



European Foundation for the Improvement of Living and Working Conditions

Annual review of working conditions in the EU: 2004–2005



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Foreword

Quality of work and employment continued to be a key issue at EU level during 2004, with many developments in terms of career and employment, health and well-being, skills development, and work–life balance. Although working conditions continue to improve overall, many matters remain to be resolved. In particular, issues impacting on the workplace range from working time legislation, to health and safety concerns, from the security of employment contracts, to the need for lifelong learning. In addition, Europe will face new challenges in the forms of increasing ICT training needs, an ageing workforce and rising migration in an enlarged Europe.

This second *Annual review of working conditions in the EU: 2004-2005* from the European working conditions observatory, examines four key dimensions in working conditions and quality of work and employment: career and employment, health and well-being, skills development and work-life balance. Outlining relevant legislative and policy developments, it also examines important trends in the workplace.

We trust this comprehensive report will provide an informative overview for the key actors in the area of working conditions and quality of work and employment.

Willy Buschak
Acting Director

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Introduction

This second annual review of the European Working Conditions Observatory (EWCO) summarises the main developments, at EU level, in the area of working conditions and quality of work and employment. It refers to the period April to December 2004.

The analysis follows the publication of the Foundation paper, *Quality of work and employment in Europe: Issues and challenges*¹, compiled by the European Foundation for the Improvement of Living and Working Conditions. The paper identifies four dimensions for the promotion of quality in this area:

- ensuring career and employment security;
- maintaining and promoting the health and well-being of workers;
- developing skills and competencies;
- reconciling working and non-working life.

In terms of career and employment, employment rates are consistently rising for women and older workers, at least in the EU15, but progress is currently too slow to achieve the Lisbon targets.

In the area of health and well-being, improvements regarding safety at work are reflected in the significant decline of serious and fatal accidents at work. The European social partner agreement on work-related stress is a further step towards achieving quality of work and employment.

Looking at skills development, participation rates in lifelong learning have increased, particularly for women, although there was a drop in IT-related training.

Under work–life balance, progress has been slow, due to a complexity of factors involved in improving reconciliation of working and non-working life, such as work organisation, working time arrangements and provision of care facilities.

¹ <http://www.eurofound.eu.int/publications/EF0212.htm>

Legislative developments

1

Working time directive

The revision of the working time directive was on the agenda throughout 2004, following the Commission Communication² of 15 January 2004, to re-examine Directive 93/104/EC concerning certain aspects of the organisation of working time, and a European Parliament report³ on the same issue. (See last year's review⁴ for further information.)

The Communication analysed the implementation of the opt-out provision of the 48-hour working week, the reference period for calculating the working week, and the impact of recent case law (Curia - CP0368EN⁵; Court of Justice - Case C-303-98⁶), concerning the definition of working time and the qualification of time spent 'on-call' as 'working time' or 'rest time'⁷. The Communication is also considered as the first phase of consultation of the European social partners, pursuant to Article 138(2) of the Treaty.

In February, the European Parliament adopted a resolution⁸ on the organisation of working time. This resolution gives precedence to the health and safety of workers in the revision of the directive, while emphasising that account has to be taken of the requirements of European companies and of their need for flexibility. The resolution also underlines the importance of reconciling professional and family life, within the framework of the Lisbon objectives.

The resolution calls for an EU-wide Member State comparative study into the effects of working long hours on the family and health, and on both sexes. It highlights the worrying trend of women working two part-time jobs, often with a combined working week that exceeds the legal limit, in order to make a living. The resolution further argues that the culture of long hours in higher professions and managerial jobs is a barrier to the upward mobility of women, and sustains gender segregation in the workplace.

The resolution calls for the revision of the individual opt-out provision, with a view to phasing it out as soon as possible, and seeks to identify practical ways of tackling potential or actual abuses of the provision, including how best to strengthen the voluntary nature of the opt-out. The European Parliament calls on the Commission to advance the consultation process with the European social partners, as a means of facilitating agreement. Such consultation should work towards a solution of the issues raised by the European Court of Justice (ECJ)⁹ judgements, regarding the definition and calculation of 'on-call stand-by' hours at the workplace, and the period within which the compensatory rest period must be granted.

On 30 June 2004, the European Economic and Social Committee (EESC) adopted¹⁰ an opinion¹¹ on the Commission's Communication. The EESC notes that the report¹² published by the

² http://europa.eu.int/eur-lex/en/com/cnc/2003/com2003_0843en02.pdf (110 Kb pdf)

³ <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+REPORT+A5-2004-0026+0+DOC+PDF+VO//EN&L=EN&LEVEL=4&NAV=S&LSTDOC=Y> (300Kb pdf)

⁴ <http://www.eurofound.eu.int/ewco/reports/EU0406AR01/EU0406AR01.htm>

⁵ <http://curia.eu.int/en/actu/communiqués/cp03/aff/cp0368en.htm>

⁶ <http://curia.eu.int/en/actu/communiqués/cp00/aff/cp0070en.htm>

⁷ <http://www.eurofound.eu.int/2003/10/inbrief/EU0310202N.html>

⁸ <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+TA+P5-TA-2004-0089+0+DOC+PDF+VO//EN&L=EN&LEVEL=3&NAV=S&LSTDOC=Y> (108Kb pdf)

⁹ http://curia.eu.int/en/instit/presentationfr/index_cje.htm

¹⁰ <http://www.ces.eu.int/pages/en/home.asp>

¹¹ http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/c_302/c_30220041207en00740079.pdf (200Kb pdf)

¹² http://europa.eu.int/eur-lex/en/com/rpt/2000/com2000_0787en01.pdf (200Kb pdf)

Commission and the content of the current Communication provide only limited analysis of the impact of the directive. The Committee emphasises that no assessment has been made of whether the implementation of the directive in the Member States generated the intended improvements in living and working conditions for workers in the EU.

In the opinion of the EESC, the provisions regarding the reference periods should be retained, as a 12-month reference period is already used in many Member States by virtue of collective agreements. The Committee comments that the Commission did not address the extent to which the reference period affects an employee's health and safety. With regard to the definition of working time, the EESC states that, under the current circumstances, it does not wish to recommend any of the solutions put forward in the Communication, and calls for more thorough analysis of the impact of the opt-out. Looking at the issue of work–life balance, the EESC suggests a survey of existing provisions in this area before any new measures are proposed and debated.

On 19 May 2004, the European Commission adopted a text on the second phase¹³ of consultation of the social partners at Community level (IP/04/665¹⁴). Key elements for revision in the working time directive, as identified by the Commission, are:

- opt-out from the maximum working week;
- definition of working time, including a definition of on-call time;
- length of the reference period for calculating the maximum weekly working time (48 hours);
- work–life balance.

In addition to the requirement of a general revision, laid down in the working time directive adopted in 1993, two other areas should be covered: the definition of working time, in the light of ECJ rulings on time spent on-call by health professionals; and the possibility of introducing measures to promote work–life balance (MEMO/04/219¹⁵). In the first phase of consultation¹⁶, the Commission emphasised that the revision of the directive could support measures to improve compatibility between work and family life through greater flexibility in the organisation of working time. The second phase of consultation modifies this ambition somewhat, emphasising that, even if the directive may not be the right instrument for dealing with work–life balance measures in all its aspects, more could be done to encourage this objective within its text.

The European social partners expressed different views on the revision of the working time directive, indicating to the Commission that there is no common ground for negotiations in social dialogue.

The employer organisations, CEEP (Position June 2004¹⁷) and UNICE (position: Permanent/2004/Revision of working time directive-EN of 29 July 2004), are in favour of:

¹³ http://europa.eu.int/comm/employment_social/labour_law/docs/wtd_en.pdf (236Kb pdf)

¹⁴ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/665&format=PDF&aged=0&language=EN&guiLanguage=en> (73Kb pdf)

¹⁵ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/219&format=PDF&aged=0&language=EN&guiLanguage=en> (76Kb pdf)

¹⁶ http://europa.eu.int/eur-lex/en/com/cnc/2003/com2003_0843en02.pdf (110Kb pdf)

¹⁷ <http://www.ceep.org/en/documents/04soc46-1e-working%20time.doc> (42Kb MS Word doc)

- an extension of the average reference period for calculating weekly working time over 12 months, and a further extension based on collective agreements;
- the introduction of the concept of an inactive part of on-call time.

With regard to the opt-out, CEEP supports the tightening of conditions applying to the individual opt-out, and strengthening of measures to ensure its voluntary nature. UNICE wants to specify opt-out conditions within collective agreements, in addition to retaining the possibility of individual opt-outs. UNICE also seeks to extend the reference period for the weekly rest period from seven to 14 days. CEEP emphasises that the working time directive is not the right instrument for promoting work–life balance measures.

The European Trade Union Confederation ETUC (position¹⁸ on the Communication; position¹⁹ on the second phase of consultation) calls for: an end to the opt-out; a recognition of on-call hours as working time, while allowing social partners to negotiate balanced and adequate solutions to problems faced in certain sectors or professions; maintaining the reference periods for calculating the average working week; and the provision of better options to reconcile work and family life.

On 22 September 2004, the European Commission adopted a proposal²⁰ for a revision of the working time directive (IP/04/1129²¹); MEMO/04/219²²). The Commission’s proposal indicated four criteria that have to be met to reach a balanced solution in the revision:

- ensure a high standard of protection of workers’ health and safety with regard to working time;
- give companies and Member States greater flexibility in managing working time;
- allow greater compatibility between work and family life;
- avoid imposing unreasonable constraints on companies, in particular small- and medium-sized companies (SMEs).

The proposal foresees the following regulations:

- The individual opt-out from the 48-hour week remains possible, but is subject to stricter conditions to prevent abuse.
- Member States can extend the reference period for calculating the 48-hour maximum working week, from four months to a year. The reference period cannot be longer than the duration of the employment contract.
- A new category, ‘on-call time’, is introduced, in addition to working time and rest time. The proposal differentiates between on-call time – the period during which a worker must be available to work – and the inactive part of on-call time – the period when a worker who is on call is not actually carrying out his or her duties. The inactive part of on-call time does not

¹⁸ <http://www.etuc.org/EN/Decisions/ecenglish/Socpolicy/20-Pos-WorkingTime-gb.cfm>

¹⁹ <http://www.etuc.org/EN/Decisions/ecenglish/Socpolicy/Dimas-WorkingTime2-Submission-annex-gb.cfm>

²⁰ http://europa.eu.int/comm/employment_social/news/2004/sep/working_time_directive_proposal_en.pdf (158Kb pdf)

²¹ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/1129&format=PDF&aged=0&language=EN&guiLanguage=en> (67Kb pdf)

²² <http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/219&format=PDF&aged=0&language=EN&guiLanguage=en> (76Kb pdf)

constitute working time within the meaning of the directive. However, Member States have the option of counting the inactive part of on-call time as working time, under national law or by collective agreement, or agreement between the social partners.

- The proposal sets a limit of 72 hours for taking compensatory rest periods.

On 5 October 2004, a further judgement²³ was made by the ECJ in relation to on-call work. The ECJ confirmed its ruling that on-call work has to be regarded as working time. In this ruling, concerning ambulance workers and the question of whether they are covered by the working time directive, the ECJ argues that exemptions from the scope of the directive have to be interpreted in a very narrow way. A reference in the work contract to a collective agreement cannot replace the individual consent expressed freely by a worker with regard to exceeding the 48-hour working week. The ECJ refers to its ruling in relation to on-call time that, when the worker is required to be physically present at a place specified by the employer, this must be considered as working time for the purpose of the directive.

‘The same must be true of periods of duty time ... completed by emergency workers in the framework of an emergency service, which necessarily entails periods of inactivity of varying length in between calls.

Such periods of duty time must accordingly be taken into account in their totality in the calculation of maximum daily and weekly working time.’

The Employment and Social Policy European Council on 6-7 December 2004 made progress on several key issues of the Commission’s proposal for a revision of the working time directive. No agreement was reached, however, on the opt-out provision (15140/04 (Presse 338)²⁴).

Health and safety

Musculoskeletal disorders at work

The Commission launched the first-phase consultation of the social partners on musculoskeletal disorders at work²⁵. This is in line with the initiative announced in the Community strategy on health and safety at work 2002–2006²⁶, to look at the causes of musculoskeletal disorders (MSDs) and to adapt existing legislation.

In the press release (IP/04/1358²⁷), MSDs are described as the biggest health and safety problem facing European workers today. Over 40 million workers are affected, and MSDs account for 40%-50% of all work-related ill-health, leading to losses of 0.5%-2% of GNP each year. The main cause of these disorders is attributed to poor ergonomic conditions. Lifting and moving heavy loads, repetitive movements, and strenuous working postures are the three main risk factors. The European working conditions surveys²⁸ confirm the serious health impact and high level of musculoskeletal disorders at work.

²³ http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&lg=en&numdoc=62001J0397

²⁴ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19 (300Kb pdf)

²⁵ http://tutb.etuc.org/uk/newsevents/files/musculoskeletaldisorders_en.pdf (242Kb pdf)

²⁶ http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0118en01.pdf (210Kb pdf)

²⁷ http://tutb.etuc.org/uk/newsevents/files/IP-04-1358_EN.pdf (70Kb pdf)

²⁸ <http://www.eurofound.eu.int/working/surveys/>

The consultation text from 9 November 2004 asks the social partners whether they want Community legislation to be further developed or if they prefer non-binding measures, or a combination of both. It also asks what the main areas to be covered by prevention measures should be (ergonomics, organisation of work, psychosocial aspects). The social partners have a six-week deadline for their replies (see briefing note²⁹).

Physical agents directives

Directive on protection against exposure to electromagnetic fields

The Council adopted a European Parliament and Council Directive on minimum health and safety requirements, regarding workers' exposure to electromagnetic fields. This followed its acceptance of the amendments³⁰ adopted by the European Parliament in second reading (C/04/105³¹). Exposure to electromagnetic fields can cause shocks, burns and absorption of thermal energy (EUROPARL New Report 18.03.2004³²).

The Directive 2004/40/EC³³ establishes exposure limit values and action values, based on recommendations drawn up by the International Commission on non-ionising radiation protection. Employers are responsible for assessing exposure levels, adopting preventive measures, and information and training for their workers. The directive is limited to the short-term effects of exposure to electromagnetic fields as, at present, there is insufficient scientific evidence of possible long-term effects.

This directive is the third in a series of four health and safety directives, aimed at the protection of workers against risks from exposure to physical agents. It follows the adoption of the directives on vibration³⁴ and noise³⁵.

Draft directive on optical radiation

At the December Employment and Social Policy Council Meeting, the Council reached political agreement on a draft European Parliament and Council Directive on minimum health and safety requirements regarding the risks arising from optical radiation (15140/04 (Presse 338³⁶). The proposal (Council 13340/04; 14979/04³⁷) for the draft directive:

- lays down health and safety requirements regarding the exposure of workers to risks arising from optical radiation;
- relies on guidelines for restrictions on exposure that have been produced by the International Commission for non-ionising radiation protection (ICNIRP). These guidelines aim at preventing

²⁹ <http://register.consilium.eu.int/pdf/en/04/st15/st15443.en04.pdf> (80Kb pdf)

³⁰ <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+REPORT+A5-2004-0196+0+DOC+PDF+V0//EN&L=EN&LEVEL=4&NAV=S&LSTDOC=Y> (157Kb pdf)

³¹ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=PRES/04/105&format=PDF&aged=1&language=EN&guiLanguage=en> (94Kb pdf)

³² <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//TEXT+PRESS+NR-20040318-1+0+DOC+XML+V0//EN&LEVEL=3&NAV=S>

³³ http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l_159/l_15920040430en00010026.pdf (135Kb pdf)

³⁴ http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_177/l_17720020706en00130019.pdf (133Kb pdf)

³⁵ http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_042/l_04220030215en00380044.pdf (155Kb pdf)

³⁶ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19 (300Kb pdf)

³⁷ <http://register.consilium.eu.int/pdf/en/04/st14/st14979.en04.pdf> (83Kb pdf)

the acute and long-term effects of radiation to the eyes and the skin that can occur at extremely high levels of exposure;

- provides for responsibilities of employers: risk assessment, exposure reduction, health surveillance, and information and training of workers.

The draft directive is intended to be the fourth and last health and safety directive aimed at protecting workers from risks arising from exposure to physical agents. The agreed text will be adopted in the form of a common position at a forthcoming Council meeting, and will be sent to the European Parliament for second reading.

In a position paper (Ref: 101.07.03/PP_opt radiation fin en)³⁸ from 25 October 2004, the employers' organisation, UNICE, comments on the revised proposal for the directive, as presented by the Irish Presidency (Council 10678/04).³⁹

Directive on the protection of workers from risks related to carcinogens or mutagens at work

The Community strategy on health and safety at work 2002–2006⁴⁰ includes a proposal to extend the scope of the 'carcinogenic agents' directive. The objective of Directive 2004/37/EC⁴¹, adopted by the European Parliament and the Council, is the protection of workers against the risks arising from exposure to carcinogens or mutagens at work.

The Commission consulted workers and employers on reducing exposure to substances that cause cancer and reduce fertility (IP/04/391⁴²). The consultation document incorporates questions on the views of the social partners regarding:

- an extension of the directive to include substances which are detrimental to reproduction;
- an increase in the number of substances covered by the directive;
- the appropriateness of the limit values;
- measures to make procedures within the directive simpler and more adaptable to scientific progress.

The position⁴³ adopted in the ETUC Steering Committee meeting on 9 June 2004 responds positively to the four specific questions in the first stage consultation. The UNICE reply of 18 June 2004 to the consultation takes a negative view (Ref: 2004/101.07.11/Carcinogens reply_final EN).

³⁸ <http://212.3.246.118/docsharenoframe/Common/OpenFile.asp>

³⁹ <http://register.consilium.eu.int/pdf/en/04/st10/st10678-ad01.en04.pdf> (200Kb pdf)

⁴⁰ http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0118en01.pdf (210Kb pdf)

⁴¹ http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/L_229/L_22920040629en00230034.pdf (133Kb pdf)

⁴² <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/391&format=PDF&aged=1&language=EN&guiLanguage=en> (82Kb pdf)

⁴³ <http://www.etuc.org/EN/Decisions/ecenglish/healthSafety/CMR10-06-04.cfm>

Guidelines - Chemical agents at work

The Commission has developed guidelines⁴⁴ of a non-binding nature for implementing certain provisions of Directive 98/24/EC⁴⁵ of the Council, on the protection of the health and safety of workers from risks related to chemical agents at work. The guidelines cover the following topics:

- analytical methods for the measurement of indicative occupational exposure limit values;
- identification, assessment and control of risks arising from the presence of hazardous chemical agents (HCAs) in the workplace;
- general principles for preventing risks related to HCAs, and specific prevention and protection measures for controlling these risks, medical surveillance and biological monitoring of workers exposed to lead and its ionic compounds.

The Advisory Committee on Safety, Hygiene and Health Protection at Work⁴⁶ assisted the Commission in producing these guidelines.

Machinery Directive

The Competitiveness Council of 24 September 2004 unanimously reached political agreement on a draft directive on technical harmonisation for machines and on amending Directive 95/16/EC (12487/04 (Presse 269⁴⁷). This proposal (12509/04⁴⁸) for a directive is the result of four years of discussions following on from a proposal⁴⁹ presented by the Commission in January 2001.

Fixed-duration or temporary employment relationships

Directive 91/383/ECC supplements measures to encourage improvements in health and safety for workers, with a fixed-duration employment relationship or a temporary employment relationship. The Commission staff working paper⁵⁰ meets the directive requirements for a report every five years regarding its practical implementation. Some 13 years after the adoption of the directive, the situation outlined by the national reports is viewed as far from satisfactory. As a result, Member States have been asked to take all the necessary measures to ensure due implementation of the directive. Appropriate actions include increasing inspections, and identifying more accurately the working conditions of workers with a fixed-duration or temporary employment relationship.

