



Employment and Social Affairs Council: steps in the direction of a more realistic approach to social Europe

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On 21 June, the Employment and Social Affairs Council (EPSCO) reached a general approach on the draft directive on transparent and predictable working conditions and on the draft directive on work-life balance.

The business community recognises the progress made in Council discussions to remove some of the most problematic aspects of these two proposals.

“On the draft directive on transparent and predictable working conditions, we welcome the decision made by Labour Ministers to keep the definition of a worker and the concept of employment within Member States’ competence,” said BusinessEurope Director General Markus J. Beyrer.

However, BusinessEurope remains concerned by the possibility to exclude civil servants, leaving the minimum rights in a form that would not work for companies in the private sector. More work is needed with the European Parliament, notably to ensure that the proposed new minimum rights are actually targeted at on-demand workers and implementation is practical for employers.

“On work-life balance, Labour Ministers showed realism to avoid making leaves too expensive for the economy. The compromise reached rightly maintains Member States’ responsibility to define the nature and level of compensation of workers taking such leaves. This is essential for all Member States to ensure that family leaves do not put public finances at risk of unsustainable deficits,” added BusinessEurope Director General Markus J. Beyrer.

Background information:

The written statement directive 91/533/EC gives employees starting a new job the right to be notified in writing of the essential aspects of their employment relationship, e.g. place of work, leave, periods of notice, remuneration. On 21 December 2017, the European Commission proposed a draft directive on transparent and predictable working conditions, revising the written statement directive. This included the proposal to introduce in EU legislation the definition of worker elaborated over the last decades by



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the European Court of Justice, and a number of new minimum rights intended to address in particular the needs of workers in less predictable forms of work.

Directive 2010/18/EU on parental leave enacted an individual right to four months of parental leave for men and women on the grounds of the birth or adoption of a child to take care of that child up to a given age up to 8 years old. Like the original directive 96/34/EC directive, this directive transposed into EU law a framework agreement of the European social partners. On 26 April 2017, the European Commission proposed a draft directive on work-life balance for parents and carers, repealing Council Directive 2010/18/EU.

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