

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

Brussels, 22 November 1979
10888/79 (Presse 148)

609th meeting of the Council
- Labour and Social Affairs -
Brussels, 22 November 1979
President: Mr Gene FITZGERALD
Minister for Labour
of Ireland

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr R. DE WULF	Minister for Labour and Employment
Mr A. CALIFICE	Minister for Social Security and Pensions

Denmark:

Mr Svend AUKEN	Minister of Labour
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Germany:

Mr Reinhard STREHLKE	State Secretary, Federal Ministry of Labour and Social Affairs
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France:

Mr Jean MATTEOLI	Minister of Labour and for Industrial Democracy
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Ireland:

Mr Gene FITZGERALD	Minister for Labour
Mr Jim TUNNEY	Minister of State, Ministry for Education

Italy:

Mr Vincenzo SCOTTI	Minister for Labour and Social Security
Mr Constantino BELLUSCIO	Under-Secretary of State, Ministry for Labour and Social Security

Luxembourg:

Mr Jacques SANTER

Minister for Labour and
Social Security

Netherlands:

Mr W. ALBEDA

Mr L. de GRAAF

Minister for Social Security

State Secretary for
Social Affairs

United Kingdom:

The Earl of GOWRIE

Minister of State,
Department of Employment

Commission:

Mr Henk VREDELING

Vice-President

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TRIBUTE TO THE LATE ROBERT BOULIN

At the opening of its meeting, the Council paid tribute to the memory of the late ROBERT BOULIN, Minister of Labour and for Industrial Democracy of the French Republic and President-in-Office of the Council of Ministers during the first half of 1979, who died recently in Paris in tragic circumstances. President FITZGERALD supported by Mr VREDELING, Vice-President of the Commission, expressed the Council's sympathy with the deceased's family and the French Government.

LINKING WORK AND TRAINING FOR YOUNG PERSONS

After a debate on the Commission communication on linking work and training for young persons in the Community, the Council recorded its agreement on the following Resolution ⁽¹⁾:

"The Council of the European Communities,
Having regard to the Treaty establishing the European Economic Community,
Having regard to the draft from the Commission,

Whereas the general prospects of employment for young people in the Member States are poor; whereas, furthermore, a significant proportion of the total unemployed are young persons without suitable vocational training;

Whereas more flexible forms of transition from school to working life should be encouraged while the development of vocational training offering young persons better opportunities for access to the labour market should be promoted;

Considering the declaration by the European Council on 12 and 13 March 1979, with regard to the section devoted to alternate vocational training, and the conclusions reached on the matter by the Council on 15 May 1979;

Whereas it is therefore necessary to adapt vocational training systems and whereas such adaptation can be especially encouraged by developing the linking of work and training, that is to say the insertion, during the period of transition to working life, of periods combining training and practical work experience;

(1) Provisional text

Whereas the linking of work and training is especially appropriate in three kinds of situation:

- young persons undergoing apprenticeships or post-educational training courses;
- young job seekers eligible for special training measures designed to facilitate the integration of young people into the labour market;
- young persons in employment without suitable vocational training,

Takes note of the communication from the Commission

Considers that the linking of work and training should be developed in a manner appropriate to the particular situation of each Member State, with Community support, in accordance with the following guidelines:

GUIDELINES FOR THE MEMBER STATES

As regards the content and the concept of alternation

Member States will encourage the development of effective links between training and experience at the work-place. These links will involve establishing co-ordinated programmes and structures making for co-operation between the various persons responsible.

Such programmes should be established having regard to the need to offer a training base broad enough to meet the demands of technological developments and of foreseeable changes in occupations.

They should be planned in relation to the particular characteristics of the category of young persons aimed at.

A special effort should be made to broaden the range of occupations offering different linked work and training schemes, including apprenticeships.

A suitable minimum period should in principle be given over to training off the job.

As regards supervision and recognition of training

If appropriate, training programmes offered should be approved and evaluated by the authorities responsible for vocational training. The levels of competence achieved or the nature of the courses completed should facilitate access to further vocational or general training.