The conclusions, based on the national reports submitted, point to an increased awareness both by industry and the national labour inspectors of the specific risks to which the workers are exposed. As they may be working in a particular job for a short time only, workers need to be informed, in advance, of the working conditions and risks associated with the job. Frequent changes of workplace demand a high degree of adaptability by the workers and a need for specific training.

⁴⁴ http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2004/com2004_0819en01.pdf (90Kb pdf)

⁴⁵ http://europa.eu.int/eur-lex/pri/en/oj/dat/1998/l_131/l_13119980505en00110023.pdf (81Kb pdf)

⁴⁶ <http://www.eurofound.eu.int/ewco/2003/10/EU0310NU01.htm>

⁴⁷ http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/intm/82067.pdf (273Kb pdf)

⁴⁸ <http://register.consilium.eu.int/pdf/en/04/st12/st12509.en04.pdf> (467Kb pdf)

⁴⁹ <http://europa.eu.int/eur-lex/pri/en/oj/dat/2001/ce154/ce15420010529en01640217.pdf> (245Kb pdf)

⁵⁰ <http://register.consilium.eu.int/pdf/en/04/st10/st10214.en04.pdf> (167Kb pdf)

Another significant problem is the lack of demarcation of responsibilities between temporary employment agencies and user companies, which, in turn, can have a negative impact on the protection afforded to workers.

On 4 October 2004, the Employment and Social Policy Council held a political debate – further to the last debate on 3 June 2003 – on a draft European Parliament and Council Directive on working conditions for temporary workers (7430/02⁵¹; 15098/029⁵²). The outstanding issues of the discussion relate to equal pay and conditions for temporary workers.

The Directive on working conditions for temporary workers was on the agenda (PRE 072/04 (Presse) of 1 December 2004) of the December Employment and Social Affairs European Council. On 3 December 2004, COREPER (Member States' Permanent Representatives) were to re-examine the possibility of the Council reaching political agreement on a proposed European Parliament and Council Directive on working conditions for temporary workers. This draft directive aims at striking a balance between flexibility and job security, and at regulating working conditions for so-called 'atypical' workers. (Draft background, Brussels 1 December 2004; see also 9688/1/03⁵³). A topic report for EWCO analyses employment and working conditions of temporary agency workers⁵⁴.

Protection of young people at work

The Commission published a report⁵⁵ on the application of Directive 94/33/EC⁵⁶ on the protection of young people at work, laying down specific minimum requirements for health and safety. Young people at work are defined as any person under 18 years of age in employment. The directive obliges the Member States to report every five years on its practical implementation, indicating the views of the social partners. This report updates the first report from 2001 on the 15 Member States. The transposition of the directive had been conducted without major difficulties, as the legislation in most Member States already provided for the protection of young workers and prohibition of child labour. In some countries, the directive led to a higher level of protection. Another effect of transposition of the directive was an increase in awareness of the need to protect young people. The Commission does not see any immediate need to revise the directive.

Gender equality

In April, the Commission presented a proposal⁵⁷ for a directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast version). This proposal incorporates seven existing directives, relating to equal opportunities and equal treatment, into a single coherent directive. The Directives concerned are:

⁵¹ <http://register.consilium.eu.int/pdf/en/02/st07/07430en2.pdf> (287Kb pdf)

⁵² <http://register.consilium.eu.int/pdf/en/02/st15/15098en2.pdf> (174Kb pdf)

⁵³ <http://register.consilium.eu.int/pdf/en/03/st09/st09688-re01en03.pdf> (286Kb pdf)

⁵⁴ <http://www.eurofound.eu.int/ewco/reports/DK0408TR01/DK0408TR01.htm>

⁵⁵ http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=52004DC0105&model=guichett

⁵⁶ <http://europa.eu.int/eur-lex/lex/Notice.do?val=302009:cs&lang=en&list=302009:cs,302945:cs,302944:cs,&pos=1&page=1&nbl=3&pgs=10>

⁵⁷ http://europa.eu.int/eur-lex/en/com/pdf/2004/com2004_0279en01.pdf (418Kb pdf)

- equal pay (75/117/EEC);
- equal treatment of men and women (76/297/EEC as amended by 2002/73/EC);
- burden of proof (97/80/EC as amended by 98/52/EC);
- equal treatment in occupational social security schemes (86/378/EEC, as amended by 96/97/EC).

The purpose of the recast version is to achieve greater legal certainty and clarity, by merging the existing provisions into one single directive and, at the same time, to consider the developments arising out of case law established by the ECJ.

The Employment and Social Policy European Council has endorsed the general approach of the draft recast directive on the equal treatment of women and men in employment and occupation (15140/04 (Presse 338)⁵⁸; MEMO/04/287⁵⁹).

Anti-discrimination law

In July 2004, the European Commission announced that it was going to take legal action against six Member States that had failed to transpose two anti-discrimination directives (IP/04/947⁶⁰; MEMO/04/189⁶¹). The Racial Equality Directive⁶² (2004/43/EC) covers a wide range of areas of work and employment where unfair treatment might occur, and aims at preventing racial discrimination. The purpose of the Employment Framework Directive⁶³ (2000/78/EC) is to lay down a general framework for combating discrimination in employment and occupation, on the grounds of religion or belief, disability, age or sexual orientation, with a view to implementing the principle of equal treatment.

Austria, Finland, Germany, Greece and Luxembourg failed to pass all necessary national measures to introduce, amend or update their equality legislation regarding the Racial Equality Directive. The same five countries, as well as Belgium, have failed to transpose fully the Employment Framework Directive. The Commission has launched infringement proceedings, announcing in December 2004 that it was referring Austria, Finland, Germany, Greece and Luxembourg to the ECJ, for failing to transpose the Employment Framework Directive (IP/04/1512)⁶⁴.

The next step for the Commission is to examine whether the Directives have been properly implemented into national legislation.

A comparative report⁶⁵ by the European Monitoring Centre on Racism and Xenophobia⁶⁶ gives an overview of existing and currently developing legal measures and remedies against discrimination

⁵⁸ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19

⁵⁹ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/287&format=HTML&aged=0&language=EN&guiLanguage=en>

⁶⁰ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/947&format=HTML&aged=0&language=EN>

⁶¹ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/189&format=HTML&aged=0&language=EN>

⁶² http://europa.eu.int/eur-lex/pri/en/oj/dat/2000/L_180/L_18020000719en00220026.pdf (120Kb pdf)

⁶³ http://europa.eu.int/eur-lex/pri/en/oj/dat/2000/L_303/L_30320001202en00160022.pdf (130Kb pdf)

⁶⁴ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/1512&format=PDF&aged=0&language=EN&guiLanguage=en>

⁶⁵ <http://eumc.eu.int/eumc/material/pub/comparativestudy/CS-Legislation-en.pdf> (863Kb pdf)

⁶⁶ <http://www.eumc.eu.int/eumc/index.php>

of migrants and minorities, especially within the framework of the two European Council anti-discrimination directives and their implementation through national legislation.

Sexual harassment in the workplace

The amended directive⁶⁷ on the implementation of the equal treatment principle for men and women, regarding access to employment, vocational training and promotion, and working conditions, prohibits sexual harassment as discrimination on the grounds of gender. Member States have to transpose the directive into national law by 5 October 2005. The directive defines sexual harassment as a situation ‘where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.’

At the Employment Social Policy Council Meeting on 6-7 December 2004 (15140/04 (Presse 338)⁶⁸), the Council adopted conclusions⁶⁹ on sexual harassment in the workplace, accompanied by relevant indicators. Sexual harassment in the workplace is seen as a human rights violation and as an obstacle to gender equality. The indicators have been developed based on a comprehensive survey among all 25 EU Member States, concerning measures and data on sexual harassment in the workplace, and the subsequent report⁷⁰.

The three indicators drawn up by the Dutch presidency are:

- the number of employees who report incidents of sexual harassment in the workplace, as a percentage of the total workforce;
- the number of private and public enterprises that have a preventive policy regarding sexual harassment in the workplace, as a percentage of the total number of employers;
- the number of private and public enterprises that have procedures for sanctions for perpetrators of sexual harassment in the workplace, as a percentage of the total number of employers.

Governments are invited to adopt further active measures and strategies to prevent and combat work-related sexual harassment.

Draft directive on services

In January 2004, the European Commission presented a proposal⁷¹ for a directive on services in the internal market (the so-called ‘Bolkestein directive’).

The European Parliament’s Committee on the internal market and consumer protection⁷² held a public hearing⁷³ on 11 November 2004 on the proposal for a directive (Press release⁷⁴).

⁶⁷ http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_269/l_26920021005en00150020.pdf (125Kb pdf)

⁶⁸ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19

⁶⁹ <http://register.consilium.eu.int/pdf/en/04/st15/st15202-ad01.en04.pdf> (116Kb pdf)

⁷⁰ [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ63RJB-en/\\$File/SexualHrrsmtRpt.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ63RJB-en/$File/SexualHrrsmtRpt.pdf) (2.2Mb pdf)

⁷¹ http://europa.eu.int/eur-lex/en/com/pdf/2004/com2004_0002en03.pdf (425Kb pdf)

⁷² http://www.europarl.eu.int/committees/imco_home.htm

⁷³ http://www.europarl.eu.int/hearings/20041111/imco/programme_en.pdf (22Kb pdf)

⁷⁴ <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//TEXT%2BPRESS%2BNR-20041112-1%2B0%2BDOC%2BXML%2BV0//EN&LEVEL=2&NAV=S>

In a joint press release⁷⁵ of ETUC and CEEP, the Secretary Generals of both social partner organisations ask the European Council to go beyond the ‘logic of sectoral exemption’ that has prevailed in its work up to now, and to discuss the key principles of the proposal for a directive on services. They share the concerns and questions expressed by experts during the hearing of Parliament, and ask the Council:

‘to adopt a pragmatic and well-balanced approach that reconciles the achievement of the internal market in services with respect for the rights of employees, consumers and European citizens, while taking into account the diversity of the services concerned and the specificity of services of general interest.’

⁷⁵ <http://www.ceep.org/en/Press/JointCEEP-ETUC%20Services-en.doc> (107Kb MS Word doc)

Social policy agenda

The Employment and Social Policy Council in December (15140/04 (Presse 338)⁷⁶) held a debate on a new social policy agenda, based on the so-called A-C-T-I-O-N approach. This builds on six possible specific areas identified for priority action:

- activation: increasing labour market participation by activating unused labour potential;
- commitment: contribution of actors at all relevant levels;
- training: investment in human capital to increase the skills of the workforce and productivity in the workplace;
- inclusion: modernised and sustainable social protection systems;
- organisation of work: boosting the adaptability of companies and workers;
- non-discrimination: equal opportunities for all.

Employment

In order to meet the Lisbon targets by 2010, a further 20 million jobs need to be created (IP/04/699⁷⁷). Four key areas for action, highlighted in the report⁷⁸ by the Employment Taskforce, guide the new employment package for 2004. These are:

- attracting more people to enter and remain in the labour market;
- improving the governance of employment and ensuring the effective implementation of reforms;
- investing in human capital and lifelong learning;
- improving adaptability of companies and workers.

The employment package comprises the maintained Employment Guidelines 2003⁷⁹ (Official Journal, L 326/45⁸⁰) and enforced recommendations⁸¹ for the Member States.

In an opinion⁸² on the Recommendations to strengthen the implementation of the European Employment Strategy (EES), the Advisory Committee on equal opportunities for women and men⁸³ expressed concern regarding the 'virtual absence of a gender perspective' in the Commission's Communication and in the common recommendations made. The paper acknowledged important progress on gender equality under the EES but also pointed to the extraordinary persistence of gender segregation and resistance to change. The Advisory Committee presents suggestions on how to include a gender perspective in the four areas identified, and proposes a fifth recommendation to the Member States on addressing gender inequality in the labour market. The focus is on the persistent occupational gender segregation and on the gender pay gap.

⁷⁶ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19

⁷⁷ http://europa.eu.int/comm/employment_social/news/2004/jun/ip_04_699_en.pdf (63Kb pdf)

⁷⁸ http://europa.eu.int/comm/employment_social/publications/2004/ke5703265_en.pdf (386Kb pdf)

⁷⁹ http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_197/l_19720030805en00130021.pdf (140Kb pdf)

⁸⁰ http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l_326/l_32620041029en00450046.pdf (32Kb pdf)

⁸¹ http://europa.eu.int/comm/employment_social/employment_strategy/prop_2004/com_2004_0239_en.pdf (244Kb pdf)

⁸² http://europa.eu.int/comm/employment_social/equ_opp/strategy/strengthen_ees_en.pdf (123Kb pdf)

⁸³ http://europa.eu.int/comm/employment_social/equ_opp/strategy/advcom.html

Equality and non-discrimination in an enlarged European Union

In May 2004, the European Commission adopted a Green Paper on equality and non-discrimination⁸⁴. This Green Paper is the basis for a public online consultation on how the EU can combat discrimination and promote the positive benefits of diversity. The paper outlines the foundations, different aspects and development of anti-discrimination policies. It also discusses challenges for the future, such as implementation of the legal framework, improving data collection, monitoring and analysis, involving stakeholders, and integration of the principle of non-discrimination in other policy areas.

A comparative study⁸⁵ was commissioned to increase understanding of discrimination issues and to advance the assessment of anti-discrimination policies. The study examined the collection of data used to measure the extent and impact of discrimination in Australia, Canada, the Netherlands, the United Kingdom and the United States. The analysis reveals significant variations in the interpretation of what ‘statistics on discrimination’ should be. It demonstrates the different interpretations and understanding of the discrimination concept, especially in the wider terms of the concept of indirect discrimination.

The Community Action Programme⁸⁶ aims at fighting discrimination on the grounds of racial or ethnic origin, religion or beliefs, disability, age or sexual orientation, against the background of the Racial Equality Directive⁸⁷ (2004/43/EC) and the Employment Framework Directive⁸⁸ (2000/78/EC).

A critical review⁸⁹, based on around 80 selected publications regarding the two anti-discrimination directives, examines the principal trends, observations and recommendations found within academic literature.

The second annual report⁹⁰ on equality and non-discrimination gives an overview of the implementation of the new legal framework for tackling discrimination. It describes measures to raise awareness about these new rights and to promote the positive benefits of diversity.

Services of general interest

In May 2004, the European Commission adopted a White Paper⁹¹ on services of general interest (SGI). The White Paper builds on the broad public consultation launched on the basis of the Green Paper⁹² published in 2003.

A Commission staff working paper⁹³ aims at a systematic evaluation and monitoring of SGI.

⁸⁴ http://europa.eu.int/comm/employment_social/publications/2004/ke6004078_en.pdf (3.2Mb pdf)

⁸⁵ http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/pubst/compstud04_en.pdf (741Kb pdf)

⁸⁶ http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/legisln/2000_750_en.pdf (113Kb pdf)

⁸⁷ http://europa.eu.int/eur-lex/pri/en/oj/dat/2000/l_180/l_18020000719en00220026.pdf (120Kb pdf)

⁸⁸ http://europa.eu.int/eur-lex/pri/en/oj/dat/2000/l_303/l_30320001202en00160022.pdf (132Kb pdf)

⁸⁹ http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/pubst/crrev.pdf (1.3Mb pdf)

⁹⁰ http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/pubst/annualrep2004_en.pdf (1.5Mb pdf)

⁹¹ http://europa.eu.int/eur-lex/en/com/wpr/2004/com2004_0374en01.pdf (284Kb pdf)

⁹² http://europa.eu.int/eur-lex/en/com/gpr/2003/com2003_0270en01.pdf (420Kb pdf)

⁹³ http://europa.eu.int/comm/secretariat_general/services_general_interest/docs/lien_vers_sec_2004_866_en.pdf (578Kb pdf)

In October 2004, the Employment and Social Policy Council (12400/04 (Presse 264)⁹⁴) held a public debate on the impact of internal markets and competition rules on the provision of social services of general interest. This debate aimed at providing input for the Commission Communication in 2005, on the framework in which social services of general interest should operate and be modernised.

A report by the European Foundation for the Improvement of Living and Working Conditions on Equal opportunities for women and men in services of general interest⁹⁵ explores the significant implications for women, following developments and changes affecting such services. The report provides information and analysis on the role of SGI in promoting quality employment for women in the European Union.

Migration

On 11 January 2005, the European Commission adopted a Green Paper on an EU approach to managing economic migration⁹⁶. The Green Paper aims at launching a process of in-depth discussion on the most appropriate form of Community rules for admitting economic migrants, and on the added value of adopting a common framework. The Green Paper deals with admission procedures for the economic migration of third country nationals. It does not concern the free movement of EU citizens within the Union.

⁹⁴ http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/lsa/82125.pdf (248Kb pdf)

⁹⁵ <http://www.eurofound.eu.int/publications/EF04128.htm>

⁹⁶ http://europa.eu.int/comm/employment_social/employment_analysis/docs/com_greenpaper_provisoire_en.pdf (180Kb pdf)

Work and health

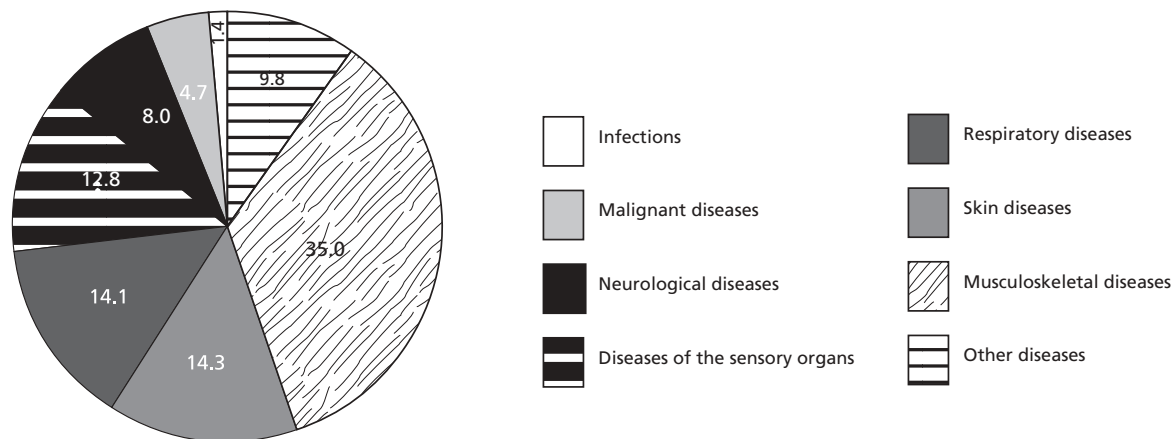
The Eurostat publication, *Work and health in the EU: A statistical portrait*⁹⁷, combines data for the period 1994–2002 from various European statistical data sources on health and safety at work, such as the Labour Force Survey⁹⁸, the European working conditions surveys⁹⁹, and the European Statistics on Accidents at Work¹⁰⁰. The report gives a general picture of working life, outlining characteristics of the European labour force and highlighting the overall significance of ill-health due to work-related factors. It covers data on risk factors and outcomes of safety at work, work-related diseases and some psychosocial problems.

In accordance with the intention of the Community strategy on health and safety at work 2002–2006¹⁰¹, the statistical portrait introduces some quantifiable elements relating to working environment factors, which are likely to cause problems beyond recognised occupational accidents and illnesses.

The Eurostat structural indicators¹⁰² on employment offer a range of key data on employment and working conditions, and on occupational health and safety (OHS).

The first Eurostat collection of recognised occupational diseases¹⁰³ in Europe, for the reference year 2001, gives an overview of core data regarding the 68 occupational diseases that are covered by all national systems. There were 31,945 new cases of recognised occupational diseases in the 12 Member States, outlined in the data for 2001.

