of them.

### 3. Sheltered workshops

The Sheltered Employment Programme (SEP) provides job opportunities for people with severe disabilities who are unlikely to obtain or retain jobs in open employment. At present around 20,800 are employed under this programme. It is made up of three elements;

- Sheltered Workshops run by local authorities and voluntary bodies and employing around 5,000 people with severe disabilities.
- The Sheltered Placement Scheme (SPS) which is also run by local authorities and voluntary bodies. Around 7000 people are currently employed on the SPS. It is an alternative to the traditional factory/workshop provision and allows people with severe disabilities to work alongside non-disabled colleagues in a wide range of jobs and locations in open employment.
- Remploy Ltd (a Government-supported company) which employs around 8,600 people with severe disabilities in over 90 factories throughout Great Britain.

### 4. Financial assistance to disabled people starting enterprises

People with disabilities who wish to start their own business are able to use standard schemes such as the Enterprise Allowance Scheme. In addition, some local authorities run the Blind Home workers scheme which is intended to assist people with severe disabilities run a business from home.

### 5. Quota

The Disabled Persons (Employment) Act 1944 imposes an obligation on employers with 20 or more employees to employ a quota of registered disabled people of at least 3% of the workforce. The Employment Service monitors companies and endeavours to assist firms who wish to employ people with disabilities.

# SPECIAL CATEGORIES OF WORKERS

## France

### Plan of action against long-term unemployment

The fight against long-term unemployment and exclusion is high on the Government's list of priorities. For this reason it has decided to step up its efforts on behalf of young and adult long-term unemployed (LTUs) and has mobilised the Public Employment Service (*SPE*) on a major scale, in particular the external services of the Ministry of Labour, the National Employment Agency (*ANPE*) and the Adult Vocational Training Association (*AFPA*). The requisite financial and human resources to combat this exclusion phenomenon have also been approved. The plan is therefore that 900,000 LTUs, who currently make up over 31% of all unemployed, will be closely monitored by the *ANPE* and its partners in the *SPE*.

#### The public

The activity is aimed at people registered with the *ANPE* for longer than a year, namely those who have social and family difficulties and health problems, those who no longer receive the minimum integration income (*RMI*, cf. iM 26) or those who have problems regarding qualifications. The first steps were taken in February, aimed at 500,000 LTUs (young people unemployed for longer than one year and adults unemployed for longer than two years). Efforts were stepped up and extended to all LTUs at the suggestion of the Prime Minister.

#### The partners

This objective means major involvement on a working level by all of the partners of the *SPE* with 900,000 personal, in-depth interviews being conducted before 31.10.92.

The *ANPE* is to conduct 750,000 individual, in-depth interviews utilising the following extra manpower:

- 440 extra staff, in addition to the 250 allocated on 1.1.92, were assigned to the network in mid-July and are receiving on-the-job training;
- 1100 extra man-months, using temporary staff to carry out administrative work thereby freeing counsellors to conduct the interviews;
- The unprecedented use of the voluntary service of 200 conscripts called up for national service, who are qualified and have completed at least four years of university studies, in order to promote the return to employment contracts (*CRE*) and the employment-solidarity contracts (*CES*) with employers, to provide job-seekers with information and to carry out organisational work with the partners in the scheme (Local Action Groups (*Missions Locales* - *ML*), *AFPA*, Permanent Reception, Informa-

tion and Guidance Service - *PAIO*). The conscripts will not be involved in the interviews and will have to take an oath of confidentiality.

As a result of an increase in the budget allocated by the State, an additional 120 staff have been appointed to the *MLs* (*Carrefours Jeunes* (cf. Po 36), *PAIO*), organisations which are responsible for the integration of young people. The *Carrefours Jeunes* will conduct in-depth interviews with 80,000 young people under the age of 26 who have been registered with the *ANPE* for 12 months.

The *AFPA* has recruited an extra 150 psychotechnicians and training personnel on the basis of fixed-term contracts in order to conduct 80,000 personal interviews with LTUs who have expressed a need for training or who live close to where the services of a psychotechnician are available.

The training scheme will accommodate 30,000 long-term trainees who are likely to go through qualifying procedures. 20,000 appraisals will be carried out in order to assess the experience and skills of the unemployed persons concerned.

On a local level, the integration scheme will be boosted by new resources: under the terms of agreements made with the General Councils, 250 *ANPE* officials will be allocated to the *RMI* support units to assist the *RMI* instructors who are responsible for the integration contracts which will be drawn up for LTUs who receive the *RMI*. These officials will receive half of their salary from the State.

A monitoring unit has been set up in each prefecture with representatives from the 'Departmental' Directorate of Labour, Employment and Vocational Training, the Directorate of Social Affairs, the 'Departmental' Delegation of the *ANPE* and also the official *RMI* representative in the prefecture and a representative of the General Council. The monitoring unit meets on a weekly basis and concentrates on the quality of the interviews, of the proposals, of the liaison with the partners and of the follow-up.