The responsible authorities should also endeavour to ensure that linked work and training courses are in line with full-time training courses, if possible by introducing the same diplomas for both, in order to facilitate transfers between different branches of training.

As regards remuneration and financial support

The Member States should consider that where remuneration or allowances are granted for the different systems of linked work and training, they should be established at appropriate levels, particularly in order to facilitate participation by young people in such training courses.

As regards working conditions and social protection

Member States should ensure that persons undergoing the different types of linked work and training course enjoy suitable social and work protection within the framework of existing legislation.

The Member States should establish whether training leave may constitute a useful means of encouraging in particular young employees without training to participate in linked work and training programmes.

GUIDELINES FOR THE COMMUNITY

In order to facilitate the implementation of this Resolution the Council requests the Commission to:

- examine the conditions under which the European Social Fund might be associated in action by Member States, through pilot schemes of limited scope within the meaning of Article 7 of the Regulation governing the European Social Fund, to develop linked work and training during the period of entry into working life;
- monitor the application of this Resolution in the Member States with a view to promoting developments which are harmonized as far as possible;

- afford Member States all possible technical support to this end;
- promote the exchange of experience gained in this field;
- report to the Council in 1982 on how far this Resolution is being applied."

The texts will be formally adopted at one of the Council's forthcoming meetings when they have been finalized by the Permanent Representatives Committee.

SOCIAL SECURITY FOR SELF-EMPLOYED AND NON-EMPLOYED MIGRANT
WORKERS

The Council took note of the progress of proceedings on the proposals for Regulations amending Regulation (EEC) No 1408/71 with a view to extending the Regulation to cover self-employed and non-employed persons moving within the Community.

The Council recorded its agreement in principle on this amending Regulation, subject to appropriate solutions being found to the following three problems which it has not yet been possible to resolve in a way satisfactory to all delegations and the Commission:

- = the problem of the inclusion of the category of non-employed insured persons in the scope of Regulation (EEC) No 1408/71;
- = the problem of the system to be laid down for the payment of family benefits to members of the family who are not residing with the self-employed workers;
- = the problem of the Netherlands legislation applicable with respect to insurance in the event of incapacity for work.

The Council requested the Permanent Representatives Committee to expedite its examination of the problems stated above with a view to finding appropriate solutions.

The Council also requested the Commission to submit, on the basis of the outcome of previous proceedings on which unanimous agreement has been reached, the proposal for a Regulation amending Regulation (EEC) No 574/72, so that it might approve all the amending Regulations (regarding the basic Regulation and the implementing Regulation) as soon as possible.

CONSULTATION ON MIGRATION POLICIES VIS-A-VIS
THIRD COUNTRIES

After an exchange of views on the subject, the Council approved the following conclusions:

"THE COUNCIL:

takes note of the Commission communication concerning consultation on migration policies vis-à-vis third countries;

confirms the importance it attaches, in accordance with its Resolution of 21 January 1974 concerning a social action programme and its Resolution of 9 February 1976 on an action programme for migrant workers and members of their families, to appropriate consultation on migration policies vis-à-vis third countries;

notes delegations' comments on the aforementioned communication;

considers that, of the various aspects of migration policies suitable to form the subject of consultation, efforts should centre on the following, in particular:

- = questions regarding the priority to be given to workers who are nationals of the Member States;
- = current questions regarding labour from third countries arising in the Community's relations with such countries;

recalls point 6 of the Resolution of 9 February 1976 to the effect that the social problems arising for workers who are nationals of the Member States and resident in certain third countries and for members of their families should be examined as necessary;

considers that the appropriate framework and procedures for consultation should be determined with due regard to:

- = the nature of the problems which form the subject of consultation;
- = the respective powers of the Council, the Commission or the Member States with regard to these problems;

recalls that the principal aim of consultation is to facilitate the adoption of a common attitude of the Member States;

requests the Commission to prepare or organize, as the case may be, appropriate consultations, taking into account the preceding points and the delegations' comments;

considers that the question of consultation should be re-examined in due course, notably so as to take into account trends in the economic and social situation in the Community and the Member States."