Figure 1 Recognised occupational illnesses by diagnosis, 2001 (%)



Source: Eurostat, Statistics in Focus, Population and social conditions, 15/2004.

⁹⁷ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-57-04-807/EN/KS-57-04-807-EN.PDF (842Kb pdf)

⁹⁸ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-BP-03-001/EN/KS-BP-03-001-EN.PDF (1.2Mb pdf)

⁹⁹ <http://www.eurofound.eu.int/working/surveys/>

¹⁰⁰ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-BP-02-002-3A/EN/KS-BP-02-002-3A-EN.PDF (2.7Mb pdf)

¹⁰¹ http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0118en01.pdf (210 Kb pdf)

¹⁰² http://europa.eu.int/comm/eurostat/newcronos/reference/display.do?screen=welcomeref&open=/strind/emploi&language=en&product=EU_strind&root=EU_strind&scrollto=0

¹⁰³ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-015/EN/KS-NK-04-015-EN.PDF (320Kb pdf)

The incidence rate of recognition was higher among men (48 per 100,000 workers) than women (22 per 100,000 workers). The majority of cases fell into the main categories of diseases by physical agents (20,937), diseases caused by inhalation of substances (5,535), and skin diseases (4,357). Figure 1 shows the recognised illnesses by diagnosis.

Compared with other databases, the European Occupational Diseases Statistics (EODS) do not cover psychosocial health problems and reflect a comparably low share of musculoskeletal diseases¹⁰⁴. In the EODS, an occupational disease is defined as a case that was recognised by the national compensation or by other competent authorities. Only incident cases were included, i.e. those cases that were recognised for the first time in the reference year 2001.

A statistical analysis of the socio-economic cost of workplace accidents¹⁰⁵ in the EU attempts to build on existing knowledge, as part of the Community strategy on health and safety at work 2002–2006¹⁰⁶. The study aims at enabling a quantitative overview of the total cost of accidents and provides evidence of the benefits of effective prevention. The analysis encompasses a number of key steps:

- collection and analysis of existing information on the cost of accidents at work, on factors that influence these costs, and an identification of comprehensive and systematic analyses;
- questionnaire study based on the information acquired in step one among companies and among those who have suffered an accident;
- establishment of parameters of a pilot model;
- application of this model to the statistical information of the European statistics on accidents at work database to estimate the costs of accidents at work;
- identification of uncertainties, compromises and problems in facilitating improvements in future efforts.

Working time

The Eurostat publication, *Working times*¹⁰⁷, is based on data from a Labour Force Survey (LFS) ad hoc module in the EU15 in 2001 (see also EU0407NU06¹⁰⁸); it provides new insights into aspects such as the length and timing of work, overtime work, flexitime and work on-call. The publication, *Working overtime*¹⁰⁹, looks specifically at the extent, structure and compensation of overtime work.

The development of a methodology for the collection of harmonised childcare statistics¹¹⁰ can support the monitoring of targets, set in 2002 by the Barcelona European Council regarding the provision of childcare by 2010.

¹⁰⁴ <http://www.eurofound.eu.int/ewco/surveys/EU0502SR01/EU0502SR01.htm>

¹⁰⁵ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-CC-04-006/EN/KS-CC-04-006-EN.PDF (1.2Mb pdf)

¹⁰⁶ http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0118en01.pdf (210Kb pdf)

¹⁰⁷ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-007/EN/KS-NK-04-007-EN.PDF (317Kb pdf)

¹⁰⁸ <http://www.eurofound.eu.int/ewco/2004/07/EU0407NU06.htm>

¹⁰⁹ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-011/EN/KS-NK-04-011-EN.PDF (318Kb pdf)

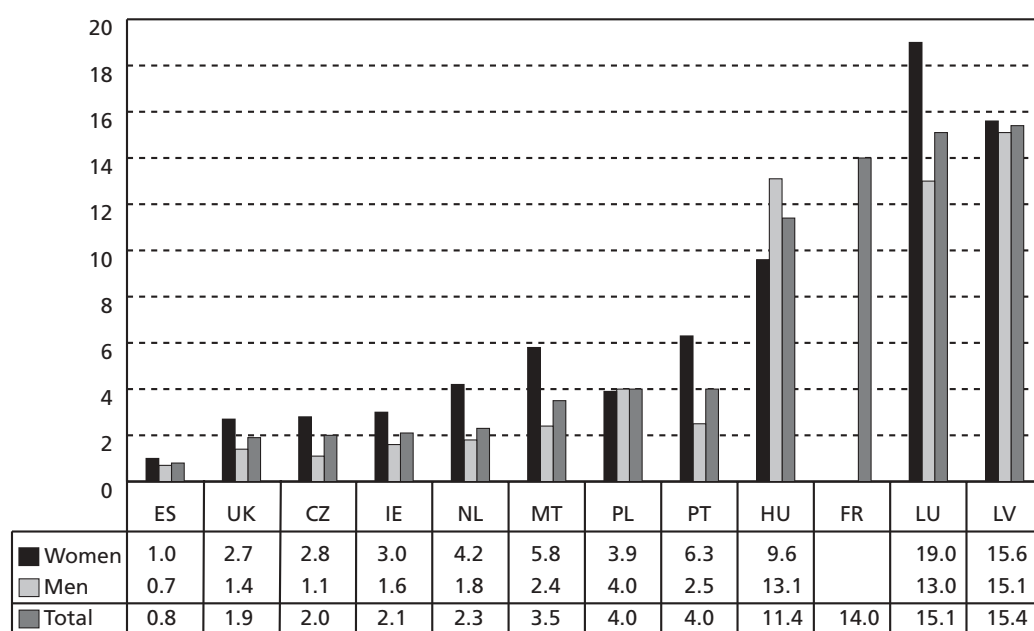
¹¹⁰ http://europa.eu.int/comm/employment_social/equ_opp/reconcil/childcare_study_2003_en.pdf (700Kb pdf)

Wages

The Eurostat overview on *Minimum wages*¹¹¹ analyses the statutory national monthly minimum wages in 2004, in the 18 Member States within the EU25 that have such regulations.

Figure 2 illustrates the proportion of full-time employees on the minimum wage in 2002. It shows that women are more likely to be on a minimum wage than men.

Figure 2 Proportion of full-time employees on the minimum wage, 2004 (%)



Source: Eurostat, Statistics in Focus, Population and social conditions, 10/2004.

In 2002, the minimum wage was less than 50% of the average monthly gross earning in industry and services in the majority of the countries for which data are available (Figure 3).

Labour Force Survey

The Eurostat publication, *Principal results 2003 of the European Labour Force Survey (LFS)*¹¹², gives an overview of key results of the survey. The newly launched quarterly main results of the LFS for 2004 are given in the first quarter 2004 data¹¹³ and second quarter 2004 data¹¹⁴ collections.

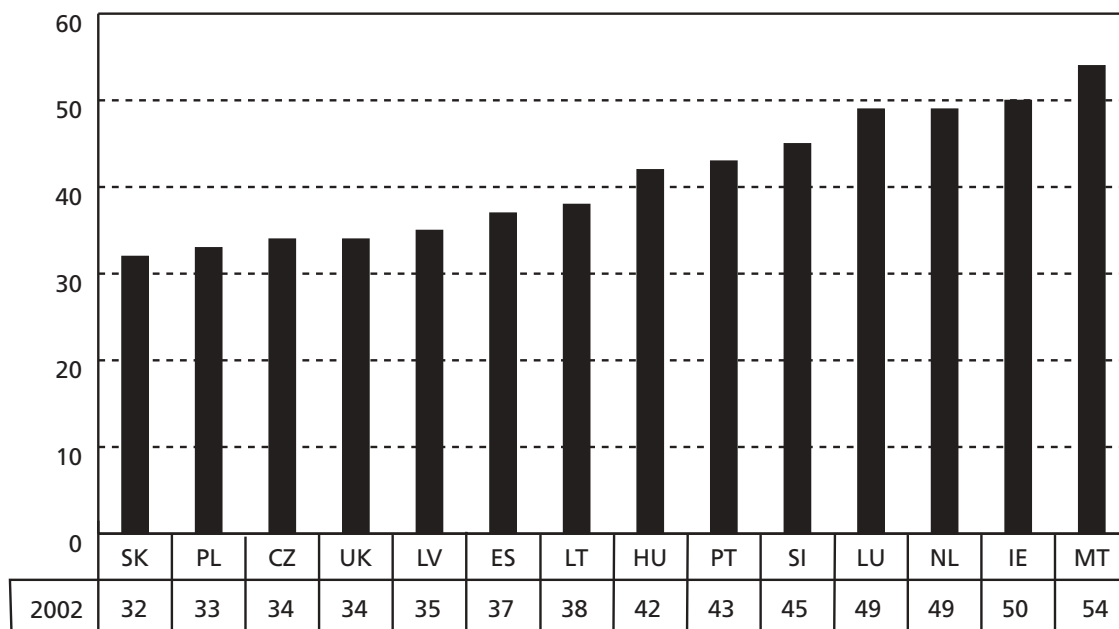
¹¹¹ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-010/EN/KS-NK-04-010-EN.PDF (518Kb pdf)

¹¹² http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-014/EN/KS-NK-04-014-EN.PDF (314Kb pdf)

¹¹³ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-04-017/EN/KS-NK-04-017-EN.PDF (437Kb pdf)

¹¹⁴ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NK-05-001/EN/KS-NK-05-001-EN.PDF (492Kb pdf)

Figure 3 Minimum wages as percentage of average monthly gross earnings in industry and services, 2002 (%)



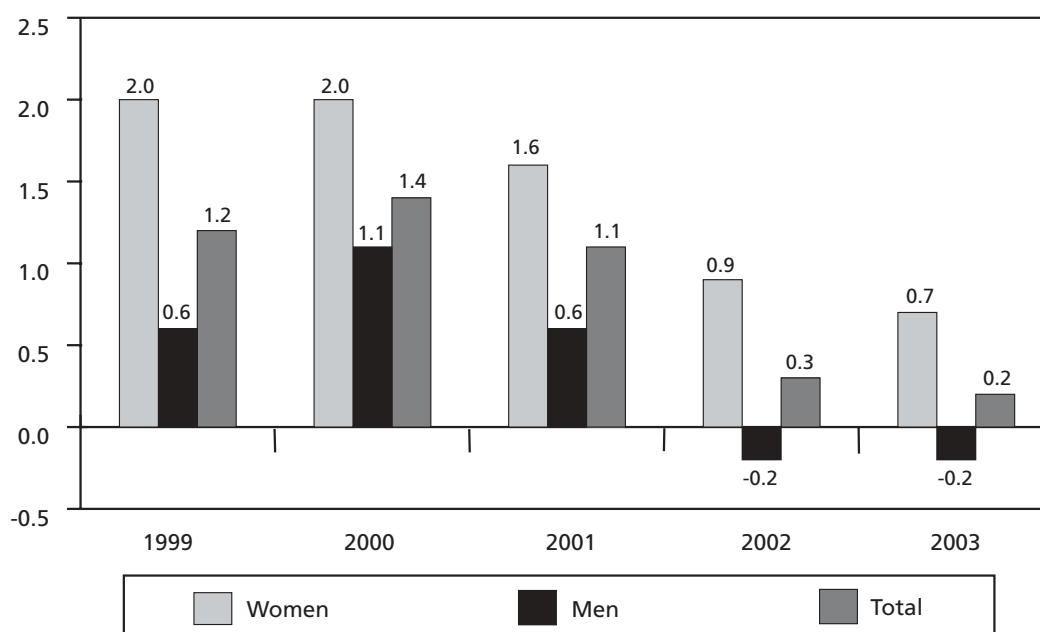
Source: Eurostat, Statistics in Focus, Population and social conditions, 10/2004.

Employment performance

The report¹¹⁵ by the High Level Group¹¹⁶, chaired by Wim Kok, points to progress in employment growth. In 2003, over six million more people were employed. However, this is partly due to an increase in part-time and low-quality jobs. It is essential to increase employment through active labour market policies, and to prevent, remove or reduce low pay traps. Particular emphasis is placed on investment in human capital.

Figure 4 shows decreasing growth in employment between 1999 and 2003 in the EU25. The increase in employment growth is higher for women than for men. In 2003, employment growth rates declined for men. The data give general figures and do not differentiate between full-time and part-time employment.

Figure 4 Employment growth, by sex, EU25 (%)



Source: Eurostat, Structural indicators, 1999 and 2000 (data estimated).

More differential structural employment data, based on Eurostat estimates, examine the relative change in employment between 1997 and 2000, and between 2000 and 2003 (Figure 5). Clearly, the change was stronger in the first period. This is also reflected in the data classified according to sex. However, the employment change for women in the second period is still higher than the corresponding figure for men in the first period. In terms of age, the strongest increase may be seen for older workers from 2000 to 2003. Looking at the figures according to type of contract, fixed-term employment increased significantly in the first period, although it decreased in the period between 2000 and 2003.

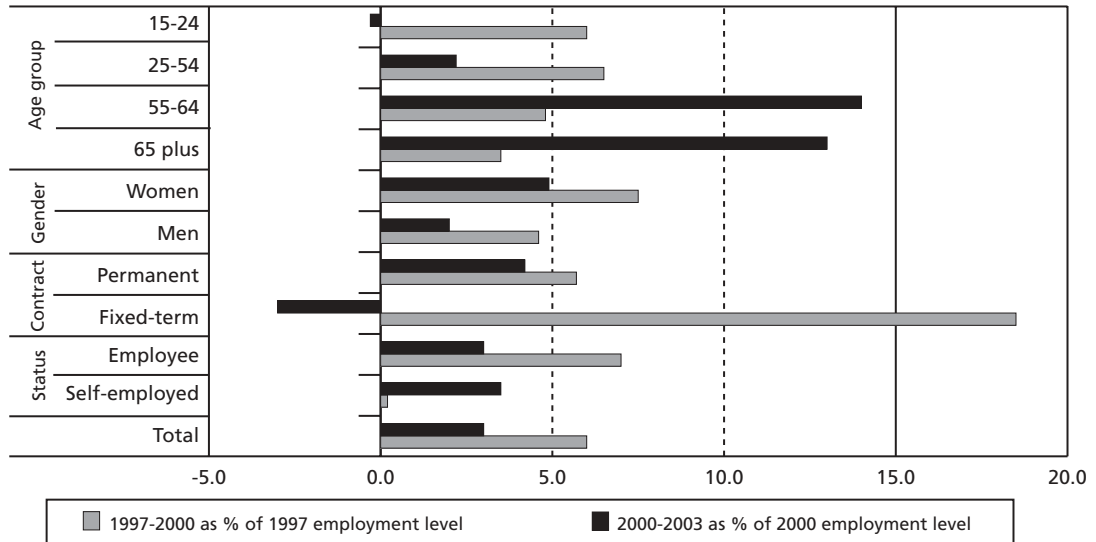
With regard to employment status, there has been an increase in self-employment, particularly in the second period, and a decline in the number of employees.

¹¹⁵ http://europa.eu.int/comm/lisbon_strategy/pdf/2004-1866-EN-complet.pdf (512Kb pdf)

¹¹⁶ http://europa.eu.int/growthandjobs/group/index_en.htm

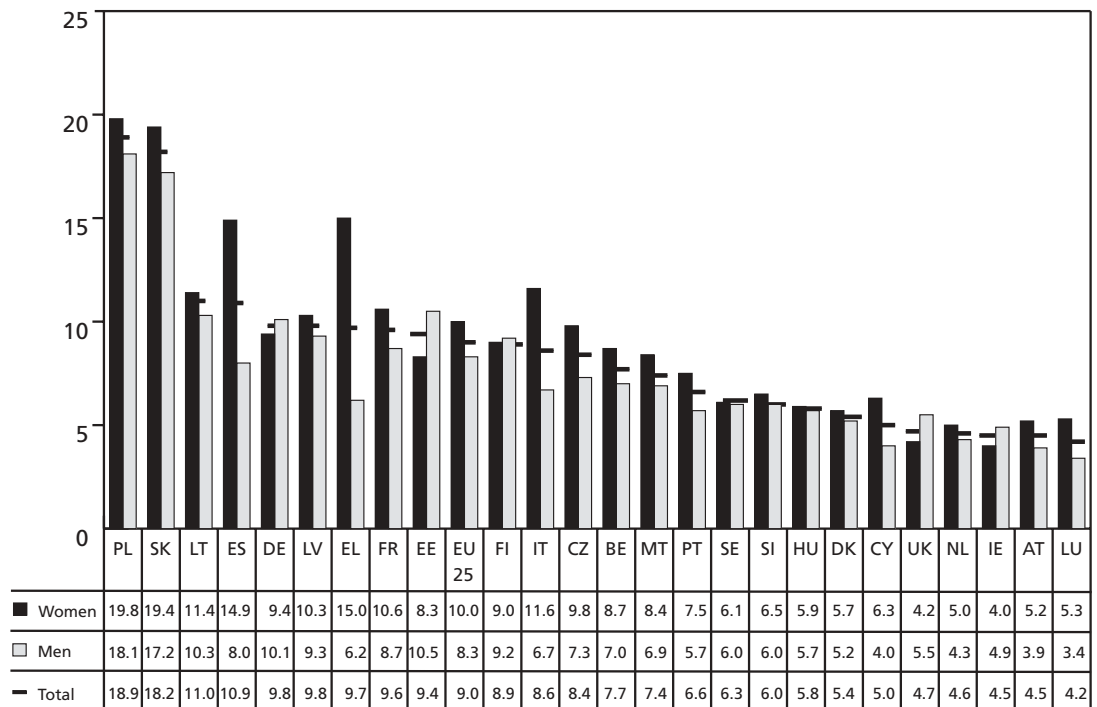
In 2004, the unemployment rate was 9% in the EU25 (Figure 6). The countries with the highest unemployment rates are Poland (18.9%), Slovakia (18.2%), Lithuania (11%) and Spain (10.9%); those with the lowest rates are Luxembourg (4.2%), Austria (4.5%) and Ireland (4.5%). The unemployment rate of women is above the rates of men across the EU25 except in Germany, the UK, Estonia, Finland and Ireland.

Figure 5 Relative change in employment 1997–2000 and 2000–2003, EU15 (%)



Source: Employment in Europe, 2004, based on Eurostat LFS.

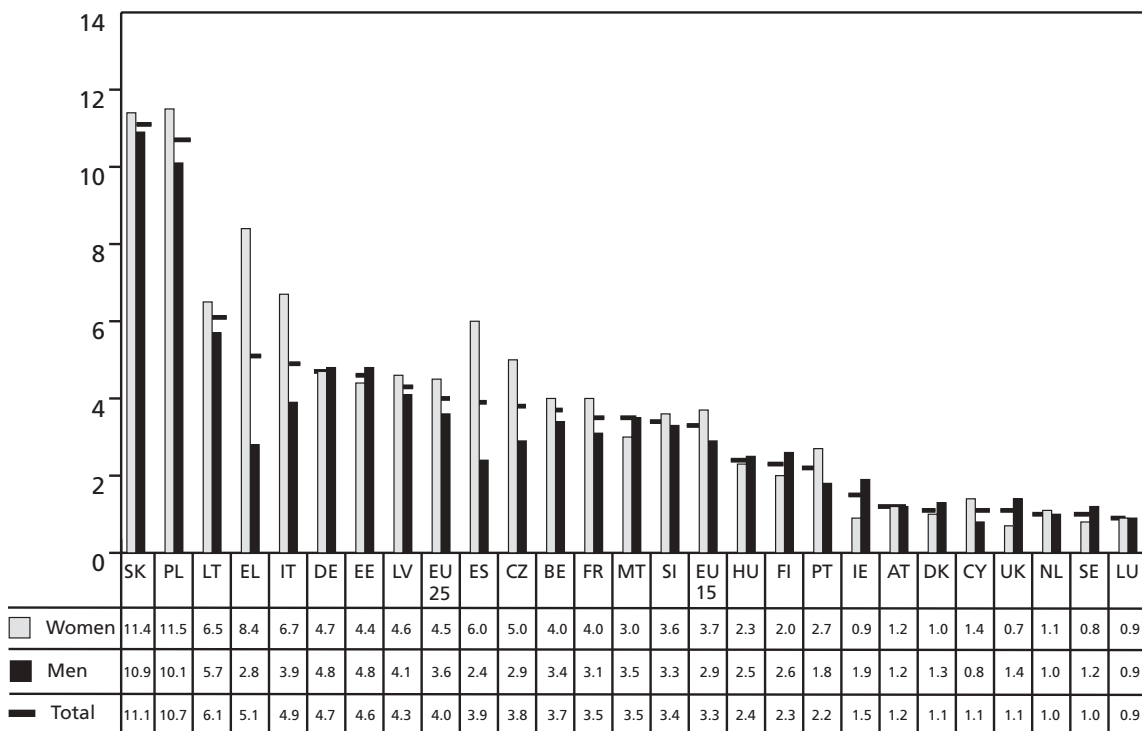
Figure 6 Unemployment rates, 2004 (%)



Source: Eurostat, Structural indicators. Note: Data for EL and IT from 2003.

