



26 November 2007

## VISIT OF BUSINESSEUROPE PRESIDENT ERNEST-ANTOINE SEILLIÈRE AND BUSINESSEUROPE SECRETARY GENERAL PHILIPPE DE BUCK TO CONFEDERATION OF SWEDISH ENTERPRISE (SN)

**11 DECEMBER 2007**

**MEETING WITH MINISTER FOR EMPLOYMENT, MR SVEN-OTTO LITTORIN**

Issues to discuss:

- European Social Partners Work Programme 2006 – 2008:  
Essential part of the social dialogue and support for the Strategy for Growth and Jobs.
  - More than 60 joint initiatives.
  - 5 framework agreement: parental leave (1995), part time work (1997), fix term contracts (1999), telework (2002) and work related stress (2005).
  - 2 framework of actions: life-long learning (2002) and gender equality (2005).
  - Joint Labour Market Analysis - Flexicurity
- Joint Labour Market Analysis and Flexicurity:  
At the Tripartite Social Summit on 18 October in Lisbon the European Social Partners presented the agreement on a joint labour market analysis. Flexicurity can create a win-win situation for workers and companies but the wider context consisting of sound macro-economic policies and a favourable business environment is crucial to yield maximum results, is the key conclusion of the joint analysis. BUSINESSEUROPE called on the European Council to take into account European social partners' policy recommendations around the key components of flexicurity when adopting a set of common principles in December 2007.
- Working Time Directive:  
The Portuguese Presidency has tried to reach a political agreement on the revision of the working time directive. BUSINESSEUROPE considers the Portuguese Presidency's text on working time a step forward and a good basis for discussion. The business community stresses that the priority should be to solve the problems created by the ECJ rulings on on-call time. In addition, the possibility of an individual opt-out (Article 22) should be retained as an option for all Member States and should be available by two independent means: either by collective agreement or by individual consent as opposed to a combination of both. Thirdly, establishing a twelve-month reference period for calculating weekly working time is urgently needed. This would better reflect the trend towards annualisation of working time, allow companies to deal with fluctuating demand and be in line with the EU's better regulation objective of drafting simple and easily understandable rules.



- Portability of pensions:

European business is deeply concerned that the draft Directive on supplementary pension rights fails to respect the principle of subsidiarity and would considerably increase the costs of operating supplementary pension schemes. While BUSINESSEUROPE supports the objective of worker mobility, Member States should avoid adopting a Directive which would unduly increase the cost of providing supplementary pensions and discourage employers from putting such schemes into place.

- Temporary Agency Work:

The discussions on the proposal for a directive on working conditions for temporary workers are blocked in Council since several years. In case of further discussions in Council, BUSINESSEUROPE would like to stress the importance, when it comes to the application of the principle of equal treatment to temporary agency workers, to keep the possibility to establish non-discrimination in comparison either with a worker of the user company, or with a temporary worker employed by the same agency.

However, should the reference to the user company nevertheless be preferred in the EU text, a certain degree a flexibility in the way the equal treatment principle is applied should be kept to respect national situations in which temporary workers have a permanent contract with the agency or in which social partners are able to derogate from the general rule by collective agreement. Moreover, BUSINESSEUROPE believes it necessary to allow Member States not to apply the principle of non-discrimination to temporary workers during a period lasting significantly longer than 6 weeks. Finally, we believe that the obligation on Member States to discard restrictions to temporary work should be reinforced.

- European Works Council

ETUC has been asking for the revision of the European Works Council directive for several years. The European Commission will probably launch a revised second-stage consultation of the European Social Partners on the revision of the European Works Council Directive at the end of 2007 or early in 2008. BUSINESSEUROPE is strongly opposed to such a revision as the current directive provides an appropriate level of flexibility, which is key for a successful operation of EWCs. Member States should take this into account when discussing the dossier in Council.

\*\*\*\*\*