RE-ORGANIZATION OF WORKING TIME

After a detailed discussion the Council agreed on the following Resolution on the re-organization of working time:

"The Council of the European Communities,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the draft Resolution submitted by the Commission,
Whereas demographic trends, the probability that economic growth will be moderate, the problems of adjustment resulting in particular from the rise in oil prices, the structural problems of the labour market and the progressive introduction of new technologies will exacerbate employment problems in the 1980's;

Whereas the overall strategy aimed at increasing growth potential, competitiveness and innovation, improving the employment situation and responding to the emergence of new social needs in non-inflationary conditions must be continued and whereas measures to re-organize working time might be integrated in this overall strategy as ancillary measures in support of policies which might help to improve the employment situation;

Whereas the measures to re-organize working time must be conceived with a view to improving living and working conditions and whereas they must contribute to improved protection of work and encourage worker participation in social and economic progress;

Whereas the costs, if any, of these measures must be controlled; whereas adequate consideration must be given to the manner of covering these costs and whereas, in the context of negotiations between the social partners, regard should be had to the possibility of distributing the overall increase in productivity between re-organization of working time and wage increases;

Whereas this policy must be combined with measures aimed at encouraging worker mobility and training and at facilitating the investment or changes required, notably in undertakings, in order to encourage new recruitment or avoid redundancies;

Whereas measures of this kind call for participation by workers and their representatives;

Whereas these measures are a matter for collective agreements or for national legislation, but whereas their overall coherence, particularly as regards compatibility between the attitudes of the social partners, should be sought by all parties concerned also within the framework of dialogue and consultation at Community level;

In view of the Commission's oral report on the contacts made between and with the social partners on the re-organization of working time following the meetings of the Council on 15 May 1979 and of the Standing Committee on Employment on 22 May and 9 October 1979;

Having regard to the opinion of the Economic Policy Committee of 26 October 1979;

Stresses that any measures to re-organize working time should be assessed in the light of numerous factors and primarily of its effects on the production capacity of undertakings, productivity changes and wage compensation, and that the possibilities of decentralization, differentiation for sectors and areas of activity and phased implementation should be taken into account in the search for the measures to be taken and that there should be scope for the review of the measures taken;

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

In the light of the exchanges of views which have taken place in recent months and the preliminary work carried out by the Commission, the Council, on the basis of its conclusions of 15 May 1979, approves the following guidelines:

FIELDS OF ACTION

Training work experience schemes

The Council has adopted a position in a separate Resolution.

Overtime

The Council considers that:

- (i) limits should be applied to the systematic use of overtime; these limits should take account of the necessary flexibility of the production process of the undertaking and of the situation on the labour market;

- (ii) given the different situations in the Member States of the Community, provision should be made for the gradual implementation of this principle, taking into account the problems which could arise in this context for low paid workers in some Member States;
- (iii) implementation should take place in accordance with the usual procedures in force in each Member State of the Community, while respecting the autonomy of the social partners;
- (iv) one appropriate method of achieving such limits would be, for example, to introduce the principle of compensatory time-off for systematic overtime without such a form of compensation covering necessarily all the hours of overtime worked;
- (v) supervision should be organized in accordance with the procedures in force in each Member State.

Flexible retirement

The Council points out that it considers it very important that the Commission continue its work on flexible retirement.

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

Part-time work

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

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

- (i) part-time work must be voluntary and open to both men and women. It must not be imposed on persons who wish to work full-time. Furthermore, particular care must be taken to ensure that part-time work is not limited to work by women or to work of low skill and responsibility;
- (ii) it would be desirable to examine the extent to which part-time work could be made more readily available to certain groups of workers, particularly parents with young children and older workers;
- (iii) part-time workers should in principle have the same social rights and obligations as full-time workers, bearing in mind the specific character of the work performed;
- (iv) part-time work should not be limited to half-time work, but could be based on a daily, weekly or monthly cycle adapted to the needs of different groups of workers and undertakings.

Temporary work

The Council notes that in the majority of Member States temporary work has developed considerably over the last few years.