Figure 7 shows the long-term unemployment rates for 2003. Long-term unemployment is defined as unemployment of 12 months and more. For the EU25, the rate is 4% of the total active population: 4.5% for women and 3.6% for men. The countries with the highest rates of long-term unemployment are Slovakia (11.1%), Poland (10.7%), Lithuania (6.1%), Greece (5.1%) and Italy (4.9%). In the countries with high levels of long-term unemployment, the rates of women exceed those of men. Considerable differences can be seen in Greece, which has a rate of 8.4% for women compared with 2.8% for men, in Italy (6.7% for women; 3.5% for men), and in Spain (6% for women; 2.4% for men).

Figure 7 Long-term unemployment rates, 2003 (%)



Source: Eurostat, Structural indicators. Note: Long-term unemployed (12 months+) as a % of total active population.

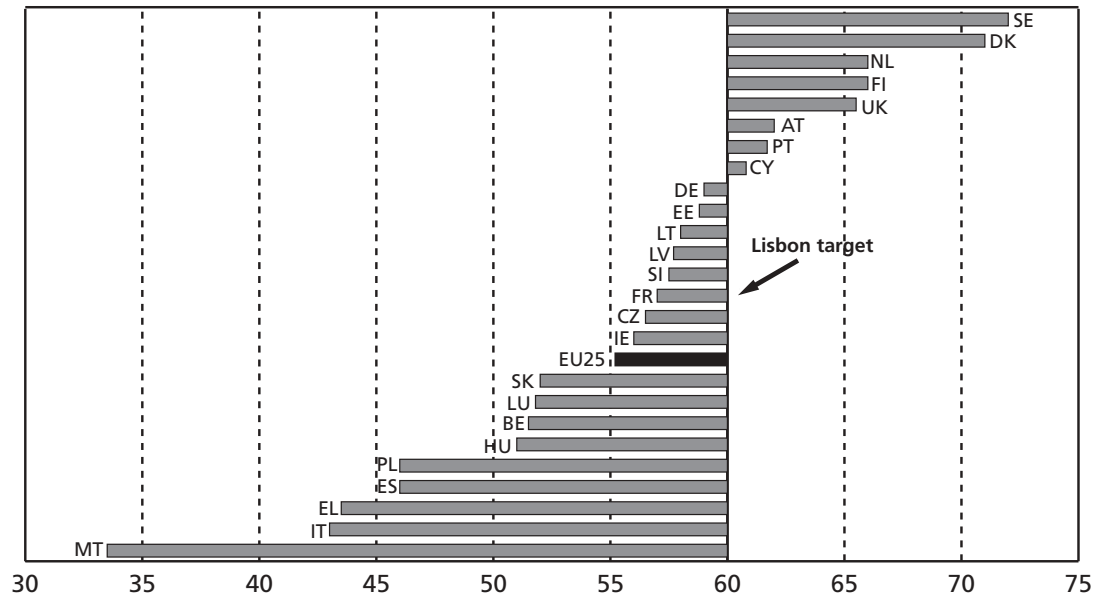
Female labour market participation

The High Level Group chaired by Wim Kok also emphasises the urgent need to increase women's participation in the labour market. It stresses that determined action is essential to address the root of the gender pay gap issue and to ensure stricter enforcement of non-discrimination legislation.

The High Level Group on the future of social policy underlines in its report¹¹⁷ the considerable extent of unused female labour supply. In the EU15, 6.4 million women of working age are not in the labour force, although they would like to work. Another 6.6 million women are registered as unemployed in the labour force.

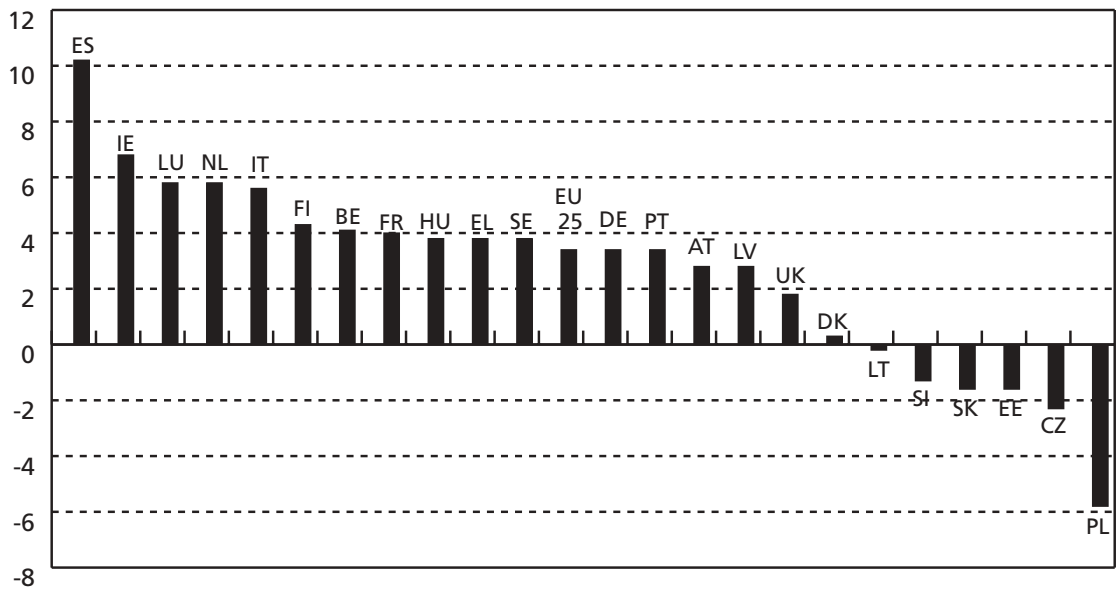
¹¹⁷ http://europa.eu.int/comm/employment_social/news/2004/jun/hlg_social_elarg_en.pdf (670Kb pdf)

Figure 8 Female employment rates, EU25, 2003 (%)



Source: Eurostat, Structural indicators.

Figure 9 Change in female employment rates, 1998–2003 (%)



Source: Eurostat, Structural indicators. Note: No data for 1998 for Cyprus and Malta.

The female employment rate for the EU25 was 55.1% in 2003. The Lisbon target for 2010 is an employment rate of 60% for women. The majority of countries are far behind this target (Figure 8), although a few countries are above the target figure: for instance, Sweden and Denmark have female employment rates above 70%.

Figure 9 illustrates the percentage change of female employment rates between 1998 and 2003. For the EU25, the change is 3.3 percentage points. Some countries show a considerable increase, such

as Spain (10.2%) or Ireland (6.8%). However, six new Member States showed a decline in employment rates. In Poland, the rate decreased by 5.7 percentage points.

Despite progress regarding the employment rates, fundamental differences remain between women and men in the labour market, in relation to the gender pay gap and to persistent horizontal and vertical gender segregation.

In particular, the large gender pay gap is a disincentive for female labour market participation. As noted above, several policy papers call for measures to address the root of the problem (High Level Group on the future of social policy 2004; Kok report 2004; Joint employment report 2003/2004¹¹⁸).

The Eurostat structural indicator, Gender pay gap in unadjusted form¹¹⁹, illustrates that there has been little development in the EU25 average, between 1994 and 2003 (Table 1).

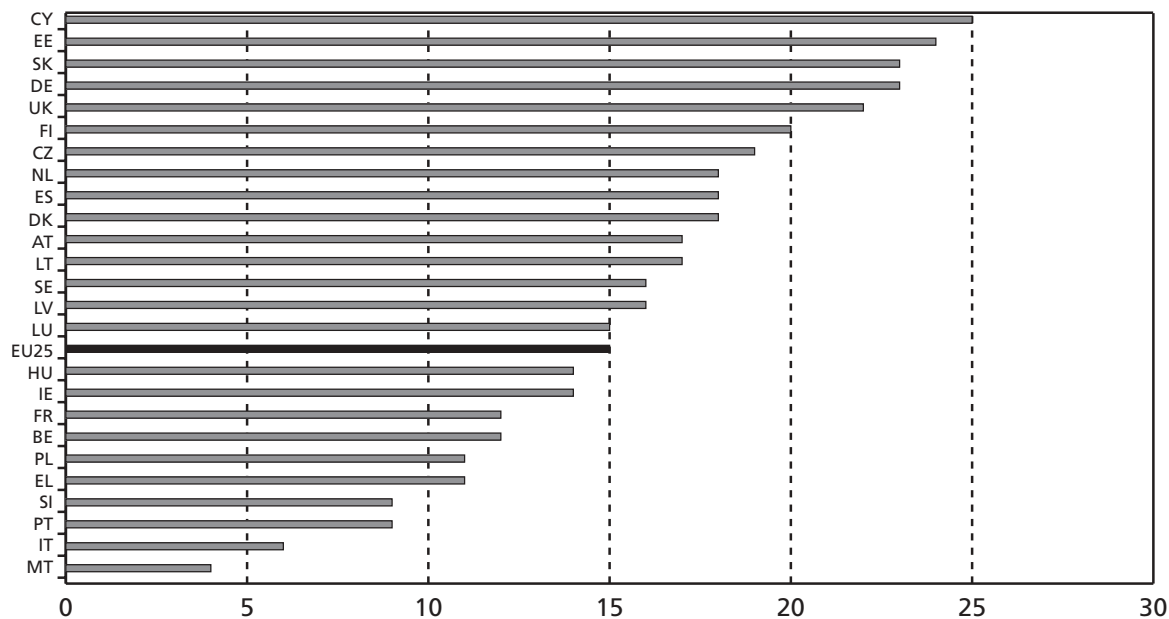
Table 1 Gender pay gap in unadjusted form, EU25

1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
17	17	17	16	17	16	16	16	16	15

Source: Eurostat, Structural indicators. Note: Gender pay gap is measured as the difference between men's and women's average gross hourly earnings, as a percentage of men's average gross hourly earnings (for paid work employees working 15+ hours).

The gender pay gap differs widely across the countries, ranging from 4% in Malta to 25% in Cyprus in 2003 (Figure 10).

Figure 10 Gender pay gap, EU25, 2003 (%)



Source: Eurostat, Structural indicators.

¹¹⁸ http://europa.eu.int/eur-lex/en/com/rpt/2004/com2004_0024en02.pdf (590Kb pdf)

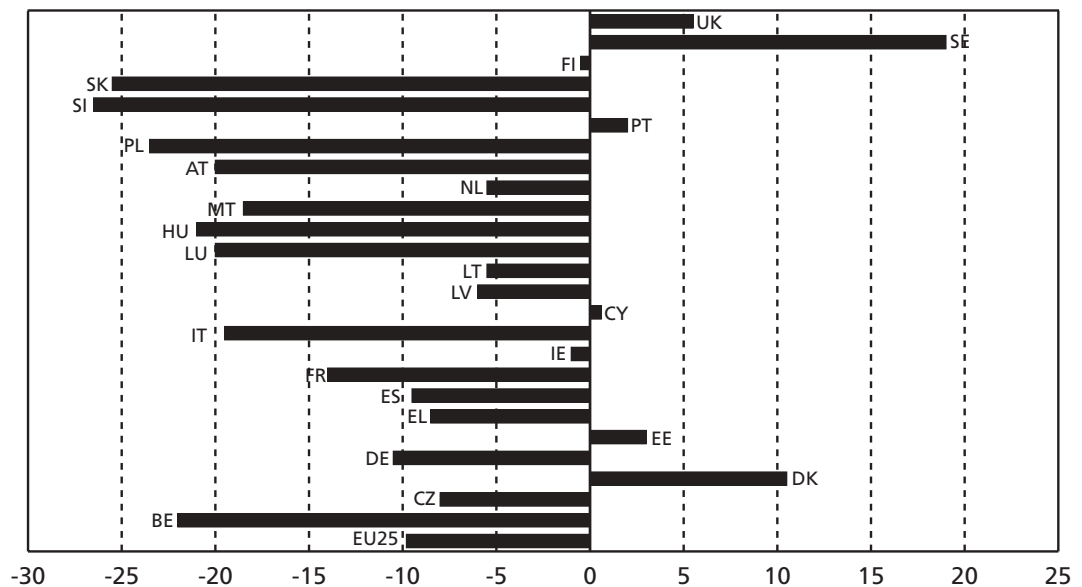
¹¹⁹ http://europa.eu.int/comm/eurostat/newcronos/reference/display.do?screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030

Ageing workforce

Promoting employment among older workers and delaying their exit from the labour force are key elements of the Lisbon strategy¹²⁰. The aim is to encourage the development and implementation of comprehensive, long-term ageing policies in all EU Member States¹²¹.

The complementary targets to increase the employment of older workers and to raise the exit age for leaving work are monitored by two structural indicators¹²². The Stockholm target¹²³ aims at increasing the employment level of those aged 55-64 years. This target is monitored by the employment rate¹²⁴ and can be achieved by reductions in both unemployment¹²⁵ and inactivity¹²⁶ rates. The Barcelona target¹²⁷ is directed towards delaying the age at which workers withdraw from the labour force into inactivity. This is monitored by changes in the activity rate¹²⁸, which looks only at those who are active in the labour market.

Figure 11 Gap in employment rates to meet employment target of 50% for older workers, 2003 (%)



Source: Eurostat, Structural indicators.

Note: Calculated by dividing number of persons aged 55-64 in employment by total population of same age.

The target set by the Stockholm Council is an employment rate of 50% for older workers. Older workers are defined as the 55–64 year age group. In 2003, the employment rate of older workers in the EU25 was 40.2%, a gap of 9.8 percentage points. Only five countries within the EU25 have

¹²⁰ http://europa.eu.int/comm/lisbon_strategy/index_en.html

¹²¹ <http://www.eurofound.eu.int/ewco/2004/06/EU0406NU05.htm>

¹²² http://epp.eurostat.cec.eu.int/portal/page?_pageid=1133,1406352,1133_1406373&_dad=portal&_schema=PORTAL

¹²³ http://europa.eu.int/comm/stockholm_council/index_en.htm

¹²⁴ http://europa.eu.int/comm/eurostat/newcronos/reference/display.do?screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em014

¹²⁵ <http://forum.europa.eu.int/irc/dsis/coded/info/data/coded/en/gl008882.htm>

¹²⁶ <http://forum.europa.eu.int/irc/dsis/coded/info/data/coded/en/gl008884.htm>

¹²⁷ http://europa.eu.int/comm/barcelona_council/index_en.html

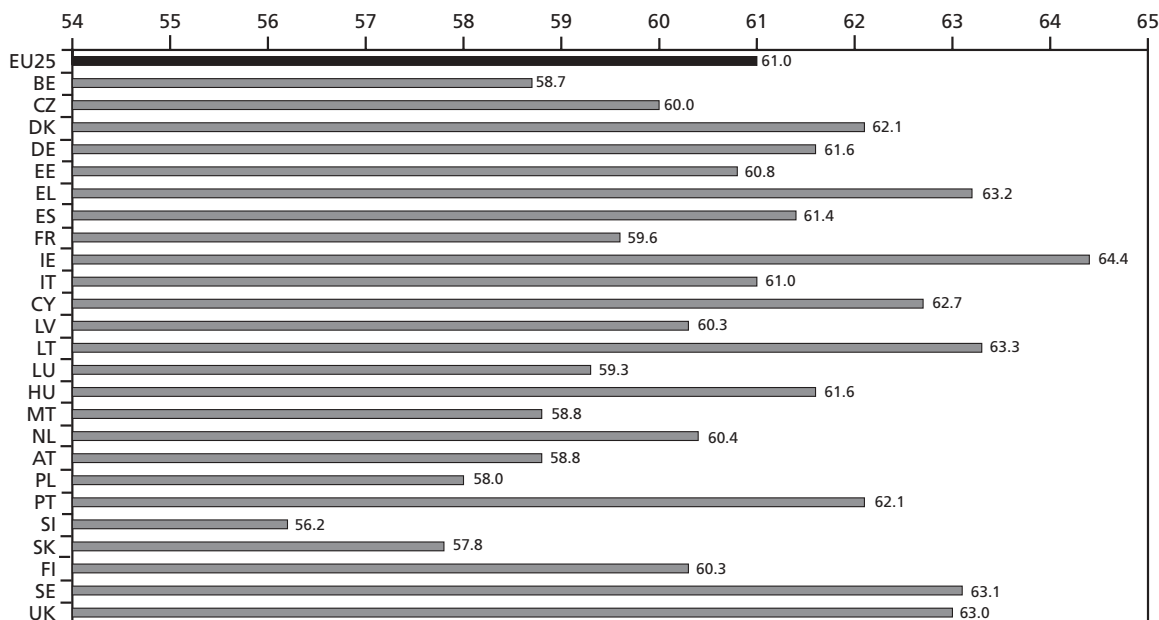
¹²⁸ <http://forum.europa.eu.int/irc/dsis/coded/info/data/coded/en/gl008980.htm>

employment rates above 50%, while a further two countries are close to the target rate. In the other Member States, the employment rates of older workers are significantly below the target figure (Figure 11).

The second structural indicator is the average age at which people leave work, or the exit age. It is based on a probability model that considers the relative changes of activity rates from one year to the next, at a specific age. The activity rate represents the labour force (employed and unemployed) as a percentage of the total population for a given age.

In the EU25, the exit age rose from 59.9 years in 2001 to 61 years in 2003. There are significant differences between the Member States (Figure 12).

Figure 12 Average exit age from the labour force, 2003



Source: Eurostat, Structural indicators. Note: IE: provisional value; LU: 2002.

The High Level Group on social policy argues for a greater focus on quality targets with regard to active ageing, both in terms of working conditions and also the nature of the work, in order to achieve the Stockholm and Barcelona targets.

‘Stressful and monotonous working conditions induce the early deterioration of health and thus early exit from working life. Extending working life would be helped by increasing job satisfaction.’

A further fundamental measure is a greater involvement of older workers in lifelong learning. The High Level Group stresses that the low level of participation must be significantly increased. It argues that work organisation should be modernised to better meet the needs of older workers, and that the expertise of older workers should be used more effectively. This can also include a change in occupation e.g. from a management post to an advisory or coaching post, or by taking up employment in a subsidiary company.

A report on ageing and work in Europe¹²⁹, drawn up for the European Working Conditions Observatory (EWCO)¹³⁰, examines measures taken by seven countries to increase employment rates of older workers. These include more flexible working hours, improving health and safety, encouraging access to lifelong learning, and abolishing early retirement schemes.

