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**TEMPORARY AGENCY WORK:
COMMISSION DIRECTIVE IS ILL-CONCEIVED**

On 20 March 2002, the European Commission adopted a proposal for a directive on temporary agency work.

"UNICE is not opposed to a directive which would offer legal protection against discrimination for temporary agency workers but the Commission proposal is ill-conceived" said President Jacobs.

Temporary agency work is a triangular relationship between an agency - who is the employer - a temporary agency worker, and a user company - where that worker is sent on assignment. Two possibilities exist when deciding who should be the comparable worker. The comparison can either be made with a worker in the user company or with a worker of the same agency.

The Commission's text imposes the comparison with a worker in the user company as the first point of reference and only allows comparing terms and conditions of employment within the agency as a derogation. The solution proposed is unjustified and unnecessarily complicated.

The two existing possibilities should be put on equal footing at the European level to allow Member States, through legislation, or social partners, through collective agreements to decide freely whether the comparison should be made with a worker in the user company or with a worker of the same agency.

Temporary work currently represents around 1.5% of employment in Europe. It contributes to the efforts deployed by the Lisbon European Council to increase employment rates. More than half of temporary agency workers seeking a permanent position find one while on a mission or soon afterwards.

"What the Commission proposes is a bad compromise, which could lead to unnecessary bureaucracy, legal uncertainty and hamper job creation. We launch an appeal to the Council and the European Parliament to find a simpler and more balanced solution", concluded President Jacobs.

Note to the editor:

UNICE is the official voice of more than 16 million small, medium and large companies active in Europe, employing over 106 million people. Active in European affairs since 1958, UNICE's members are 34 central industrial and employers federations from 27 countries, working together to achieve growth and competitiveness in Europe.

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