#### The procedure

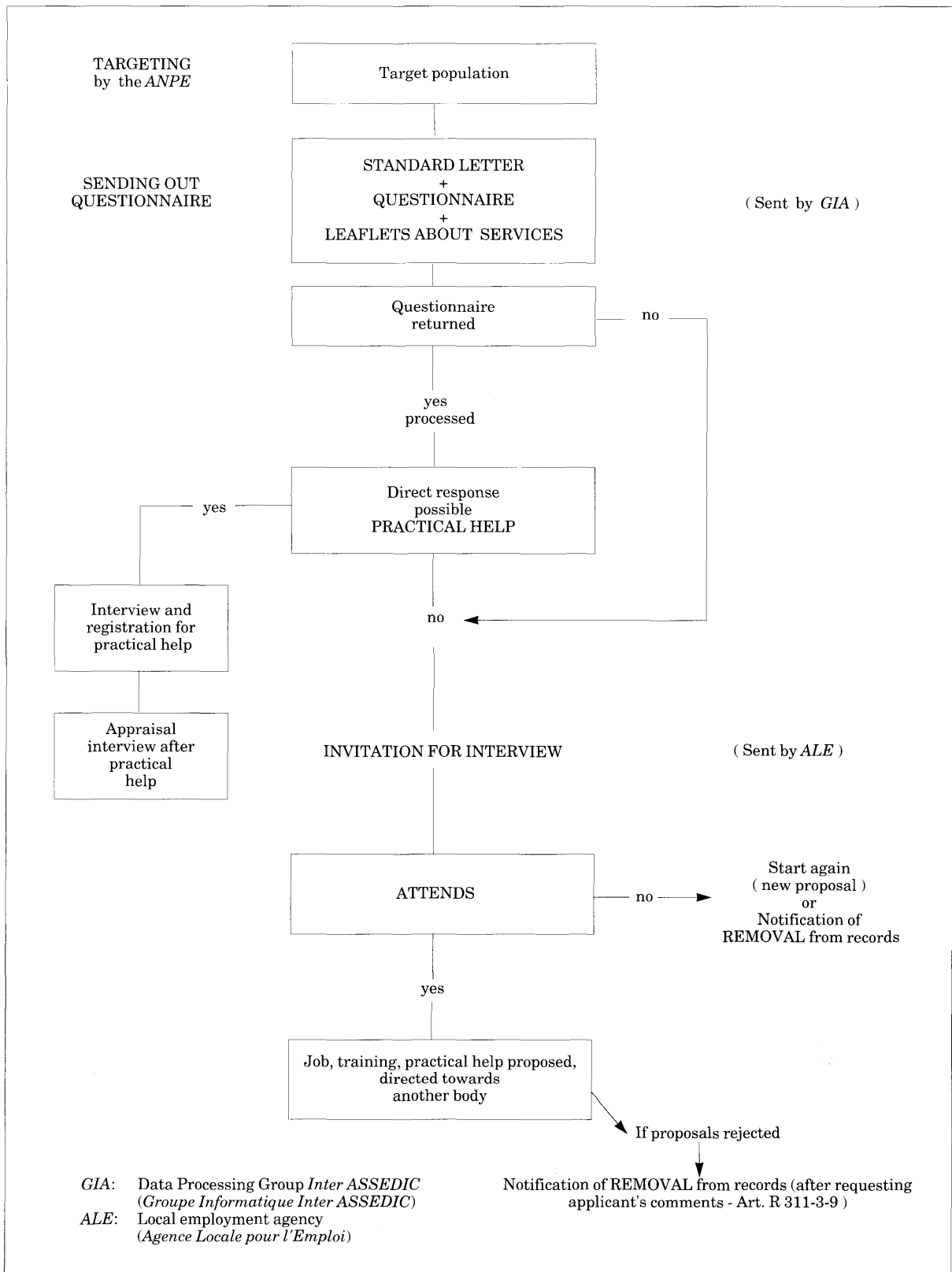
Figure 1 illustrates the procedure set up to invite the jobseeker for interview. Every appropriate integration option will be suggested to the jobseeker using all available instruments relating to:

- a job offer;
- a training offer;
- a general interest offer;

in order to direct him/her towards the competent organisation or body and thereby promote his/her effective reintegration into employment.

## SPECIAL CATEGORIES OF WORKERS

Figure 1: General procedure



### The measures proposed

Three types are proposed:

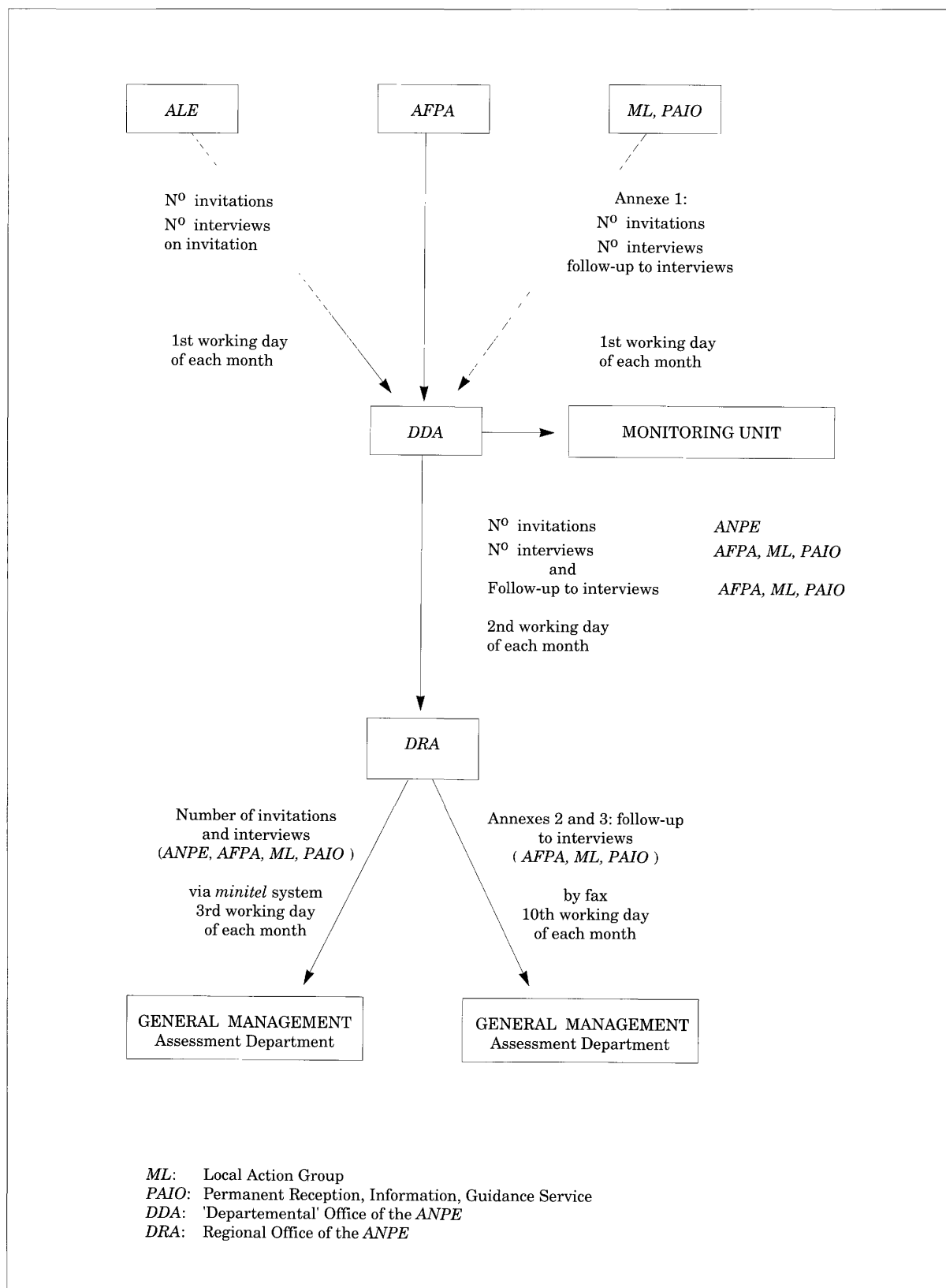
- training schemes;
- training-cum-work contracts;
- practical assistance schemes.

The training schemes are as follows:

- The Integration and Training Scheme (*AIF*)

which promotes the vocational reintegration of adult LTUs who are experiencing serious integration difficulties. 260,000 places are available and the aim is to bring their vocational skills up to scratch or provide them with new skills. The *AFPA* has organised 30,000 traineeships under this programme.

Figure 2: Follow-up



- The CREs which provide an incentive to recruit people who have been excluded from the labour market for a long time by granting exemption from employers' contributions and by providing assistance in the form of a lump sum of FF 10,000. This scheme has been extended to unemployed persons aged over 50 who have been looking for employment for at

least three months. 150,000 CRE places are available in 1992.

- The programme of Active Preparation for Qualification and Employment (PAQUE) which is aimed at:
  - young jobseekers under 26 who have been registered at the ANPE for longer than 12 months;

## SPECIAL CATEGORIES OF WORKERS

- young people who have applied to a company or training body and have been turned down as a result of a lack of skills or know-how.
- The Vocational Rehabilitation Traineeships (*SRP*) which offer jobseekers with work experience the opportunity to extend and bring up to date their vocational skills via a short training programme.
- The Access to Employment Traineeships (*SAE*) which provide jobseekers with the vocational skills to enable them to take up a job offer registered at the *ANPE*.

With regard to training-cum-work contracts, the various options are as follows:

- matching jobseekers with job offers from the *ANPE*;
- the *CES*, which have diversified into new areas such as the environment, transport, the postal service, aid for the sick, leisure promotion activities and safety in urban areas, modernisation of communal facilities and facilities used by schools and universities;
- guidance contracts which propose training ac-

- activities, in-company or in a training centre;
- qualification and apprenticeship contracts which enable a young person to gain a vocational qualification recognised by a technical diploma or a qualification approved by collective agreement;
- practical assistance in the search for employment comprising sessions on job-search techniques and job-search help groups.

Practical assistance schemes such as Individual Social Support (*ASI*) enable LTUs who are experiencing difficulties on various fronts (social, health, family etc.) to benefit from individual social support tailored to their particular situation. This watchdog service is provided by the competent bodies.