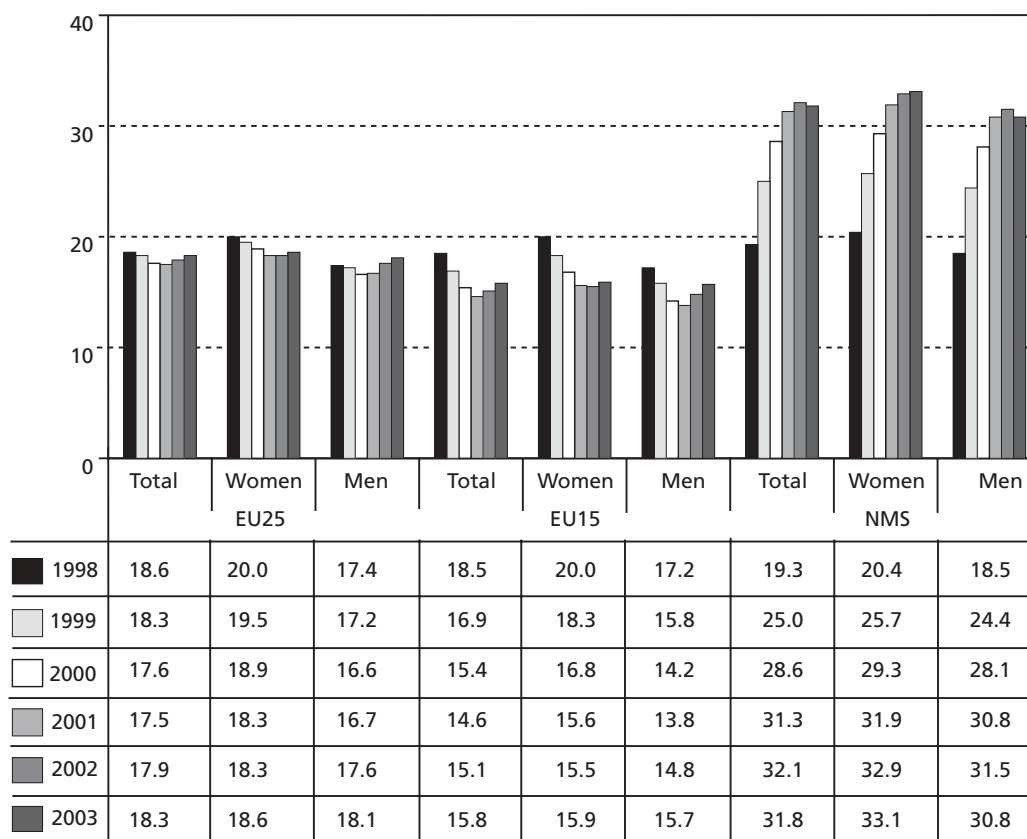
Youth employment

The High Level Group on social policy calls for a general extension of working life, to encourage labour market entry as well as exit. It highlights that labour market entry should be supported by measures guaranteeing the employability of the younger population.

A late entry into the labour market is seen as a positive development when young people enter with appropriate skills and can immediately find work corresponding to their qualifications. Unfortunately, the high level of unemployment among young people – which is typically double the rate of older workers – indicates that they do not all benefit from such opportunities.

Figure 13 gives an overview of the trends in youth unemployment between 1998 and 2003. The rates are significantly higher in the new Member States than in the EU15 and have increased considerably. The female unemployment rate is slightly higher than that for men in the EU25.

Figure 13 Youth unemployment (15-24 years) between 1998 and 2003, by sex (%)



Source: Employment in Europe, 2004, based on Eurostat quarterly labour force data series.

¹²⁹ <http://www.eurofound.eu.int/ewco/reports/FR0407TR01/FR0407TR01.htm>

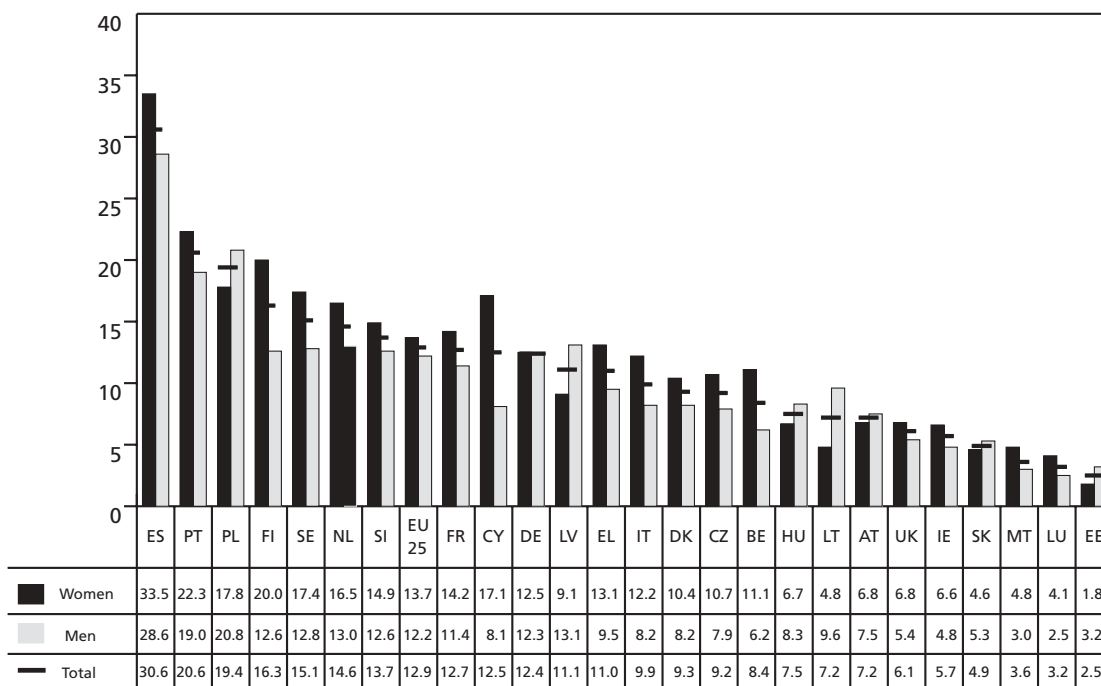
¹³⁰ <http://www.eurofound.eu.int/ewco>

Temporary employment / Fixed-term contracts

In 2003, 12.9% of employees were on fixed-term contracts: 13.7% of women and 12.2% of men. The proportion of temporary employment varies considerably between countries, ranging from 30.6% in Spain and 20.6% in Portugal to 2.5% in Estonia and 3.2% in Luxembourg. In the majority of countries, more women than men are in temporary employment (Figure 14).

An analysis by age and sex for the second quarter of 2004 shows that the younger age groups, in particular, are in temporary employment. This is true both for women and for men to an almost equal degree.

Figure 14 Employees with temporary contracts, by sex, 2003 (%)



Source: Eurostat, European Labour Force Survey. Principal results 2003.

Note: Data for MT by gender lack reliability due to small sample size.

Table 2 Temporary work, by age and sex

Total	15-24	25-54	55+	Total
Women	37.2	11.4	7.5	14.1
Men	38.5	9.5	6.9	12.6
Total	37.9	10.4	7.2	13.3

Source: Hardason and Romans, 2005.

Temporary agency work

The effects of temporary agency work (TAW) on the working conditions and health of workers are the subject of a report¹³¹ for the European Working Conditions Observatory (EWCO). TAW has

¹³¹ <http://www.eurofound.eu.int/ewco/reports/DK0408TR01/DK0408TR01.htm>

increased rapidly: over seven million workers, i.e. 1.9% of the EU working population, are in such work. The main reason that employees engage in TAW is to use it as a stepping stone to permanent employment.

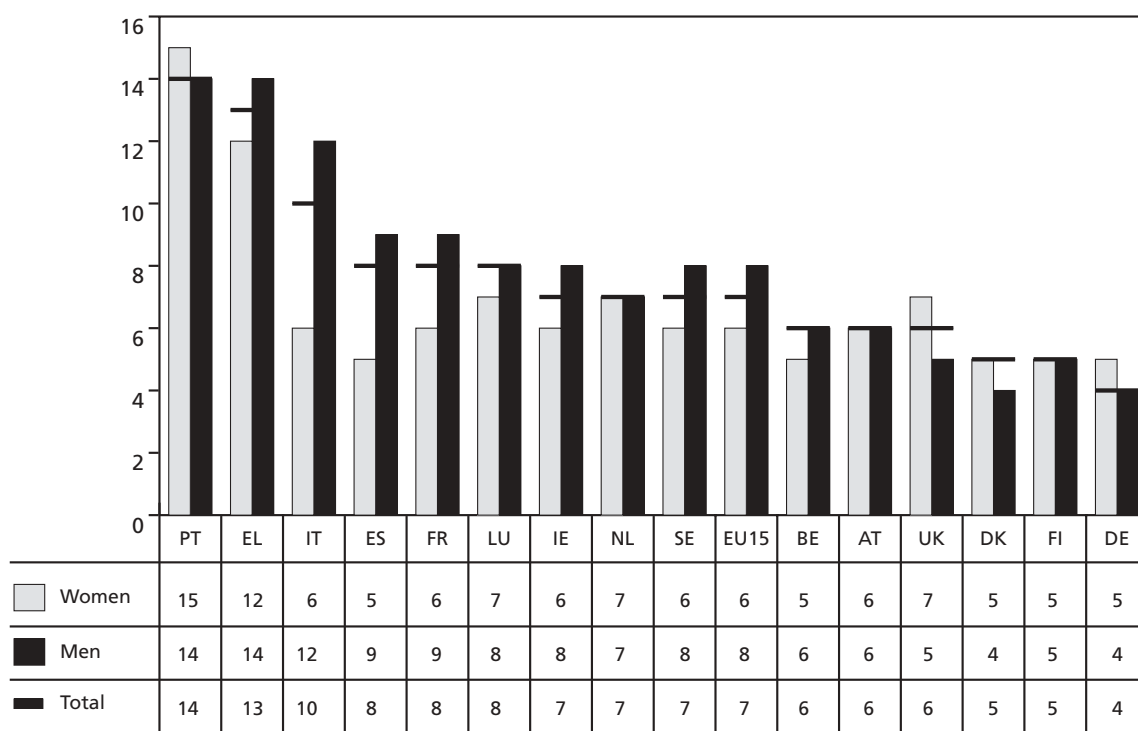
Some common features of TAW across the countries were evident from the national sources. Temporary agency workers are often young and, on average, tend to have a lower educational level than other employees. Large firms use TAW more often than small companies. There is no general trend regarding gender distribution, but differences emerge by sector and occupation among the countries.

The ‘divided employer’ situation is a key characteristic of TAW and impacts strongly on the working conditions of these workers. Compared with permanent employees, temporary agency workers express a high degree of job dissatisfaction, largely due to the insecurity inherent in this form of employment. Most temporary agency workers would prefer employment of a more permanent nature.

Nonetheless, temporary agency workers report lower levels of work-related stress. However, a Finnish study concluded that the job situation of TAW could be a stress factor in itself, particularly in relation to job insecurity.

Temporary agency workers have less access to training measures and to participation in long-term competence development than workers with permanent work contracts. They have less job control in terms of the order of tasks, pace of work and work methods, have low job demands, are more exposed to occupational accidents, and are less informed about risks at work.

Figure 15 Working poor in the EU15, 2002 (%)



Source: Joint Employment Report 2003/2004, Key indicators, based on ECHP, Eurostat.

Working poor

The report¹³² of the High Level Group on social policy states that employment does not ensure escape from poverty. About a quarter of people aged 16 and over, who are classified as poor in the EU, are in employment.

‘Working poor’ is defined as the proportion of individuals (dependent employees or self-employed) who are at work, according to the definition of most frequent activity status, and whose household disposable income is below 60% of the national median income.

Figure 15 gives the percentage of working poor among the total working population in the EU15 in 2002. The EU15 average is 7%; Portugal has the highest proportion at 14%, and Germany the lowest at 4%. In terms of gender analysis, a mixed picture emerges. In the EU15, men seem to be more at risk of being working poor than women.

The High Level Group on social policy emphasises that, in order to reduce future risks of marginalisation, the process for social inclusion needs to be considered in association with the EES. With regard to the social inclusion process, the Group recommends identifying new risks such as working poor, and setting targets at EU level for reducing social exclusion.

A report for the Foundation on working poor in the European Union¹³³ emphasises that little research on working poverty has been done in Europe, and that available information and data on the subject are limited. One explanation for this is the nature of working poverty itself, as it is neither purely a poverty issue nor an employment issue. Causes can be found in three interacting factors at individual, household and collective level.

Working poverty is difficult to tackle through any single approach. For example, the issue of being long-term, full-time employed poor demands a different approach than being working poor as a result of household characteristics.

The report underlines that quality of employment is central to tackling working poverty. It appears that those working in non-standard employment are at a significantly higher risk of being or becoming working poor.

Undeclared work

The Employment Guidelines 2003¹³⁴, which were maintained for 2004, include a specific section on bringing undeclared work into regular employment. It proposes that Member States develop and implement broad actions and measures to eliminate undeclared work. The Guidelines underline the necessary efforts required at national and EU level to measure the extent of the problem, and the progress achieved so far at national level.

¹³² http://europa.eu.int/comm/employment_social/news/2004/jun/hlg_social_elarg_en.pdf (670Kb pdf)

¹³³ <http://www.eurofound.eu.int/publications/EF0467.htm>

¹³⁴ http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_197/l_19720030805en00130021.pdf (140Kb pdf)

The European Commission presented a study on undeclared work¹³⁵ that provides estimates on the extent of the problem in the EU25. Undeclared work has been defined in the Commission Communication on Undeclared Work¹³⁶ as: ‘any paid activities that are lawful as regards their nature but not declared to the public authorities, taking into account differences in the regulatory system between Member States.’

The extent of undeclared work varies significantly across the Member States. The estimates range from a relatively modest 1.5% of gross domestic product (GDP) in Austria, 2% in the Netherlands and UK, and 3% in Sweden, to 16%-17% in Italy, 15%-19% in Lithuania and more than 20% of GDP in Greece. In addition to other complex factors throughout the EU, cultural traditions in some countries, like Greece and Italy, and deeply-rooted informal economies in Poland, Hungary and Slovenia, are significant reasons for the high extent of undeclared work. In the new Member States, ‘envelope wages’, i.e. under-reporting income, is a frequent practice – alongside non-reporting.

The highest incidence of undeclared work can be found in the construction sector, in agriculture, in the hotel and restaurant sector, and in personal and domestic services.

Undeclared work has a strong gender dimension. In all countries, men participate more in undeclared work than women. In the new Member States, female participation in undeclared work increases with educational level.

Working and employment conditions and pay in undeclared work are less favourable for women than for men. Women also work in less autonomous jobs. In addition to being paid less, undeclared work is often their main source of income, whereas, for men, it tends to be an additional income on the side. For women, undeclared work is of a more permanent nature than for men.

A special chapter¹³⁷ of the OECD Employment Outlook 2004¹³⁸ analyses informal employment and looks at promoting the transition to a salaried economy.

The issue of undeclared work¹³⁹ was the subject of research by the European Industrial Relations Observatory (EIRO)¹⁴⁰. It examined aspects of undeclared work, looking at the nature and extent of undeclared work, the regulatory framework, the role, activities and views of the social partners, and partnerships between social partners and public authorities to tackle the problem.

In their multiannual work programme¹⁴¹, the European social partners agreed to hold a seminar on undeclared work in 2005.

¹³⁵ http://europa.eu.int/comm/employment_social/publications/2004/cev104021_en.pdf (1.3Mb pdf)

¹³⁶ http://europa.eu.int/eur-lex/pri/en/oj/dat/1998/c_325/c_32519981023en00050011.pdf (55Kb pdf)

¹³⁷ http://www.oecd.org/document/35/0,2340,en_2649_201185_31781155_1_1_1_1,00.html

¹³⁸ http://www.oecd.org/document/62/0,2340,en_2649_201185_31935102_1_1_1_1,00.html

¹³⁹ <http://www.eiro.eurofound.eu.int/thematicfeature8.html>

¹⁴⁰ <http://www.eiro.eurofound.eu.int/structure.html>

¹⁴¹ http://europa.eu.int/comm/employment_social/news/2002/dec/prog_de_travail_comm_en.pdf (130Kb pdf)

Employment and social integration of people with disabilities

A report by the Foundation on employment and disability¹⁴² focuses on promoting employment and social inclusion of people with chronic illnesses or disability.

Disability is seen as a dynamic process that increases with age and concerns many people with chronic illness. However, it can affect anyone at any age, who develops a health condition that has an impact on their work capacity. 'Work disability' is understood as the failure to return to work after illness or injury, regardless of the cause.

In many countries, there have been increasing occurrences of work disabilities. Among the complex causes is the changing nature of illnesses. The major causes of disability are no longer congenital conditions or accidents but medical or psychiatric conditions. The study emphasises the need to address mental health at the workplace. Most disabilities develop during adult life and, often, they are not visible. Chronic illnesses, and illnesses related to stress, such as depression, anxiety and burnout, are increasingly the cause of long-term absence from work. Actions at an early stage targeting troubles such as back pain or stress-related disorders can prevent people from becoming chronically ill or disabled.

Policies aimed at retaining people with chronic illness or disability in work or reintegrating them into work are complex and require coordinated approaches among the main stakeholders. Proactive approaches and early interventions are crucial elements of successful disability management, which includes promoting good working conditions, and health and well-being. The report describes measures and initiatives in seven Member States, designed to encourage job retention and reintegration of people with chronic illnesses, as well as identifying good practices at company level.

Some of the company case studies illustrate elements of good practice with regard to retaining employees in work. Some also address the aim of returning employees to work when they have become long-term absent.

At the workplace level, well-targeted policies and strategies include:

- adopting workplace health management interventions, ranging from risk management and health promotion to an early intervention and case management approach for an individual with chronic illness;
- developing early interventions;
- flexible return to work solutions for people with chronic illness;
- giving clear responsibility to staff members for return to work strategies and targeted measures.

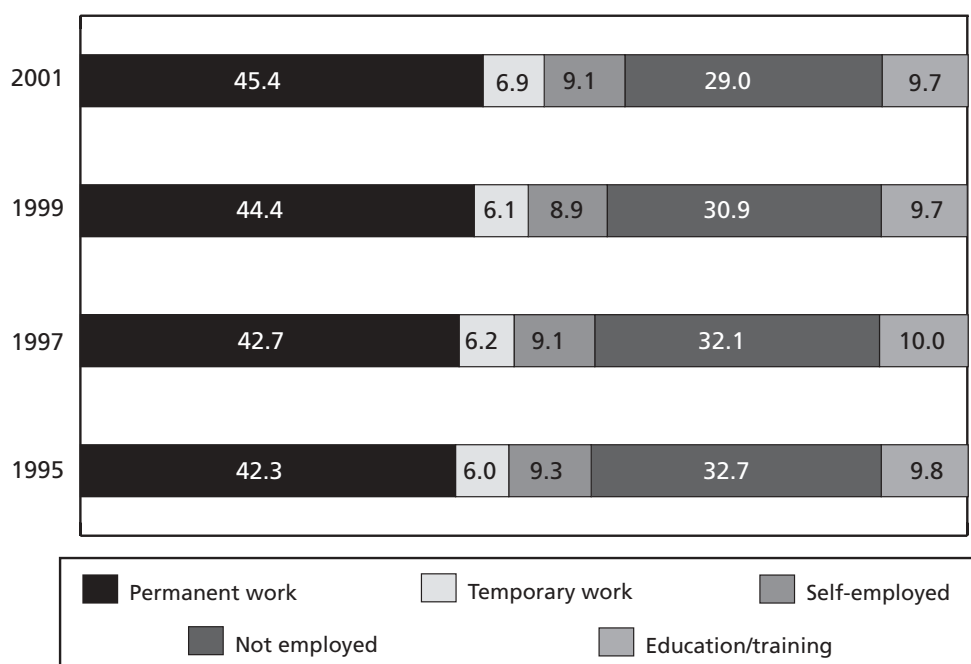
EU policy documents tend to emphasise occupational health and safety measures within the workplace. To facilitate a proactive disability management approach, the study argues for integrating key policy areas such as occupational health and safety, public health, active ageing, disability, equality, employment, social inclusion and social protection.