The Council considers that Community action to support action by Member States should be undertaken to ensure that temporary employment is controlled and that temporary employees receive social security protection.

Shift work

The Council considers that shift work should be viewed in the context of the aspects relating to working and health conditions.

The Council considers that the economic aspects of the problem must also be taken into consideration, particularly with regard to the competitiveness of undertakings.

Annual hours of work

The Council invites the Commission to examine, with the social partners, the conditions under which a Community approach on the subject of a reduction in annual working time could be established; this approach could, where appropriate, be taken into account in agreements at national, inter-trade or sectoral level.

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

Likewise, the need to preserve conditions of competition should be taken into consideration, as should the effects on labour costs of reducing annual working time.

Account should also be taken in such action of the series of new measures that might be adopted on the re-organization of working time in the light of the guidelines advocated above.

Final provisions

In the light of the progress achieved in regard to the different aspects of the re-organization of working time referred to in this Resolution, the Council, recalling the conclusions reached by the European Council in Paris on 12 and 13 March 1979, asks the Commission to present:

- its conclusions on possibilities of developing a Community approach as regards limiting systematic overtime working and reducing actual annual hours of work in the Community;
- specific communications on flexible retirement, part-time work and temporary work.

In addition, the Council invites:

- the Commission to continue wide-ranging consultations on the subject of re-organization of working-time with the social partners;
- the social partners to continue and strengthen their contacts at Community level, and to assist the efforts of the Council and the Commission and to continue their action, in the Member States within the framework of their own responsibilities.

These consultations and contacts should lead to the formulation of a Community approach making for overall coherence and fostering consensus at Community level."

ASSET FORMATION

Following a preliminary policy debate the Council took note of a Commission memorandum on employee participation in asset formation and of delegations' initial reactions on the subject.

In conclusion it agreed to instruct the Permanent Representatives Committee to examine the Commission memorandum in depth so that, at its next meeting, the Council could discuss this item again and, if appropriate, reach conclusions on the matter.

ACTIVITIES OF THE SOCIAL FUND

The Council took note of the Commission report on the activities of the European Social Fund in 1978 and of the comments made by the various delegations on the subject.

SOCIAL ASPECTS OF THE IRON AND STEEL INDUSTRY

The Council took note of an oral statement on the social aspects of the iron and steel industry made by Mr VREDELING, Vice-President of the Commission, and stressing the importance of the social measures to be undertaken in the context of restructuring in this sector.

SOCIAL SECURITY ARRANGEMENTS FOR MIGRANT WORKERS

The Council adopted in the official languages of the Communities the Regulation amending Article 107 of Regulation No 574/72 fixing the procedure for implementing Regulation No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community. This amendment concerns the adjustment of the procedure to be followed for the conversion of currencies in the light of the procedure laid down for calculating the ECU under the European Monetary System.

SAFETY, HYGIENE AND HEALTH PROTECTION AT WORK

The Council took note of the 3rd report of the Advisory Committee on Safety, Hygiene and Health Protection at Work, relating to 1978.

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES APPOINTMENT TO THE COURT OF JUSTICE

The Conference of the Representatives of the Governments of the Member States, completing the partial renewal of the Court of Justice, appointed

Jonkheer Joseph MERTENS de WILMARS,
Judge at the Court of Justice of the European Communities,

for a new term of office running from 22 November 1979 to
6 October 1985.

OTHER DECISIONS

Agriculture decisions

The Council adopted, in the official languages of the Communities, Regulations

- amending Regulation (EEC) No 352/79 authorizing the coupage of German red wines with imported red wines;
- amending Regulation (EEC) No 337/79 on the common organization of the market in wine and Regulation (EEC) No 338/79 laying down special provisions relating to quality wines produced in specified regions;
- amending Regulation (EEC) No 348/79 on measures designed to adjust wine-growing potential to market requirements.

(extending the validity of these Regulations until 31.XII.79)

Bruxelles, le 21 novembre 1979.