This ambitious plan is testimony to the determination of the Government to do everything possible to combat the plague afflicting the European labour market, and particularly the French market, namely long-term unemployment leading to long-lasting social exclusion.

## Luxembourg

### Reform of legislation on disabled workers

Legislation concerning disabled workers was radically amended by the Law of 12.11.91 (*Mémoirel A N° 76*). The Law both reforms and coordinates legislation relating to the vocational rehabilitation, integration and re-integration of disabled workers, adapting it to reflect changing ideas which are widely acknowledged as determining the attitude of society on this question.

The Law takes a number of fundamental principles into account. Rehabilitation should in fact be regarded as a continuous process, from the onset of the disability through to vocational integration under the best possible personal and working conditions. Furthermore, it is vital to determine right from the start the extent of the physical and mental capabilities of the person concerned, in order to decide which occupations would be most suitable. Once the disabled worker has received occupational guidance, training should be provided which would offer him/her the best possible job appropriate to his/her skills. The next step is to guarantee employment opportunities for disabled workers by employing, on a compulsory basis, a certain percentage of disabled workers among the workforce of firms, with the State setting an example. Finally, it is customary for disabled workers to receive a salary in line with their working skills and abilities.

It is clear that the disabled worker must be given assistance throughout the various stages by an effective permanent body charged with the task

of providing advice and help in finding employment or in re-entering the labour market. In particular, the Minister of Labour considered it important to ensure that the services specialised in placing disabled workers operate within the bodies responsible for placing other workers, and that the services are readily accessible to those interested. In order to operate at peak efficiency, the services responsible for placing disabled persons must therefore be part of the normal employment services and must maintain close links with them. The personnel deployed must have had special training and possibly some work experience on the open labour market.

The amendments to the Law can be summarised as follows:

- to integrate the present service responsible for placement and occupational re-training of disabled workers as a service within the Employment Administration;
- to broaden the legal field of application to the mentally handicapped or persons with a sensory handicap;
- to determine measures to be taken aimed at occupational integration or re-integration of disabled workers;
- to determine, by means of national legislation, the form and content of measures relating to placement, vocational training or re-training and introduction to work, or of training courses on adjustment or re-adjustment to work;
- to increase the level of compulsory employment for the benefit of disabled workers in firms and enterprises in the public and private sectors;

## SPECIAL CATEGORIES OF WORKERS

- to develop and adapt the scope of the Employment Administration personnel by increasing staffing levels in the service provided for disabled workers through the use of specialised staff;
- to create a legal framework for public aid from which private groups or bodies can benefit.

## WORKING TIME

### Luxembourg

#### Voluntary part-time work

The part-time work Bill is a priority item for the Minister of Labour (Parliamentary document 2671). In fact, the regulation of part-time work represents one of the measures additional to the regulation of the employment contract covered by the Law of 24.5.89. Moreover, it comes directly within the scope of European Community regulations currently being drawn up. Two directive proposals relating to "atypical" work have in fact been submitted to the Social Affairs Council. One directive relating to the health and safety of so-called "atypical" workers was adopted in 1991 by the Council of the European Communities.

The Luxembourg Bill is part of a strategy involving free recourse to part-time work. Its aim is therefore to eliminate the obstacles preventing recourse to this type of work, taking into account two areas of concern. In the first place, care must be taken to ensure that employers are not dissuaded from offering part-time jobs when there is a real need for such jobs on the labour market. In the second place, the employee who chooses to work part-time must be given sufficient guarantees.

Consequently the Bill opts for a plan of action which, without directly and actively encouraging the promotion of part-time work, aims to put an end to the discrimination, both legitimate and effective, which employees who choose this type of work may suffer in comparison with full-time employees. Part-time employees must have a status correspondingly comparable with that of full-time employees. Efforts must be made to ensure that part-time work does not lead to the employee being marginalised within the company.

The main points of the Bill can be summarised as follows:

- the Managing Director of the company is obliged to consult the mixed committee or the employee representatives before creating part-time posts;
- employees of the company concerned, who have expressed the wish to do or to resume part-time work, are informed first should such jobs become available;

- it is not permitted to dismiss a full-time employee who refuses to do part-time work;
- rules concerning the content of the part-time employment contract;
- the regulation of overtime;
- the rights of part-time employees with regard to salary as well as their right to determine rights of seniority and to calculate severance pay and the trial period;
- rules concerning representation of part-time employees on employee representation committees.

The Government has just submitted a new set of amendments to the consultative bodies based on the conclusions of a detailed study of the Bill by the labour and employment committee of the Lower House and on discussions with the social partners.

The amendments cover two main areas:

- firstly, and contrary to the Government's initial intentions, the system of so-called additional hours which does not result in extra payment has been abandoned in favour of a return to a system where employees enjoy the common right to additional work and are paid for additional work from the first hour worked over and above the number of hours laid down in the part-time employment contract;
- secondly, the regulation of part-time employment is widespread and this has supported the view for a reduction in the working week to 16 hours for the limit set in respect of training courses on unemployment insurance and, correspondingly, in respect of employee representative bodies. It is therefore vital to adapt laws relating to the concept of appropriate work, the calculation of unemployment benefit and the placement of part-time workers.