¹⁴² <http://www.eurofound.eu.int/publications/EF04115.htm>

Labour market transitions and quality dynamics

An analysis of the main activity status between 1997 and 2001 shows a decrease in the numbers of people who are not employed and an increase in permanent employment (Figure 16). It also reveals a relatively stronger increase in temporary work: growing by 15%, compared with 7.3% for permanent contracts. Looking at the figures for employees only, the proportion with a permanent contract is decreasing. Self-employment and education/training remain at the same level. The data are based on the European Community Household Panel (ECHP) conducted in the EU15.

Figure 16 Main activity status by year, EU15 (%)



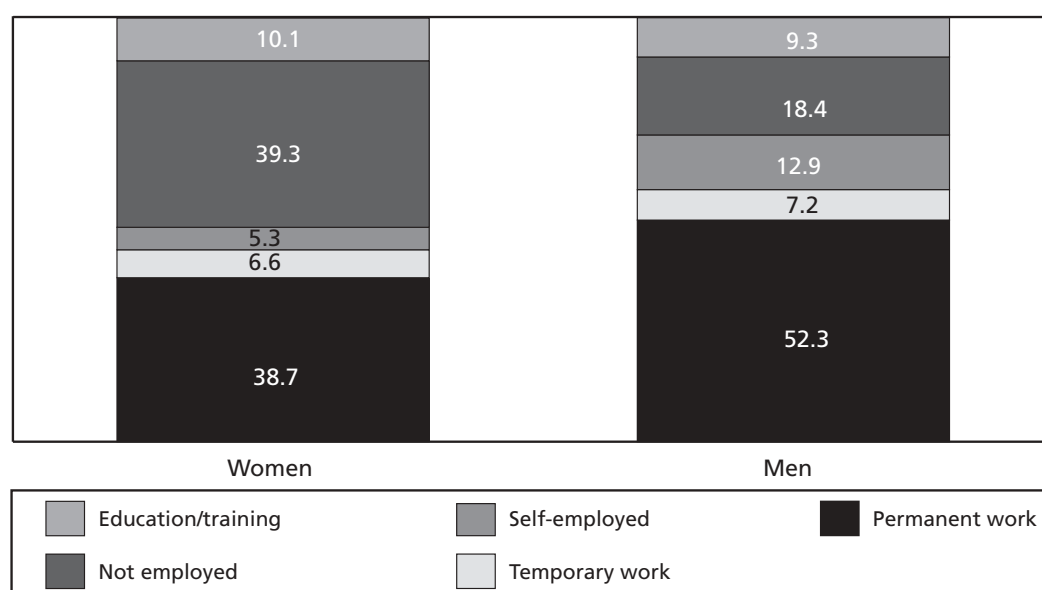
Source: Employment in Europe, 2004, based on ECHP, UDB version, December 2003. Data for SE not available.

The main activity status varies across countries and with regard to personal characteristics of the workforce. (See EWCO EU-level survey data report¹⁴³ for further information.) In particular, gender differences are remarkable. The proportion of women who are not employed is higher than the share of those in permanent employment, whereas for men the majority are in permanent employment (Figure 17).

Skills development and lifelong learning

The impact of educational level on labour market participation is evident in the EU25. Employment and activity rates are significantly higher for those with a high level of education, while the unemployment rate is considerably lower (Table 3).

¹⁴³ <http://www.eurofound.eu.int/ewco/surveys/EU0502SR01/EU0502SR01.htm>

Figure 17 Main activity status, by sex, EU15, 2001 (%)

Source: Employment in Europe, 2004, based on ECHP, UDB version, December 2003. Data for SE not available.

An OECD analysis¹⁴⁴ on training and employment performance indicates that policies aimed at enhancing workers' skills contribute to an improvement in employment performance¹⁴⁵. The analysis shows a positive link between upgrading skills and overall labour force participation. Also, at the individual level, there is a strong association between training histories and employment outcomes. Labour market participation rates are higher for individuals who received some training in the last two years, than for those who received no training in the same period. This applies particularly to women and to workers aged 45–55 years.

Table 3 Educational level and labour market participation, 2003 (%)

Education level	Employment rate	Unemployment rate	Activity rate
High	82.5	4.9	86.8
Medium	68.4	9.4	75.5
Low	46.6	12.2	53.0
Total	62.9	9.1	69.2

Source: Employment in Europe 2004, based on Eurostat, LFS, Spring results.

Lifelong learning is a vital element in employment strategies. The structural indicator, 'lifelong learning', in the EES considers any learning of the total population aged 25–64. Those who stated that they received education or training in the four weeks preceding the survey are included, irrespective of whether the education or training is relevant to the respondent's current or potential future job (EU0502SR01¹⁴⁶).

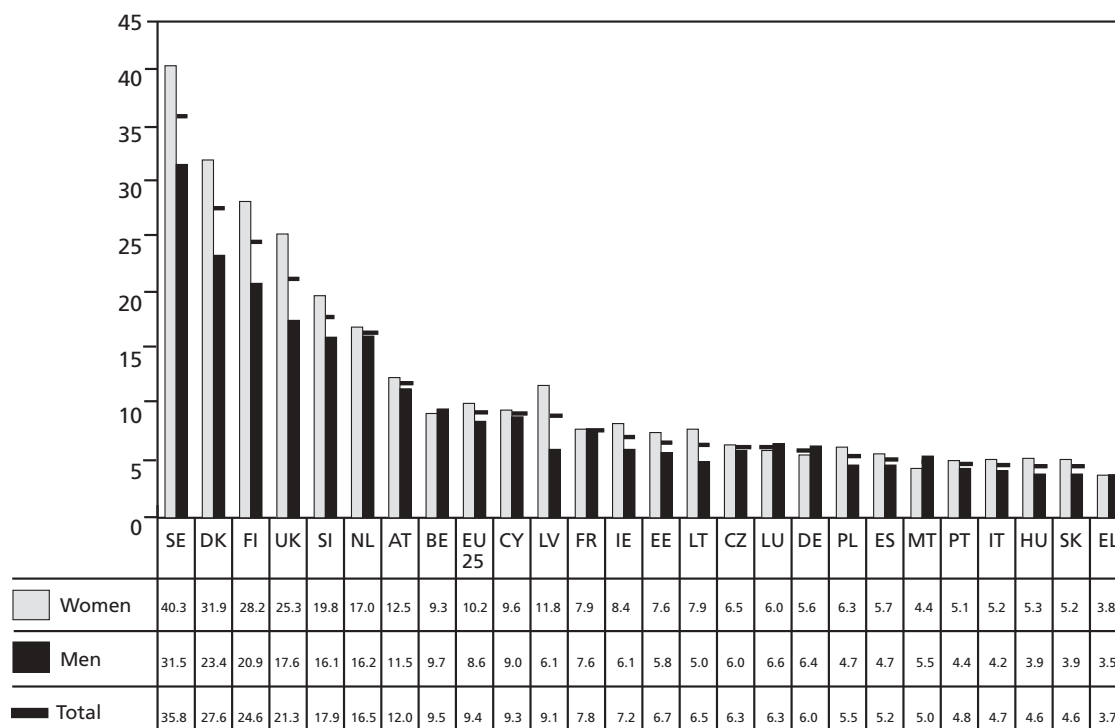
¹⁴⁴ http://www.oecd.org/document/58/0,2340,en_2649_201185_31824570_1_1_1_1,00.html

¹⁴⁵ <http://www.eurofound.eu.int/ewco/2004/10/EU0410NU01.htm>

¹⁴⁶ <http://www.eurofound.eu.int/ewco/surveys/EU0502SR01/EU0502SR01.htm>

It will take major efforts to achieve the reference level for 2010, of 12.5% of the adult working age population participating in lifelong learning¹⁴⁷, as adopted by the Council on 5 May 2003 and laid down in the 2003 Employment Guidelines.

Figure 18 Participation in lifelong learning, 2004 (%)



Source: Eurostat, Structural indicators.

In 2004, the total participation rate in lifelong learning was 9.4%: 10.2% for women and just 8.6% for men. In the majority of Member States, a higher proportion of women participated in lifelong learning than men. This applies particularly to those countries with high levels of participation in lifelong learning. In Sweden, the total participation rate is 35.8%, in Denmark 27.6% and in Finland 24.6%. This contrasts with the extremely low participation rates of 3.7% in Greece, and 4.6% each in Slovakia and Hungary (Figure 18).

Between 2000 and 2004, participation rates in lifelong learning increased in the EU25; however, they are still far from the target figure of 12.5% (Figure 19).

The report¹⁴⁸ by the High Level Group¹⁴⁹, chaired by Wim Kok, emphasises the need for ambitious policies to raise educational levels and make lifelong learning schemes available to all.

The High Level Group on social policy recommends¹⁵⁰ concrete measures comprising three kinds of actions:

¹⁴⁷ http://europa.eu.int/comm/eurostat/newcronos/queen/display.do?screen=detail&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI_copy_520479662742/emploi_copy_934568948015/em051_copy_727901795419

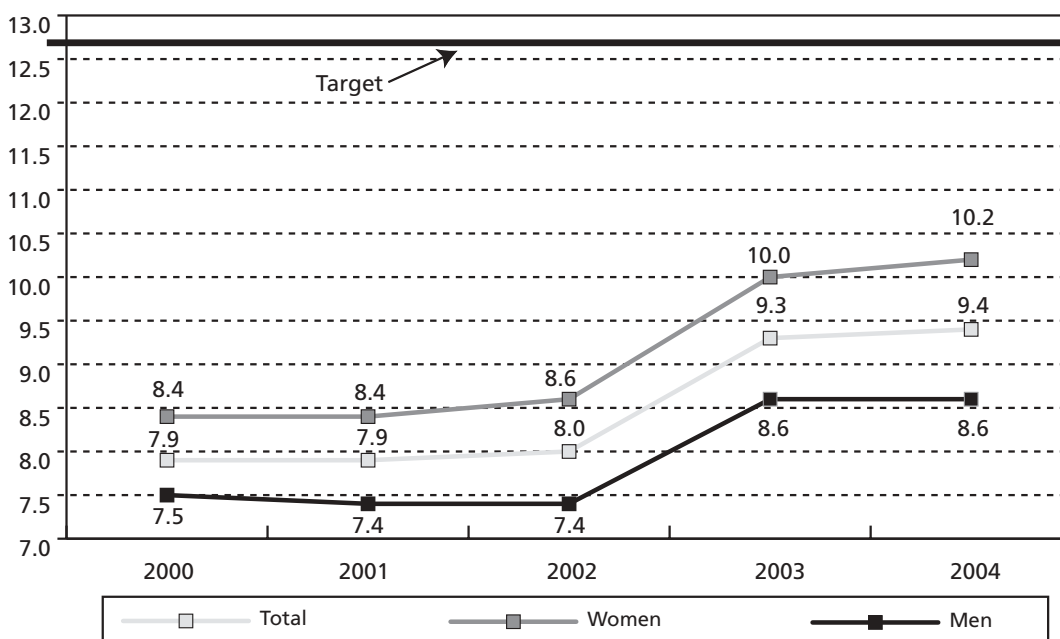
¹⁴⁸ http://europa.eu.int/comm/lisbon_strategy/pdf/2004-1866-EN-complet.pdf (512Kb pdf)

¹⁴⁹ http://europa.eu.int/growthandjobs/group/index_en.htm

¹⁵⁰ http://europa.eu.int/comm/employment_social/news/2004/jun/hlg_social_elarg_en.pdf (670Kb pdf)

- diversifying the means to supply lifelong learning. This covers new forms, means and tools of learning, as well as adopting new forms of work organisation, which can become learning organisations. These measures should be underpinned by validation and certification of the outcome of informal learning activities (see information about the French work experience recognition system¹⁵¹);
- fostering the demand for lifelong learning. This includes: encouraging and guiding individuals effectively; regularly updating a framework of basic competencies and occupational profiles; more systematic development of competencies at company level; incorporating more explicit rights and duties concerning lifelong learning in collective agreements and individual labour contracts, to promote competitiveness and employability; managing working time; and providing childcare facilities that create better conditions for lifelong learning.
- sharing the cost of lifelong learning. Public authorities, companies and individuals should share the cost according to the relative benefits of each initiative.

Figure 19 Lifelong learning, 2000-2004, by sex (%)



Source: Eurostat, Structural indicators.

With regard to working conditions, more attention should be given to the learning needs of specific target groups that have, so far, been under-represented, such as people with low skill levels, older workers, migrants and employees in SMEs. The High Level Group on social policy emphasises the need to link working time arrangements with learning, and to foster individual initiatives through the creation of individual learning accounts.

A detailed analysis of data sources¹⁵² confirms the need to focus more strongly on work-related training, including self-directed training.

¹⁵¹ <http://www.eurofound.eu.int/ewco/2004/04/FR0404NU04.htm>

¹⁵² <http://www.eurofound.eu.int/ewco/surveys/EU0502SR01/EU0502SR01.htm>

Technological change and its consequences

Information and communication technologies (ICT) have had a dramatic impact on almost all sectors and occupations, fundamentally changing workplaces. A holistic concept of work organisation, competence development and employee participation is vital in successfully managing change and improving quality in work. There is evidence of a positive correlation between ICT-induced skills changes and productivity growth.

Despite the need for increased skills and competence development among information technology users, a EWCO report on the use of ICT and training¹⁵³ showed a decline in such measures in recent years. The study is based on an analysis of EU-level data and on data from national working conditions surveys.

More than 50% of EU15 employees use a computer for work. The study also looks at the extent of computer use for work, in relation to actual working time, beyond the general figures of penetration of computers in the workplace. The European working conditions surveys¹⁵⁴ examine the intensity of computer use. The third survey from 2000, which covers the EU15, shows a higher degree¹⁵⁵ of computer use for work than the data¹⁵⁶ from the first survey for the acceding and candidate countries¹⁵⁷. Data on computer use and training were collected according to sex, age, occupation, educational level, company size and sector.

Research seems to indicate that workplace computerisation and occupational skill requirements involve educational upgrading, and increased demand for analytical and interactive task requirements. Computer technology is replacing workers in performing routine manual and cognitive tasks, whereas it complements workers in performing non-routine cognitive tasks.

IT skills and competence development are vital factors for the labour market position and career development of employees. In view of the rapid development of ICT and the short skills lifecycles, it is essential to engage in continuous learning and to ensure a match between required and acquired skills. The skills range from technical skills in using a computer to comprehensive and contextualised user skills, including complex work process knowledge. The study looked at different forms of learning, such as formal and informal learning. Informal IT training activities are widespread but difficult to capture in data.

One weak aspect of ICT training is the focus on technical skills, while training for new roles is only provided to a third of the workforce. In addition, the potential of consulting end users in the implementation or adaptation of ICT is underused. The important context of ICT and work organisation, and of skills development, is not investigated in the national working conditions surveys.

Unemployed people are particularly at risk, as they do not have access to company-provided training, learning-by-doing and self-directed learning.

¹⁵³ <http://www.eurofound.eu.int/ewco/reports/DE0412TR01/DE0412TR01.htm>

¹⁵⁴ <http://www.eurofound.eu.int/working/surveys>

¹⁵⁵ http://www.eurofound.eu.int/ewco/3wc/3wc12_4.htm

¹⁵⁶ http://www.eurofound.eu.int/ewco/cc/cc9_4.htm

¹⁵⁷ <http://www.eurofound.eu.int/ewco/surveys/ccsurvey.htm>

New forms of work organisation

The proposal for a new social policy agenda, based on the so-called A-C-T-I-O-N approach, includes work organisation as one of the six possible specific areas identified for priority action (15140/04(Presse338))¹⁵⁸. Work organisation, including the adaptability of companies and workers, is also one of the four key areas for action, highlighted in the report¹⁵⁹ by the Employment Taskforce guiding the employment package for 2004.

Guideline 3 of the Employment Guidelines 2003¹⁶⁰, which also applied in 2004, emphasises as one policy measure, ‘the design and dissemination of innovative and sustainable forms of work organisation, which support labour productivity and quality at work’.

Concepts or concrete measures on new forms of work organisation and potential innovations in terms of the Green Paper¹⁶¹ are not addressed in the EU documents in the period under review.

One of the key issues of the EES is achieving flexibility in a balanced way both for companies and employees.

A tool developed by the Statistical indicators benchmarking the information society (SIBIS)¹⁶² consortium is the adaptability of work arrangements index (AWAI). This index builds on two sub-indicators: worker-centred flexibility and company-centred flexibility. These are based on further key component indicators, developed through consensus-building, involving experts and policymakers at EU and national level¹⁶³. Among the EU15 countries, Ireland, Spain and the UK strongly provide company-centred flexibility, while worker-centred flexibility is prevalent in other countries such as Austria, Italy, Luxembourg and the Netherlands (SIBIS 2003).

The Foundation is undertaking the European survey on working time and work–life balance¹⁶⁴, looking, in the first instance, at companies in the former EU15 Member States. It focuses on practices in the use of a broad variety of working time arrangements, such as full- and part-time work, overtime, flexi-time, shift work, phased and early retirement, and childcare leave arrangements. The survey includes all establishments with 10 or more employees, across all sectors of activity, including the public sector.

Working hours and working time arrangements

Working hours and working time arrangements are important elements of quality in work. In particular, night work, overtime work and very long working hours, and unpredictability of working time may conflict with the aim of improving quality in work. Working hours are shown to have a strong impact on occupational health and safety, gender equality and work–life balance.