Note BIO (79) 382 aux Bureaux Nationaux
cc aux Membres du Groupe
a MM les assistants DG I et VIII

PREPARATION DU CONSEIL SOCIAL DU 22 NOVEMBRE 1979 (P. van Enk)

Le point principal a l'ordre du jour du Conseil social qui se tiendra le 22 novembre a Bruxelles consiste en un projet de resolution concernant l'amenagement du temps de travail (voir note P(79)101 et BIO 359 suite 1 et fin), projet de resolution qui donne suite a l'affirmation du President du Comite Permanent de l'Emploi du 22 mai 1979 promettant que des "progres concrets" seraient faits par le Conseil avant le 1er decembre dans le domaine de l'amenagement du temps de travail.

Rappelons que les partenaires sociaux ont ete consultes le 8 novembre sur le projet de resolution au cours d'une reunion entre la Commission (representee par le President Jenkins et les Vice-presidents MM. Vredeling et Ortolini) et des delegations a haut niveau de la Confederation Europeenne des Syndicats et de l'UNICE (employeurs). Lors de cette reunion, l'Unice a confirme qu'elle etait prete a engager le dialogue avec les travailleurs au sujet de l'amenagement du temps de travail. La CES s'est montree satisfaite du texte du projet de resolution mis au point apres consultation des partenaires sociaux.

Neanmoins, le debat prevu au Conseil pourrait etre assez difficile, les delegations britannique et allemande ayant emis, au niveau du Coreper, des reserves fondamentales. Selon la delegation du Royaume-Uni, l'action envisagee dans le domaine de l'amenagement du temps de travail ne serait pas compatible avec les exigences de productivite. De plus, ce domaine lui parait relever de la negociation entre partenaires sociaux. La delegation de la RFA, tout en acceptant le principe de la resolution, entent eviter un cadre communautaire trop rigide qui limiterait les possibilites d'adaptation des entreprises aux conditions du marche, ainsi que la liberte de negociation.

Les objections des deux delegations se concentrent sur deux points:

- la limitation du recours aux heures supplementaires.

Les delegations du Royaume-Uni et de la RFA semblent vouloir obtenir le plus de derogations possibles a une mesure visant une telle limitation. En ce qui concerne le repos compensateur des heures supplementaires prestees a partir d'un certain nombre maximal (notion capitale du projet de resolution), la RFA et le RU considerent que ce point releve de la responsabilite des partenaires sociaux et qu'il n'est pas justifie de determiner de facon trop precise les moyens de compenser les heures supplementaires.

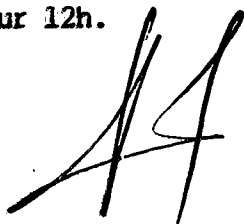
- la reduction de la duree annuelle du travail.
La Commission et sept delegations souhaiteraient qu'une demarche commune dans les Etats membres aboutisse a un encadrement communautaire. La RFA et le RI ne desirent aucune reference a cette demarche.

Le Conseil social traitera ensuite de la communication et du projet de resolution que la Commission lui a soumis au sujet de la formation en alternance pour les jeunes (voir P(79)95). Tout en etant favorable a l'adaptation par le Conseil d'une resolution a ce sujet, plusieurs delegations (Belgique, France, Italie, Irlande, Luxembourg et Royaume-Uni) s'opposent a une intervention eventuelle du Fonds social, estimant qu'elle se ferait au detriment des priorites actuelles.

Cinq autres points figurent encore a l'ordre du jour :

- Extentsion du reglement 1408/71 assurant l'application des systemes de securite sociale des travailleurs migrants aux travailleurs non-salaries et non actifs. Les trois problemes concernant cette proposition (base juridique de l'inclusion dans le champ d'application du reglement des non-actifs, la legislation neerlandaise sur l'incapacite de travail et le paiement des prestations familiales) soulevés au Conseil du 15 mai (voir BIO (79) 161) ne pourront pas encore etre resolus. Le dossier devra etre renvoye.
- Communication de la Commission concernant l'organisation par la Commission d'une concertation avec les Etats membres sur les politiques migratoires vis-a-vis des pays tiers. On ne s'attend pas a des problemes. Les delegations sont favorables a l'adoption d'une position commune sans necessairement adopter des instruments juridiques communautaires.
- Rapport de la Commission sur les activites du Fonds social en 1978 (voir P(79) 76).
- Memorandum sur la participation des salaries a la formation des patrimoines (voir P (79) 79), memorandum qui devrait provoquer une discussion des milieux interesses et dans lequel aucune proposition n'a ete faite. Le Conseil se bornera a y consacrer un premier tour de table.
- Communication orale du Vice-president Vredeling sur le volet social de la restructuration siderurgique.