## Luxembourg

### Temporary work and loan of manpower

The Minister of Labour is hoping to have a Bill adopted within a reasonable timescale relating to the regulation of temporary work and the temporary loan of manpower (Parliamentary document n° 3346). This Bill defines the status of temporary workers to ensure that they enjoy adequate social protection while at the same time allowing firms to remain flexible enough to cope with any fluctuations in the economy. In this context, the Bill is based on four objectives:

- the definition of a limited scope of recourse to temporary work;
- a guarantee that all temporary employees will receive the same treatment as permanent employees;

- an undertaking that flexible working arrangements are to be better regulated;
- sanctions for resorting too frequently to temporary manpower.

If necessary, this Bill will have to be reviewed in the light of EC directives on "atypical" work which are currently pending. The directive proposals in question are in fact aimed at all forms regarded by the European Commission as being forms of atypical work, viz. part-time work, temporary work and fixed-term work.

The Council of State has not yet expressed its view due to the fact that some vocational chambers have not yet given their opinion. The Government hopes that these omissions can be rectified to enable a vote on the Bill to take place towards the end of 1992.

## PLACEMENT

## Portugal

### Integration into employment process

With the aim of making training more relevant to the employment process, a legal system of Units relating to Integration into the Employment Process (*UNIVAs*) has been defined (D.N. 87/92 of 5.6.92). This follows the Agreement on Vocational Training Policy signed by the Government and the social partners (cf. Po 36).

The *UNIVAs* may be set up in educational establishments, vocational training centres and socio-

professional type associations or in other non-profit organisations. Their main aims are as follows:

- to be aware of employment opportunities, of the characteristics and requirements of professional activities and of changing prospects;
- to bring together enterprises and other bodies active on the employment scene;
- to place former trainees;
- to help the latter become integrated into the employment process.

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## Spain

### The labour market in the first quarter of 1992

The Labour Force Survey (*EPA*) for the first quarter of 1992 has produced some rather pessimistic findings as regards developments in employment, economic activity and unemployment in Spain. The survey reveals that during the first three months of this year, the labour force fell by 44,000, the number of workers was down by

110,000 and unemployment was up by 66,000, i.e. a considerable increase. Comparable results, albeit less marked, had already been recorded for the same period in 1991. Consequently, at the end of the first quarter of 1992, the activity rate fell to 48.8% and the unemployment rate rose to 17.5%.

A more detailed analysis of the quarterly developments of these variables produces the following results:



- The drop in activity and employment has only affected men. The activity of women continues to increase, as does employment, though on a more moderate scale. Nevertheless, rising unemployment has hit men as much as it has women.
- On a sectoral level, employment has dropped in all non-agrarian sectors, whereas unemployment has risen in both the construction and services industries, sectors which had been most active on the job creation front in previous quarters.
- On the other hand, there has been a significant decrease in the number of wage earners (243,400), virtually all in the private sector.
- Furthermore, the decrease in the number of employed wage earners does not only concern wage earners with a permanent employment contract, as was the case in other quarters, but also, and for the most part, wage earners with a temporary employment contract (63,900 fewer wage earners). As a result, this is the second time since the second quarter of 1987, i.e. when the *EPA* began providing this type of information, that there has been a drop in the number of wage earners with a temporary employment contract (the first time was during the same period last year when there were 13,700 fewer wage earners).

To summarise, these results highlight a difficult

## Ireland

### The first Annual Report of the Labour Relations Commission

The Industrial Relations Act 1990 provided for the establishment of the Labour Relations Commission. The Commission, which was set up on the 21.1.91 is specifically responsible for the promotion of good industrial relations through the provision of a broad range of services. The membership of the Commission comprises employer, trade union and independent representatives.

The Annual Report gives an account of the Commission's activities during its first year of existence. It is already clear that the Commission, in line with its responsibility to encourage a more proactive approach to the settlement and prevention of disputes, is attempting to bring about a change in attitudes with more emphasis being placed on the resolution of disputes by conciliation.

In the Commission's first year of operation there has been a substantial increase in the volume of activity in the Conciliation Service and also in the proportion of cases being settled at conciliation. In 1991, 86% of the disputes which involved conciliation were settled as compared with 73% in 1990. The increased emphasis being

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situation on the labour market that began in the second quarter of 1990, when the intensive process of employment recovery was interrupted as a result of economic policy measures which were implemented to slow down the economy, but also as a result of the international situation and the more modest economic outlook.

On the other hand, in June the number of unemployed registered with the employment agencies of the National Institute for Employment (*INEM*) dropped for the fourth consecutive month since March when there was a turnaround in the trend of rising unemployment.

Hence in the past four months, the number of people registered as unemployed has decreased by more than 150,000 to 2,186,941, corresponding to an unemployment rate of 14.5%.

We shall have to wait for the results of the second quarterly *EPA* to determine whether this different trend, indicated by both sources in relation to unemployment, is due to the distinct nature of these sources (a survey in the case of *EPA* and registration in the case of registered unemployed at *INEM*) or to a real drop in unemployment during the second quarter of this year as a result of, *inter alia*, the labour market reform measures which were adopted in April of this year (cf. Po 38).

placed on achieving settlement at conciliation is resulting in a decrease in the proportion of cases being referred for investigation by the Labour Court. This allows the Court to be a court of final resort in industrial dispute situations. The Rights Commissioner Service has also had an active year with a significant increase in the number of cases referred to the Service for recommendation.