¹⁵⁸ http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=2CED833F1BD24436963A885B646E15D1X1X40561X19 (300Kb pdf)

¹⁵⁹ http://europa.eu.int/comm/employment_social/publications/2004/ke5703265_en.pdf (386Kb pdf)

¹⁶⁰ http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_197/l_19720030805en00130021.pdf (140Kb pdf)

¹⁶¹ http://europa.eu.int/servlet/portail/RenderServlet?search=DocNumber&lg=en&nb_docs=25&domain=Preparatory&in_force=NO&type_doc=COMfinal&an_doc=1997&nu_doc=128

¹⁶² <http://www.empirica.biz/sibis/about/about.htm>

¹⁶³ <http://www.eurofound.eu.int/ewco/surveys/EU0502SR01/EU0502SR01.htm>

¹⁶⁴ <http://www.eurofound.eu.int/transversal/eswt/>

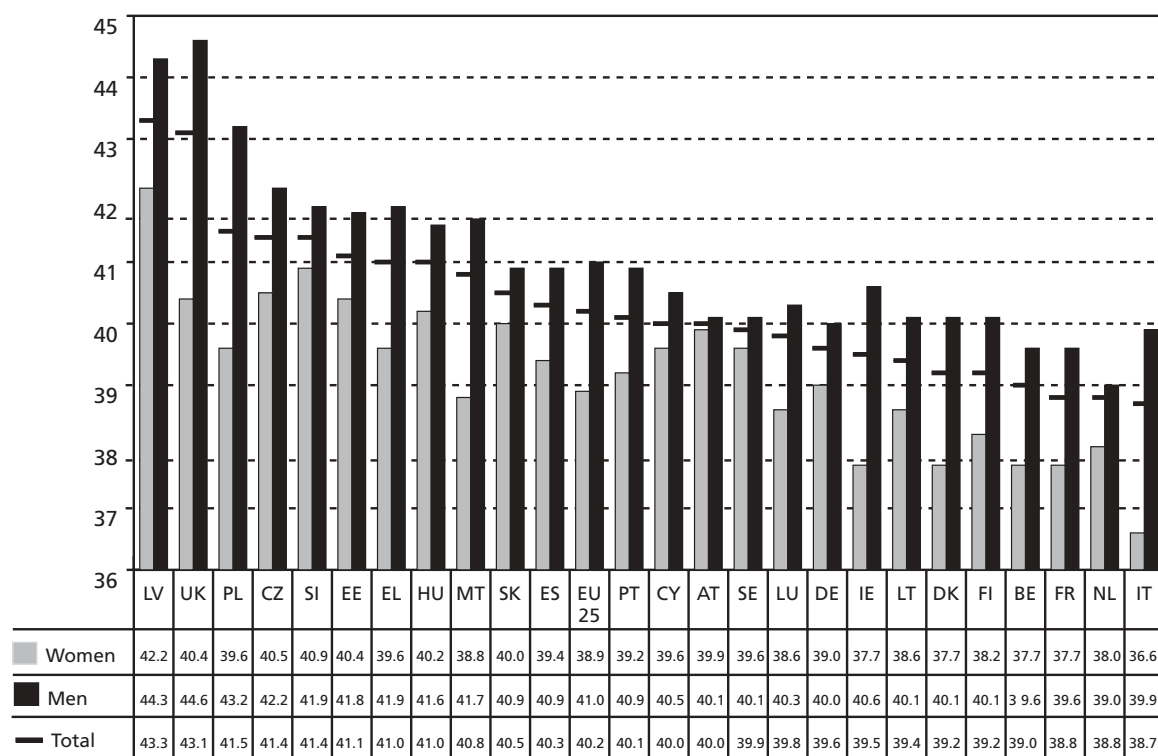
A specific ad hoc module of the LFS 2001 provided more insight into working hours and working time arrangements in the EU15 (see EU0407NU06¹⁶⁵; EU0406AR01¹⁶⁶).

Data on working time in the LFS differentiate between usual and actual working hours. The focus of usual working hours are the weekly hours worked over a long period. The number of hours actually worked refers to a specific reference week. The actual figures may deviate from the number of hours usually worked, because of absence, holidays or overtime.

Average usual working hours

In 2003, the average usual working hours in the EU25 were 40.2 hours: 41 hours for men and 38.9 hours for women. Among the Member States, the range varies between 43.3 hours in Latvia and 38.7 hours in Italy. In all countries, the number of hours usually worked is higher for men than for women (Figure 20).

Figure 20 Usual hours worked per week, 2003



Source: Eurostat, European Labour Force Survey, Principal results 2003.

Average actual working hours

In the second quarter of 2004, average actual weekly working hours were 37.7. Full-time employed people worked 41.3 hours, and part-time workers worked 20.2 hours. Men worked considerably longer hours than women, on average, and in full-time work (Table 4).

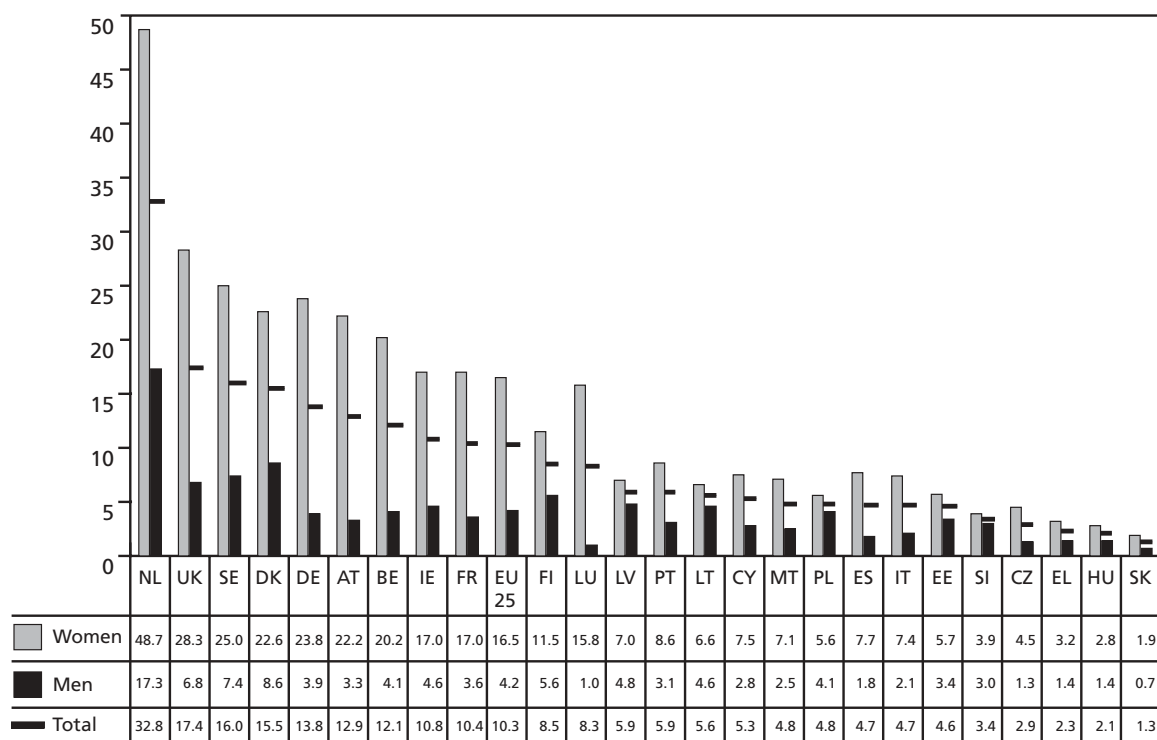
¹⁶⁵ <http://www.eurofound.eu.int/ewco/2004/07/EU0407NU06.htm>

¹⁶⁶ <http://www.eurofound.eu.int/ewco/reports/EU0406AR01/EU0406AR01.htm>

Table 4 Average actual hours worked, EU25

	Total	Full-time	Part-time
Women	33.2	39.1	20.1
Men	41.1	42.6	20.5
Total	37.7	41.3	20.2

Source: Hardason and Romans, 2005.

Figure 21 Part-time employment rates, by sex, 2003 (%)

Source: Eurostat, European Labour Force Survey, Principal results 2003.

Part-time work

The extent of part-time work varies between the Member States. Figure 21 gives an overview of part-time employment rates in 2003. The EU25 average rate is 10.3%. Gender differences are considerable, at 16.5% for women and 4.2% for men. Part-time employment rates are very low in the new Member States, with the lowest rate in Slovakia at 1.3%. The highest rate (32.8%) is evident in the Netherlands: 48.7% for women and 17.3% for men. Overall, the rates are significantly higher for women than for men in all Member States.

Looking at the proportion of part-time employment in relation to total employment illustrates more clearly the enormous gender differences. The EU25 average in the second quarter of 2003 was 17%. The percentage for women was 30.4%, compared with just 6.6% for men. In the Netherlands, 74.2% of employed women and 22% of men work part time (Figure 22).

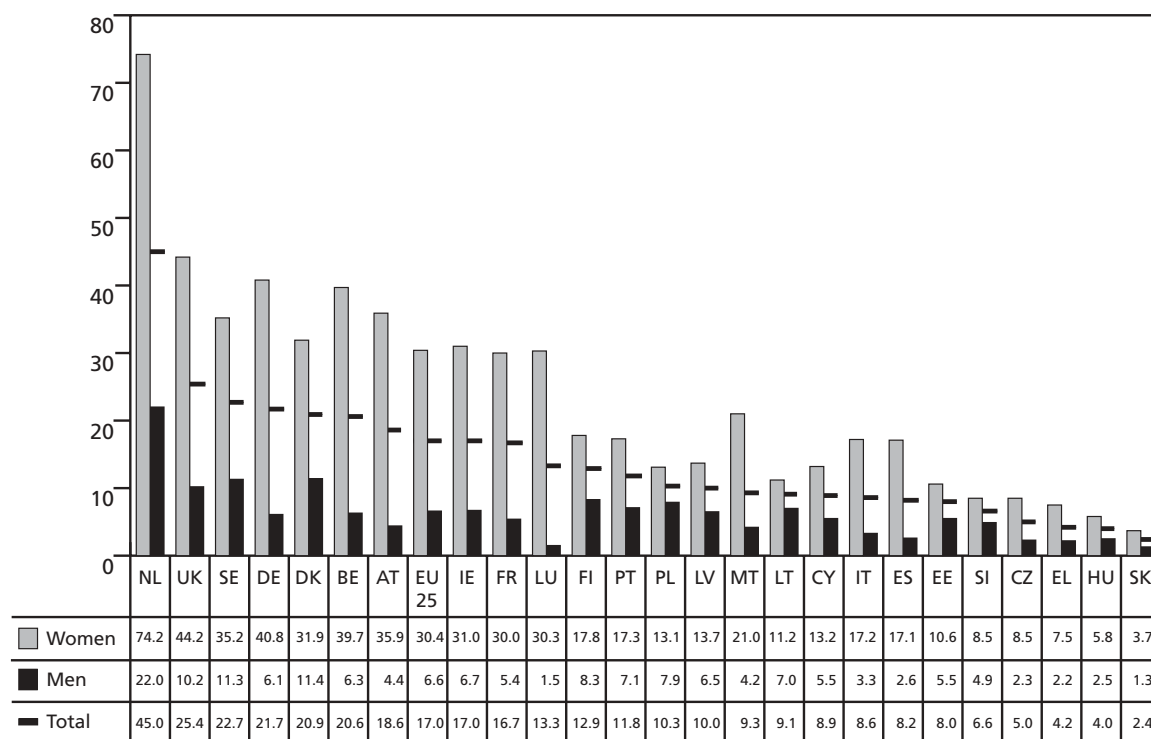
The lowest share of part-time workers can be found in the 25–54 years age group, with higher percentages in the 15–24 and 55+ age groups. At 42.3%, women in employment in the 55+ age group have the highest share of part-time employment (Table 5).

Table 5 Part-time employment as a share of total employment, by age group and sex (%)

	15-24	25-54	55+	Total
Women	32.0	29.6	42.3	31.3
Men	17.9	4.1	14.9	6.9
Total	24.3	15.5	25.6	17.7

Source: Hardason and Romans, 2005.

Figure 22 Part-time employment as % of total employment, by sex, 2nd quarter 2003



Source: Eurostat, Statistics in focus, Population and social conditions, 1/2005, based on LFS.

Work–life balance

A EWCO report on part-time work in Europe¹⁶⁷ (ES0403TR01) reveals higher levels of general satisfaction with working hours among part-time workers and better opportunities to achieve a positive work–life balance.

The High Level Group on social policy (2004) recommends measures to improve the attractiveness of part-time work, and to facilitate career breaks and flexible working arrangements. The Group points to the fundamental impact of childcare and elder care facilities on female employment rates.

¹⁶⁷ <http://www.eurofound.eu.int/ewco/reports/ES0403TR01/ES0403TR01.htm>

'Available data show that countries with low availability of childcare such as Italy and Spain display low female employment rates while countries with high female employment rates such as Sweden, Denmark, and Finland provide wide access to childcare facilities.'

(High Level Group on social policy 2004)

The Barcelona Council in 2002 set a target figure with regard to the provision of childcare. By 2010, childcare shall be provided for at least 90% of children between three years old and the mandatory school age, and for at least 33% of children younger than three years.

Time use surveys provide knowledge about the options for reconciling working and non-working life, and statistics about the division of gainful and household/family work between women and men. A study¹⁶⁸ based on time surveys in 10 European countries reveals significant gaps in the use of time between women and men and, in particular, in the breakdown of gainful and household/family work. Some of the key results of this study, funded within the Fifth Community action programme to promote gender equality 2001–2005, indicate that:

- the majority of women's work is unpaid;
- small children intensify the traditional work division between women and men;
- mothers increase their paid working hours when children grow older;
- the total working hours of single mothers is not higher than those of mothers living as a couple, i.e. single mothers do not work more hours in order to boost their income.

Figure 23 shows the division between gainful and household/family work of parents with small children.

The European Quality of Life Survey¹⁶⁹ provides data on work–life balance. A report¹⁷⁰ on the survey results describes the difficulties experienced by employed persons, in reconciling work and family life several times a week. In the EU25, 23% report that they are too tired to do household chores. Around 10% have difficulties in fulfilling family responsibilities because of the amount of time they spend working. Some 3% state that they have difficulties in concentrating at work because of family responsibilities.

A Eurobarometer survey on parental leave¹⁷¹ looks, in particular, at factors encouraging and discouraging fathers to take up parental leave. The survey is based on a sample of 5,688 men in the EU15 and covers four issues:

- men's awareness of their right¹⁷² to take parental leave;
- reasons why men have taken, or are considering taking, parental leave;
- reasons why they have not taken, or considered taking, parental leave;
- views on the main reasons that would encourage men to take parental leave, and the main reasons that would discourage them.

¹⁶⁸ http://epp.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-58-04-998/EN/KS-58-04-998-EN.PDF (530Kb pdf)

¹⁶⁹ http://www.eurofound.eu.int/living/qual_life/eqls.htm

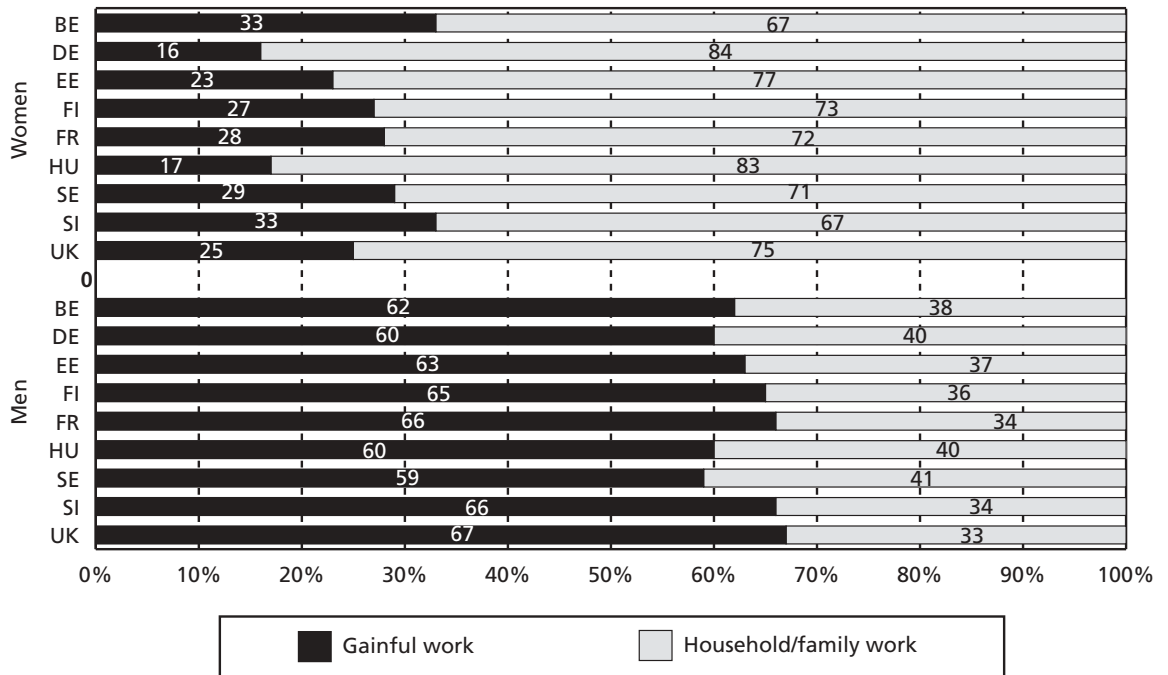
¹⁷⁰ <http://www.eurofound.eu.int/publications/EF04105.htm>

¹⁷¹ http://europa.eu.int/comm/employment_social/news/2004/sep/EB59_1_parental_leave_rev1_july_en.pdf (555Kb pdf)

¹⁷² http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31996L0034&model=guichett

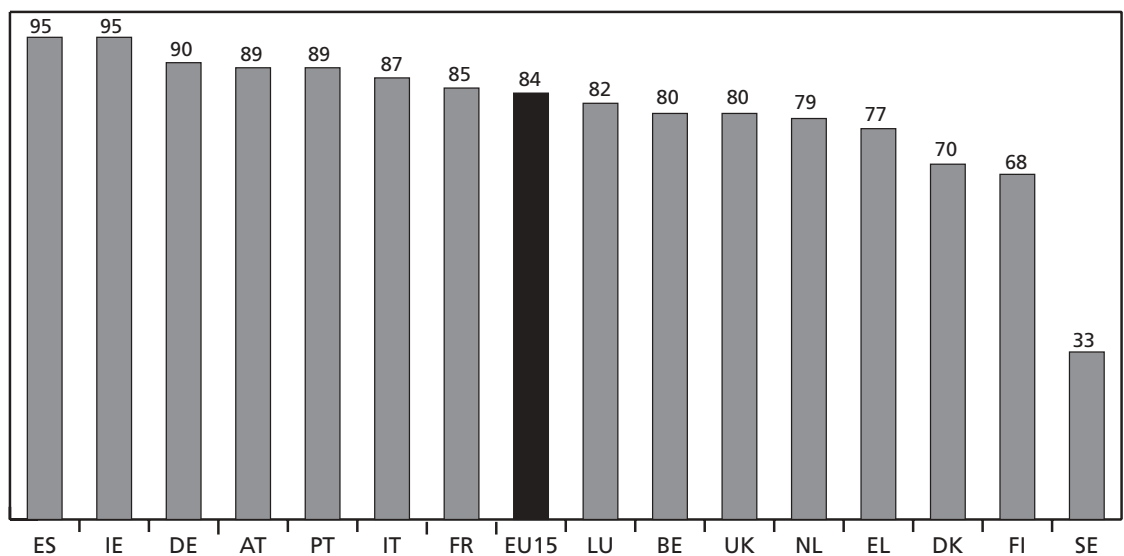
Although the majority of men in the sample were aware of their entitlement to take parental leave, 84% of current or prospective fathers said that they had not taken parental leave or did not intend to do so (Figure 24). The EU15 average was just 4% for those who had taken leave or were considering it.

Figure 23 Gainful and household/family work of parents living as couples with youngest child aged up to six years



Source: European Commission, How Europeans spend their time.

Figure 24 Men who have not taken or were not planning to take parental leave, 2003 (%)



Source: Eurobarometer 189/Wave 59.1 Europeans' attitude to parental leave.

Main reasons discouraging fathers from taking parental leave are:

- insufficient financial compensation (42%);
- insufficient information about parental leave (34%);
- fears that it would affect their career (31%);
- unwillingness to interrupt their career (22%).

Looking at factors that would encourage fathers to take up parental leave, 38% of the respondents viewed greater financial compensation during the period of leave as the most important factor. Other significant factors included better guarantees in respect of the job/career during/after the leave (30%), better information about taking parental leave (27%), a more open-minded attitude towards parental leave from superiors and colleagues at work (23%), and splitting leave into instalments or part-time work.

Health and safety and well-being

Occupational safety and health (OSH)

Serious and fatal accidents at work decreased during recent years. Table 6 gives index figures on serious accidents at work for the EU25. The decrease is greater for men than for women.

Table 6 Serious accidents at work, by sex (1998 = 100)

	1999	2000	2001	2002
Women	101	104	101	97
Men	100	98	94	89
Total	100	99	95	88

Source: Eurostat, Structural indicators. Note: 2002 – provisional value. Accidents at work resulting in more than three days' absence and occurring during the year are included. Per 100,000 persons in employment.

Although the majority of Member States demonstrate a decrease in serious accidents at work, some countries signal an increasing trend. The index figures are above the reference year 1998 in six countries; in Estonia, the index rose to 125 (Figure 25).

