



### **Written statement directive: yes to modernisation, no to new burdens on companies**

*(Brussels, 21 December 2017)*

BusinessEurope understands the need to modernise the written statement directive (1991/533/EEC) and was prepared to negotiate this revision. However, we always insisted on the need to respect the nature of this directive, which is to inform workers about their working conditions.

We can support those parts of the Commission's proposal that truly modernise the directive. However, some new provisions go much further than that and are not in line with the principle of subsidiarity. This will harm the good functioning of the labour markets and add burdens on companies.

We strongly object to the proposal to include a European definition of the notion of "worker" in the directive. This definition should remain of national competence. No European definition can reflect the great diversity of situations that national definitions address and would restrict the ability to adapt those national definitions to changing circumstances. In addition to being a source of rigidity, a European definition in this directive would also create a real risk of legal uncertainty for companies and workers as it would inevitably coexist with various national definitions, leading to conflicts of rules between the EU and national levels.

Including minimum rights for workers in different forms of employment, which do not respect the nature of this directive, is unacceptable for business. For example, the EU should not fix a maximum duration of a probation period.

**"The Commission's proposal to revise the written statement directive is an opportunity to modernise the way in which employers inform workers about their working conditions. It should not be misused to introduce through the back door new social rights, which will undermine growth and employment", concluded Director General Markus J. Beyrer.**

BusinessEurope will now carefully analyse the proposal and will develop further comments to contribute to the debate in the Council and the European Parliament.

**ENDS**

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## PRESS RELEASE

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