Amities,
Manuel SANTARELLI. Comeur 12h.



Bruxelles, le 23 novembre 1979.
Note BIO (79) 382 (suite 1 et fin) aux Bureaux Nationaux
cc aux Membres du Groupe,
a M. Burghardt, Assistant DG I et a M. Lecomte, DG VIII.

CONSEIL SOCIAL DU 22 NOVEMBRE 1979. (P. van Enk)

Après un long débat et des travaux intensifs d'un groupe de fonctionnaires, le Conseil social s'est mis d'accord, hier, sur un texte de résolution concernant l'aménagement du temps de travail. Cette résolution revêt une forme affaiblie par rapport au projet de la Commission, mais, selon l'estimation du Vice-Président Vredeling, elle n'a pas été vidée de sa substance à un point tel qu'elle serait inacceptable.

Le groupe des fonctionnaires a dû concilier les points de vues très réticents des délégations britannique et allemande avec les positions des autres délégations qui étaient favorables au projet de résolution.

Le compromis réside en ceci : le nouveau texte traite amplement et plus profondément des conditions sous lesquelles une politique d'aménagement du temps de travail devrait se faire.

En outre, de longues discussions ont été consacrées à la question de savoir si, oui ou non, le dialogue de la Commission avec les partenaires sociaux pouvait aboutir à une "approche" communautaire. Le terme "approche" a soulevé des difficultés considérables de la part de la délégation allemande. Elles ont finalement été résolues en traduisant en allemand le mot "approche" par "Gesichtspunkt" (en anglais "approach" et en néerlandais "aanpak").

À propos de la communication de la Commission concernant la concertation sur les politiques migratoires vis-à-vis des États tiers, le Conseil a affirmé que cette concertation devrait se concentrer notamment sur les points suivants :

- a. la priorité à donner aux travailleurs ressortissants des États membres;
- b. questions d'actualité concernant la main-d'œuvre des États tiers qui se posent dans les rapports de la Communauté avec des États tiers.

En outre, il est dit que l'objectif principal de la concertation est de faciliter plutôt l'adoption d'une position commune des États membres que l'adoption d'instruments juridiques communautaires, toutefois sans préjudice des compétences des institutions communautaires.

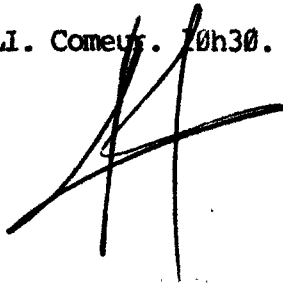
Le Conseil a pris acte, sans debat, du Memorandum de la Commission sur la participation des salaries a la formation du patrimoine, memorandum qui ne comporte pas de propositions, mais qui est destine aux milieux interesses afin qu'il engagent un debat a ce sujet.

Le rapport annuel sur les activites du Fonds social 1978 a ete approuve.

Le Vice-president Vredeling a fait rapport des progres accomplis dans le dossier volet social de la restructuration siderurgique.

Au sujet de la proposition de la Commission visant a etendre le champ d'application du reglement 1408/71 aux travailleurs migrants non salaries, le Conseil a marque son accord de principe, mais a renvoye les trois problemes en suspens au Coreper et a la Commission.

Amities,
Manuel SANTARELLI. Comeur. 10h30.

A handwritten signature in black ink, consisting of several overlapping strokes that form a stylized, somewhat abstract shape, likely representing the name 'Manuel Santarelli'.