The Commission is currently undertaking an analysis of the issues referred to the Conciliation Service and the Rights Commissioners in order to identify why discussion and negotiation at local level is not effective in resolving these problems.

Under the Industrial Relations Act 1990, the Commission is obliged to provide an industrial relations Advisory Service. This service has recently been inaugurated and is separate from the Conciliation Service. It will concentrate on offering assistance and guidance to industries, firms etc. which seem to experience persistent industrial relations difficulties. In this context, the service will be looking at post-dispute situations.

Joint Labour Committees (JLCs) are responsible

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for establishing statutory minimum rates of pay and conditions of employment for employees in a number of industries and occupations. Responsibility for these JLCs is shared by the Labour Court and the Commission. The Commission has recently agreed that an independent adviser will undertake a review of the JLCs and report to the Commission by the end of the year.

One of the Commission's principal responsibilities is to prepare draft Codes of Practice on industrial relations. During the year the Commission completed a draft Code on dispute procedures, including disputes in essential services. In the last few months a sub-committee has also prepared a draft Code on the duties and responsibilities of workers' representatives and the protection and facilities which should be afforded them in carrying out their duties.

## Luxembourg

### Ratification of the European Social Charter

In the Law of 17.9.91 (*Mémorial A N° 68*), the Grand Duchy of Luxembourg ratified the Social Charter which the representatives of the Governments of the Member States of the Council of Europe signed in Turin in 1961.

The aim of the Social Charter was to set the social objectives which the Member States of the Council of Europe would strive to achieve. It was agreed, however, that the provisions should not just be a declaration of principles. The Charter is an international instrument which, when ratified by the signatory States, involves them in international obligations.

In ratifying the Charter, each State must declare itself bound by a total number of Articles. Furthermore, each State must accept at least five of the seven Articles of particular importance which are listed in the Charter and which constitute the core of it.

Ratification by Luxembourg has come rather late in the day for a number of reasons.

In principle, the level of social protection laid down by Luxembourg law is greater than that established by the Charter. The ratification, therefore, serves more as an expression of Luxembourg's willingness to emulate its international partners and offers no real benefit to the country.

Furthermore, given the above statement, it is the duty of the Government to keep an eye on the very considerable administrative impact of the ratification which arises from the requirement to

With regard to next year, the Commission has already had discussions with the Minister of Labour and it hopes to focus on the developmental and research aspects of the Commission's mandate and the need for adequate resources for the Commission to improve its impact on the overall industrial relations situation.

In this context, issues of particular importance will be to develop, at firm or industry level, a much higher percentage of settlements through direct negotiation between parties. There is also a need to secure cooperation for the Code of Practice drawn up by the Commission for avoidance and settlement of industrial disputes in essential industries and services. Lastly, the Commission wishes to identify which factors can lead to the successful adjustment of firms to operational and organisational changes arising from technological and market developments.

prepare reports as part of the process of implementing the Charter. The reports are to be compiled by the public administrations in a careful and semi-scientific manner and subsequently examined in the same manner by the authorities stipulated in the Charter. The Ministry of Labour barely has a sufficient number of officials, however, to enable it to cope with the administrative obligations arising from the Charter. This difficulty in implementing the Charter is, moreover, one of the reasons which led the competent authorities to consider its revision.

The Charter has just been supplemented by a protocol signed in Turin in 1991. Furthermore, an amendment protocol signed on the same date makes provision for modification of the reporting procedures. The Government shall have to assess whether it is opportune to ratify these laws.

One final reason why the Government deferred its ratification of the Charter concerns the content of some of the Articles. Some provisions, while offering no advantage over Luxembourg laws, have been devised from the viewpoint of a completely different political and legal philosophy, such that they might have undermined the logic of the social protection system in Luxembourg by forcing the Government to radically alter Luxembourg law, which has so far proved itself adequate in the subject areas in question. The resulting reluctance of Luxembourg centred on four Articles, namely the right to work as conceived by the authors of the Charter; industrial disputes; the right of all workers, as acknowledged in the Charter, to a period of notice and the possibility of special regulation of night work for women.

In the end the ratification of the Charter only ex-

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cludes the following three Articles:

- Article 4 (4) which recognises the right of all workers to a reasonable period of notice in the event of termination of employment. This is a fundamentally different approach from that laid down by Luxembourg law which links the length of the period of notice with the duration of the employment contract.
- Article 6 (4) which recognises without discrimination the right of workers and employers to industrial action in the event of disputes of interest. The general nature of this Article would have threatened to nullify Luxembourg regulations on negotiations and industrial disputes which have so far proved adequate.
- Article 8 (4) which obliges both parties to regulate the employment of women for night work. This provision is contrary to the principle of equal treatment as interpreted in the recent case law of the European Court of Justice.

Otherwise the ratification Law includes the whole of the Charter and covers:

- the right to work;
- the right to fair working conditions;

- the right to health and safety at work;
- the right to a fair salary;
- the right to organise;
- the right to collective bargaining;
- the right of children and adolescents to protection;
- the right of female workers to protection;
- the right to occupational guidance;
- the right to vocational training;
- the right to social security;
- the right to social assistance and medical care;
- the right to the benefit of the social services;
- the right of the disabled to training and vocational and social rehabilitation;
- the right of the family to social, legal and financial protection;
- the right of migrant workers to protection and assistance;
- the right to equal opportunities and equal treatment for men and women;
- the right to information and consultation;
- the right to contribute to determining and improving working conditions;
- the right of the elderly to social protection.

## Luxembourg

### Minimum social wage increased

The Law of 24.4.91 (*Mémorial* A N° 25) amends Article 14 of the amended Law of 12.3.73 relating to the minimum social wage.

The minimum monthly social wage, calculated at an index of 100, has been raised to:

- LFR 7,592 for workers with no dependents;
- LFR 7,822 for workers with dependents;
- LFR 7,310 for the minimum reference wage.

The minimum monthly social wage, calculated at the current index number of 484.97, is as follows:

- LFR 36,819 for workers with no dependents;
- LFR 37,934 for workers with dependents;
- LFR 44,183 for skilled workers with no dependents;
- LFR 45,521 for skilled workers with dependents.

This exceptional increase of 7.5% in the minimum social wage is based on the Government report to the Lower House on the change in general economic conditions and in incomes. Under the terms of Article 2 of the amended Law of 12.3.73, the Government is required to submit this report to the Lower House every two years (cf. iM 22).

## Netherlands

### More information for “flexible” employees

In future, employers will have to provide their employees with written information about their employment contract. This is particularly important for people who work on the basis of a flexible contract. Moreover, the Work Environment Act (*Arbowet*) will apply for all domestic workers, regardless of their legal relationship with the employer.

This emerges from the Cabinet’s position on the subject of atypical (flexible) forms of employment

that the Minister of Social Affairs and Employment has presented to Parliament. These forms of employment cover situations where work is carried out without there being any permanent employment contract or where no set working hours have been agreed. Examples include jobs arranged by temporary employment agencies, stand-by contracts and domestic work. Between 1987 and 1990, the number of people working on the basis of a flexible employment contract rose from 414,000 to 520,000.

The Cabinet is, in theory, in favour of more flexible forms of work, as these can contribute to improved business efficiency. Moreover, flexible

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contracts increasingly seem to be a stepping stone to permanent employment. However, the Cabinet also clearly points out the drawbacks which may lead to the adoption of legal measures. Many of the problems stem from the fact that workers on a flexible employment contract are not well enough informed as to the nature and substance of their contract.

For this reason, the Cabinet wants to make it mandatory for employers to provide the employees concerned with written information about the essential details of their contract. This duty to provide information is laid down in a draft Bill by the Minister of State for Justice, the Minister of Social Affairs and Employment and the Minister of Home Affairs, which has now been passed to the Council of State for advice.

## United Kingdom

### Job Search Seminars and Job Review Workshops

Job Search Seminars began in August 1991 and aim to help people who have been unemployed for 13 weeks get back to work quickly. The programme consists of a 2-day course (or the part-time equivalent). Facilities are subsequently made available for a half-day once a week for the following 4 weeks: participants have access to typing, photocopying and telephone facilities and are also provided with stamps and stationery to assist them in looking for work. The seminars are designed to encourage participants to widen their search for a job and to improve their techniques in looking for work.

The seminars are funded by the Employment Service (ES) and run by ES staff or external organisations on behalf of the ES. During 1991/92, 90,000 places were available, resulting in 5,717 people starting a job, training or employment programme, or other option. In 1992/93, 130,000 places will be available.

Job Review Workshops began in June 1991 as a pilot and the scheme became national in February 1992. The workshops aim to help people who

have been unemployed for around 13 weeks, and who are unlikely to return to their previous employment, to make informed choices about alternative careers by giving them occupational guidance. Workshops last two days and are offered to people after they have been unemployed for 3 months. They have proved particularly helpful to unemployed managers, professionals and executives.

Over the two-day course, participants undertake a personal audit of skills, qualifications and experience. They use an interactive computerised guidance system to match their working preferences with suitable jobs and are able to re-search entry routes into particular professions and also training facilities using another computer system and other reference databases. Participants also draw up a comprehensive action plan.

Job Review Workshops are funded by the Employment Service (ES) and are run by external organisations on behalf of the ES. Effects are not yet available because the scheme is relatively recent. In 1991/92, 20,000 places were available and more will be available in 1992/93.

## European Community

### Spring 1992 economic forecasts for the year 1992-93

During a presentation of the latest economic forecasts prepared by various departments in the European Commission, the Vice President, Henning Christophersen, pointed out that the recovery in growth, which has just got underway but which should become more evident over the next few months, is likely to continue until the end of 1993. This improvement will mainly be the result of an increase in domestic demand. Overall, the GDP should rise by 1.75% in real terms in 1992 and by about 2.5% in 1993.

The prospects for change on the unemployment front indicate a clear turnaround compared with

the progress recorded earlier. For the first time since the recession at the beginning of the 1980s, job creation should be slightly down and will only make a slow recovery in the course of next year. This will be reflected by a worrying rise in unemployment which could affect 9.7% of the labour force by 1993.

The Vice President stressed that, taking into account the likely change in growth and in the labour market, structural reforms aimed at promoting non-inflationary growth that generates jobs in the Community would have to be accelerated. Making reference to the conclusions reached in the informal session of the *ECOFIN* Council held in Oporto at the beginning of May, he announced that the *ECOFIN* Council would

have to scrutinise the initiatives that might be taken in order to sustain the relatively modest growth and combat unemployment.

However, monetary policy has to be vigilantly pursued with the emphasis on stability. As regards inflation, even if it slows to 4.5% in 1992 and to 4% in 1993, it is still too high. The reduction in price variations within the Community is certainly encouraging but it is vital to continue efforts to stabilise prices in countries with a high inflation rate and in countries which traditionally have a low inflation rate but where inflationary problems are becoming more acute.

The Vice President announced that against this background of modest growth, speedy, thorough and clear action was necessary to ensure that the convergence programmes lead to concrete measures. This is the only way of restoring the confidence of consumers and companies and of continuing to improve the foundations for growth. From a budget point of view in particular, the forecasts reveal the scope of the corrective measures which a number of countries will have to take.

### **Rough currency conversion rates**

One European Currency Unit (ECU) was roughly equivalent to the following amounts of national currencies in August 1992:

Belgium	BFR	41.9
Denmark	DKR	7.84
Germany	DM	2.03
Greece	DRA	251
Spain	PTA	130
France	FF	6.90
Ireland	IRL	0.77
Italy	LIT	1,545
Luxembourg	LFR	41.9
Netherlands	HFL	2.29
Portugal	ESC	174
United Kingdom	UKL	0.72



## **BASIC INFORMATION REPORTS**

Comparable information on labour market operations and policies from the EC Member States is published in Basic Information Reports. These are currently being updated. By the beginning of 1993, the BIRs for all countries will have been updated and will be available in English, French and/or German at the price of ECU 10 each (ECU 90 for set of 12). If you want the complete set to be sent to you in January 1993, please indicate this on the card provided.

The following reports are at this moment available in English (E), French (F) and/or German (G):

<b>Country</b>	<b>Published in</b>	<b>Languages</b>
Belgium	1989	E / F
Denmark	1992	E
FR Germany	1992	G
Greece	1992	will soon be available
Spain	1988	E / F / G
France	1987	E / F
Ireland	1988	E / F
Italy	1988	E / F
Luxembourg	1992	will soon be available
Netherlands	1991	E / F
Portugal	1991	E / F
U.K.	1988	E / F





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The "Policies" bulletin (abbreviated to "Po"; formerly inforMISEP - iM up to and including issue no.35) is compiled on the basis of information provided by national correspondents. It is published in English, French and German.

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# EMPLOYMENT OBSERVATORY



## Policies

Series produced from the  
**MISEP** network

The Employment Observatory of the European Commission currently produces four series of regular reports covering different aspects of the Community's labour market. The Employment Observatory complements the Commission's "Employment in Europe" report published annually in all Community languages.

### **Policies**

The series on "Policies" presents those measures, policies and actions adopted by the Member States which are aimed at promoting and improving employment within the European Community. It is compiled on the basis of information provided through the Mutual Information System on Employment Policies (MISEP). MISEP was created to meet the need for an exchange of information on employment policies and structures within the European Community. A bulletin of recent developments in employment policies is published quarterly in English, French and German. Basic Information Reports describing the national employment institutions and procedures are updated and published periodically.

### **Trends**

The series on "Trends" contains summaries and analyses of employment developments in the European Community on the basis of published work (books, reports and scientific papers) throughout the Member States. It disseminates the information collected by the European System of Documentation on Employment (SYSDEM), which aims to collect, analyse, synthesise and disseminate available information on employment in the Community. It is published quarterly in English, French and German.

### **Research**

The "Research" papers present the results of studies on specific themes carried out jointly each year by the Commission and the Member States. The themes for these studies are chosen by the Commission in consultation with the Member States and the Social Partners in the light of the contribution which can be made by the national co-ordinators and for their relevance for on-going policy analysis. They are published annually in English, French and German.

### **Central and Eastern Europe**

The "Central and Eastern Europe" bulletin is a new addition to the Employment Observatory containing regular reviews of employment in the countries of Central and Eastern Europe. It aims to present up-to-date information on labour market and social conditions in these countries. It contains not only the latest statistical labour market indicators, but also analytical articles on employment developments in the five countries currently covered: Bulgaria, Czechoslovakia, Hungary, Poland and Romania. It is published twice a year, in English only at present.

### **East Germany**

The aim of the series on "East Germany" is to present analytical and up-to-date information on the transformation process and its implications for the labour market in that part of the former Eastern Bloc which has already become a part of the European Community: the new German Federal States (Länder). The publication is addressed to persons and institutions in Western, Central and Eastern Europe who have an interest in the transformation process from a planned economy to a market economy. This newsletter is published every two months in German, English and French.