The data for fatal accidents at work show a strong decline in the index figures (Table 7).

Table 7 Fatal accidents at work (1998 = 100)

1999	2000	2001	2002
85	83	81	77

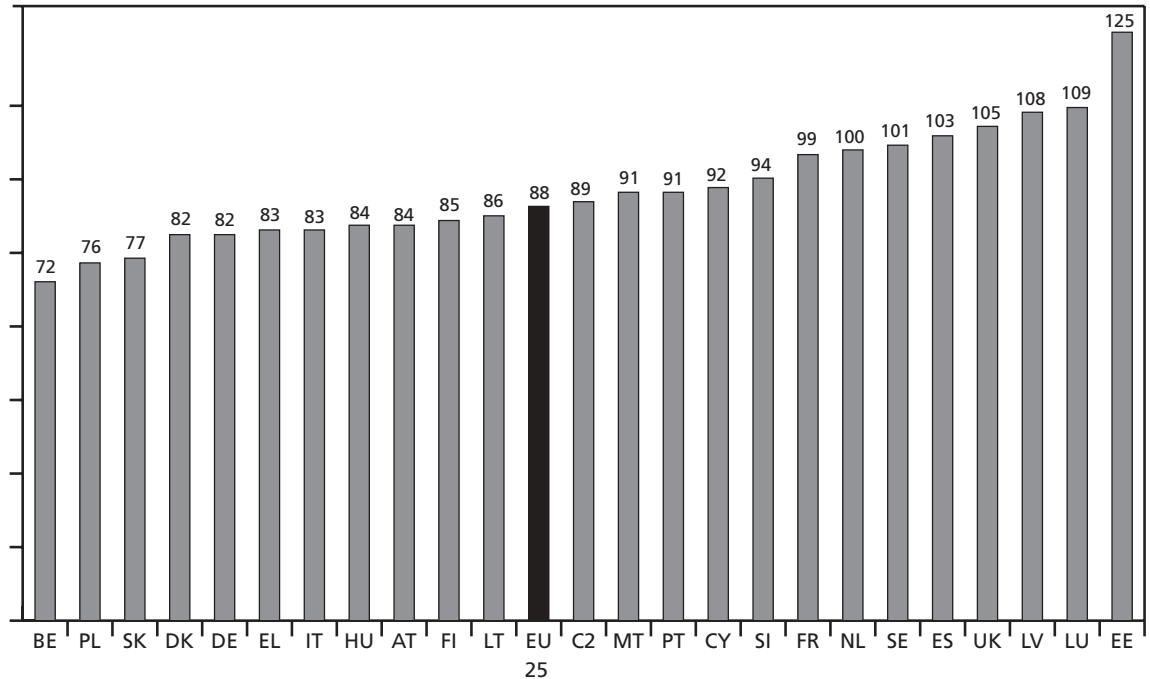
Source: Eurostat, Structural indicators; 2002 – provisional value. Per 100,000 persons in employment.

A study on the prevention of work-related health risks¹⁷³ is based on a 2000/2001 survey of 15 national OSH research institutes in 13 countries. Institutes from nine EU Member States were involved in the survey. The study analyses prevention at company level, and methods and

¹⁷³ http://research.prevention.issa.int/product/GTBoch_En.pdf (934Kb pdf)

approaches to solve health risk problems. Prevention in the workplace is understood as the aim of preventing occupational accidents and diseases, and of eliminating or reducing all risks to workers' lives and health at work.

Figure 25 Index of serious accidents at work, 2002 (1998 = 100)



Source: Eurostat, Structural indicators.

Notes: per 100,000; EU 25: provisional value; IE: no data available; PT: 2001 data.

The findings emphasise the importance of the economic and legislative situation in countries. In particular, the researchers identified a close correlation between the prevention deficits, observed in relation to the different types of risks, and countries' economic performance (expressed in terms of GDP).

Most of the survey respondents saw a reduction in major problems in the areas of risk identification and evaluation. However, they emphasised a number of deficits with regard to practical prevention, selection of appropriate measures, and evaluation of the effectiveness of prevention measures.

The study identified significant deficits regarding work organisation, communication, ergonomics and psychology at the workplace. Suitable standardised evaluation tools in these areas are still lacking.

The report, *Mental health promotion and prevention strategies for coping with anxiety, depression and stress-related disorders in Europe*¹⁷⁴, published by the Federal Institute for Occupational Safety and Health (FIOSH)¹⁷⁵, explores existing programmes concerning mental health promotion and prevention strategies in the workplace.

¹⁷⁴ <http://baua.de/fors/fb04/fb1011.pdf> (1.2Mb pdf)

¹⁷⁵ <http://baua.de/eindex.htm>

Quality of the working environment and productivity¹⁷⁶ is the topic of a report by the European Agency for Safety and Health¹⁷⁷. The study is based on a literature review and company case studies, and explores the interrelation between safety and health performance and company productivity. The research findings indicate a link between quality of work and productivity. However, it can be difficult to identify and quantify the positive impact of safety and health performance on productivity in a straightforward way and, in a number of cases, it is difficult to develop solid evidence.

A report by the European Agency for Safety and Health on corporate social responsibility and safety and health at work¹⁷⁸ is based on an analysis of company case studies, and looks at innovative OSH initiatives related to corporate social responsibility (CSR). Health and safety is seen as an essential component of CSR. At the same time, CSR can help to broaden the OSH perspective, resulting in a positive impact for OSH.

‘CSR seems to give an opportunity for an integrated approach in OSH. It brings a comprehensive point of view, and this wider perspective can lead to integration of OSH in other business activities. It is a way of giving OSH a higher profile and priority, and it presents an opportunity to take OSH beyond compliance with legislation.’

Work-related stress

Work-related stress was investigated in a EWCO report¹⁷⁹. The analysis draws on EU-level data, particularly the European working conditions surveys, and on national working conditions surveys. Stress is understood as a pattern of reactions that occurs when workers are presented with work demands that are not matched to their knowledge, skills or abilities, and which challenge their ability to cope.

Using as a basis the leading work-stress model – the job demands-control model – the report looks at causes and outcomes of work-related stress and prevention. The data from the national working conditions surveys, in terms of the development of demands or job autonomy and control, are too diverse to give a comparative overview of trends. In addition, there are certain shortcomings in most national working conditions surveys, for example, with regard to the non-consideration of cognitive or emotional demands. This limits the available results. Looking at stress-related outcomes, there seems to be an increase in health problems in this regard. Some sectors seem to be particularly vulnerable to work-related stress: health care, education, the public sector, hotels and restaurants, and banking.

Violence, bullying and harassment in the workplace

A report¹⁸⁰ on sexual harassment in the workplace in the EU Member States, based on a survey conducted under the Irish Presidency of the European Union¹⁸¹, provides a comprehensive

¹⁷⁶ http://agency.osha.eu.int/publications/reports/211/en/Quality_Productivity.PDF (876Kb pdf)

¹⁷⁷ http://agency.osha.eu.int/index_en.htm

¹⁷⁸ http://agency.osha.eu.int/news/press_releases/en/21_01_2005

¹⁷⁹ <http://www.eurofound.eu.int/ewco/reports/NL0502TR01/NL0502TR01.htm>

¹⁸⁰ [http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ63RJB-en/\\$File/SexualHrrsmtRpt.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/flJUSQ63RJB-en/$File/SexualHrrsmtRpt.pdf) (2.2Mb pdf)

¹⁸¹ <http://www.eu2004.ie/templates/subhome2.asp?sNavlocator=5>

overview of the legal situation, codes of practice, collective agreements, employer liability, complaints and grievance procedures, quantitative and qualitative research, and initiatives to reduce the incidence of sexual harassment. The report gives recommendations in relation to the development of indicators, and proposes:

- general benchmarking indicators to establish basic information relating to incidence/prevalence of sexual harassment, which could be used as benchmarking and monitoring tools;
- context indicators to enable a deeper understanding of the relationship between sexual harassment and a range of other variables, e.g. age, sex, sector, occupational type;
- policy/practice indicators to prompt and support discussion in relation to sexual harassment at European level.

Violence, bullying and harassment in the workplace was the subject of a EWCO study¹⁸², based on an analysis of national working conditions surveys. The European working conditions surveys and the national surveys indicate an increase in incidence rates of physical violence, bullying and sexual harassment in the workplace. The study finds that physical violence, bullying and sexual harassment are dissimilar and must be regarded in different ways. It highlights that measures to tackle these phenomena at the workplace must be tailored to fit each of the problems.

Migration

The Commission issued the first annual report on migration and integration¹⁸³, giving an overview of migration trends in Europe. In the EU15, the share of third country nationals (people from outside the EU) in total employment was 3.6% in 2002. Between 1997 and 2002, they contributed to 22% of employment growth. The strongest increases in employment rates are evident among medium- and high-skilled immigrants. However, third country nationals have much lower employment rates than EU nationals, and the gap is wider for women than for men. Data from the Community Labour Force Survey are not robust enough to provide a comprehensive picture of migrants' employment in the new Member States.

The European Commission presented a study on the links between legal and illegal migration¹⁸⁴. This Communication focuses on the management of existing channels for legal labour migration, including the use of bilateral agreements and the use of quotas or ceilings in this context. A further aspect is the relationship between legal and illegal migration flows, with a focus on cooperative agreements with third countries. Reliable statistical data on these issues are not available, either at EU or national level.

¹⁸² <http://www.eurofound.eu.int/ewco/reports/FI0406TR01/FI0406TR01.htm>

¹⁸³ http://europa.eu.int/comm/employment_social/employment_analysis/docs/com_508_en.pdf (226Kb pdf)

¹⁸⁴ http://europa.eu.int/eur-lex/en/com/cnc/2004/com2004_0412en01.pdf (220Kb pdf)

Quality of work and employment, and the social partners

European social dialogue

Framework agreement on work-related stress

In autumn 2003, the European Commission asked the European social partners to formulate a plan to combat stress at the workplace (Social partners to work out a European stress code¹⁸⁵). In its Communication on the Community strategy on health and safety at work 2002–2006¹⁸⁶, the Commission announced that it would open consultations with the social partners on the issue of stress and its effects on health and safety at work. In the EU social partner consultation on stress¹⁸⁷, the Commission states that Community action in this area is possible under Article 137 of the EC Treaty. At present, there are no legal provisions specifically aimed at work-related stress, and action at Community level is seen as necessary to ensure a minimum level of protection for workers. European directives specifically address work-related stress and its prevention. In a general sense, provisions of the Council Directive 89/391/EEC¹⁸⁸ are considered to include work-related stress and its causes.

Work-related stress is a topic within the joint multi-annual work programme¹⁸⁹ of the European level social partners. In October 2004, the European social partners signed a framework agreement on work-related stress¹⁹⁰. The objective of the agreement is to provide employers and workers with a framework to identify and prevent or manage problems of work-related stress. Stress is understood as:

‘a state, which is accompanied by physical, psychological or social complaints or dysfunctions, and which results from individuals feeling unable to bridge a gap with the requirements or expectations placed on them.... Stress is not a disease but prolonged exposure to it may reduce effectiveness at work and may cause ill health.’

Work-related stress can be caused by various factors, such as work content, work organisation, work environment or poor communication.

Due to the complex causes and outcomes of stress, the framework agreement does not provide potential stress indicators. The agreement lays down a number of factors that should be analysed in order to identify if there is a problem of work-related stress:

- work organisation and processes (e.g. working time arrangements, degree of autonomy, match between workers’ skills and job requirements, workload);
- working conditions and environment (e.g. exposure to abusive behaviour, noise, heat, dangerous substances);
- communication (e.g. uncertainty about what is expected at work, employment prospects or forthcoming change);

¹⁸⁵ <http://www.enwhp.org/news/news-show.php?news=109&q=stress>

¹⁸⁶ http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0118en01.pdf (210Kb pdf)

¹⁸⁷ <http://agency.osha.eu.int/misc/news030113.pdf> (156Kb pdf)

¹⁸⁸ http://europa.eu.int/servlet/portail/RenderServlet?search=DocNumber&lg=en&nb_docs=25&domain=Legislation&coll=&in_force=NO&an_doc=1989&nu_doc=391&type_doc=Directive

¹⁸⁹ http://europa.eu.int/comm/employment_social/news/2002/dec/prog_de_travail_comm_en.pdf (128Kb pdf)

¹⁹⁰ http://europa.eu.int/comm/employment_social/news/2004/oct/stress_agreement_en.pdf (80kb pdf)

- subjective factors (e.g. emotional and social pressures, feeling unable to cope, perceived lack of support).

Responsibility for determining the appropriate measures rests with the employer if a problem with work-related stress is identified, or if action is required to prevent, eliminate or reduce stress. Workers have a general duty to comply with measures determined by the employer.

The agreement gives some guidance regarding measures to prevent, eliminate or reduce problems of work-related stress. It includes a clause on monitoring the implementation of the agreement, and on providing annual interim reports in the first three years, in addition to a full report in the fourth year.

European social dialogue at sectoral level

Skills development and training

Training and skills development is an issue in social dialogue at sectoral level. In a number of sectors, joint initiatives have been implemented.

The social partners in the European hotel and restaurant sector, the European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT)¹⁹¹ and the Employers' Federation for Hotels, Restaurants and Cafés in Europe (HOTREC)¹⁹², agreed on guidelines for training and development¹⁹³, with specific consideration for SMEs.

The practical recommendations include: adapting continuing training measures to the real training needs of employees; involving management and employees in the planning, implementation and evaluation of training measures; and a recognition of acquired qualifications (see press release¹⁹⁴). The recommendations are based on a joint study¹⁹⁵ by the social partners.

Cooperation between the EU-level social partners in the chemical sector, the European Chemical Employers' Group (CEEG) and the European Mine, Chemical and Energy Workers' Federation (EMCEF)¹⁹⁶, resulted in a joint position paper on Education, vocational training and lifelong learning¹⁹⁷ in the European chemical industry. The aim is to improve company competitiveness and employability of the employees. A joint working group will carry out a more in-depth analysis of skills, qualifications, vocational further training and lifelong learning in the sector. A second pillar is the exchange of information and good practices.

In the European electricity sector, the EU-level social partners, the European Federation of Public Service Unions (EPSU)¹⁹⁸, the European Mine, Chemical and Energy Workers' Federation (EMCEF)¹⁹⁹ for the trade unions and EUROELECTRIC²⁰⁰ representing employers, agreed a joint

¹⁹¹ <http://www.effat.org/English/>

¹⁹² <http://www.hotrec.org/>

¹⁹³ http://www.effat.org/5/5_3/5_3_4/Files%20EN/HOTREC/Guidelines%20for%20training%20EN%20final.pdf (82Kb pdf)

¹⁹⁴ http://www.effat.org/2/2_1/Files%20EN/2004/EN%20-%20%20Express%2025-160604-final%203.pdf (84Kb pdf)

¹⁹⁵ <http://www.hotrec.org/areas/social/D-0104-006b-ED%20Training%20and%20development%20models%20final%20report.pdf> (522Kb pdf)

¹⁹⁶ <http://www.emcef.org/news.asp>

¹⁹⁷ <http://www.emcef.org/Committees/SD/Che/2004/ECEG-EMCEF-Decl-EN.pdf> (102 Kb pdf)

¹⁹⁸ <http://www.epsu.org/>

¹⁹⁹ <http://www.emcef.org/news.asp>

²⁰⁰ <http://public.eurelectric.org/Content/Default.asp>

statement²⁰¹ on future skills needs in the sector. This joint statement and the study build on a previous study on lifelong learning and joint statement on this topic adopted in 2003.

The framework of actions on future skills needs in the sector addresses policymakers in all areas. Actors at company level should be encouraged to develop models on competence management that consider both the needs of the business and the development of workforce skills. In the context of corporate restructuring, the implications for new jobs and skills requirements should be monitored. Steps to develop mainstreaming action plans for equality and diversity in recruitment, complemented by appropriate training, should be particularly encouraged. The electricity sector social partners agreed to evaluate the outcome of the framework of actions in 2007.

In the insurance sector, talks about lifelong learning broke down in May 2004²⁰².

In the motor trades and car repair sector, the European Metalworkers' Federation (EMF)²⁰³ and the European motor trades and car repair association (CECRA), cooperated on a special European research project comparing skills and qualifications.

Working and employment conditions

In the call centre sector, the European Telecommunications Network Operators' Association (ETNO)²⁰⁴ and the pan-European trade union organisation, Union Network International (UNI-Europa)²⁰⁵, agreed on guidelines for customer contact centres²⁰⁶. A charter²⁰⁷ was drawn up, setting out broad principles covering minimum work and employment standards²⁰⁸, and calling for: increased training and development; a work organisation that enables communication of changes in company policy and product development prior to implementation, to ensure employee participation in decision-making; and the provision of sufficient staffing.

The minimum standards cover principles on:

- working time and workload;
- pay and benefits;
- surveillance, electronic monitoring and privacy.

Occupational health and safety

As noted above, ETNO and UNI-Europa Telecom agreed on call centre minimum standards. These include detailed guidelines with regard to OHS covering:

- ventilation, lighting and heating;
- ergonomic design of telephone and computer equipment, chairs and desks, to avoid back strain and repetitive strain injury;

²⁰¹ http://www.epsu.org/spip/IMG/pdf/Joint_Statement_Skill__v8.pdf (20Kb pdf)

²⁰² <http://www.eiro.eurofound.eu.int/2004/09/inbrief/EU0409202N.html>

²⁰³ <http://www.emf-fem.org/index.cfm?target=/default.cfm>

²⁰⁴ <http://www.etno.be/>

²⁰⁵ <http://www.union-network.org/Unisite/Regions/Europa/Europa.html>

²⁰⁶ http://europa.eu.int/comm/employment_social/soc-dial/pdf/telework_guide_en.pdf (91Kb pdf)

²⁰⁷ <http://www.union-network.org/UNISite/Events/Campaigns/CallCenter/UNICallCentreCharterEn.pdf> (14Kb pdf)

²⁰⁸ <http://www.union-network.org/UNISite/Events/Campaigns/CallCenter/UNICallCentreMinimumStandardsEn.pdf> (19Kb pdf)

- protection for workers using visual display units, in order to avoid eyestrain and voice and hearing loss, including 10-minute screen breaks at least every two hours;
- protection against stress and bullying, recommendations that staff should not spend more than 60%-70% actually taking calls, performance targets based on providing high quality customer service, and protection from violence at work (abusive callers);
- general provisions relating to facilities and work environment.

Equal opportunities and diversity

EPSU/EMCEF and EUROELECTRIC, the EU-level social partners in the electricity sector, commissioned a report on equal opportunities and diversity²⁰⁹ in the context of changing employment patterns in the sector, and considered the results in a joint seminar in December 2004. One of the principal findings is that, in the vast majority of companies, there was almost no evidence of mainstreaming. The prevailing approach is to introduce measures and practices relating to equal treatment.

Promoting employment

The European Construction Industry Federation (FIEC)²¹⁰ and the European Federation of Building and Woodworkers (EFBWW) published a brochure²¹¹, aimed at encouraging the employment of young people and older workers (see press release²¹² for further information).

UNI-Europa Commerce²¹³ and EuroCommerce²¹⁴ issued a joint statement on promoting employment and integration of disabled people²¹⁵, in the European commerce and distribution sector.

Corporate social responsibility

EFFAT and HORTREC, the social partners in the European hospitality sector, have decided²¹⁶ to work together on CSR, and have signed²¹⁷ a joint initiative²¹⁸. The initiative explicitly includes SMEs²¹⁹. The CSR initiative covers the following key issues:

- equal opportunities and non-discrimination;
- working conditions and work organisation;
- fair pay;
- vocational and continuous training, and lifelong learning;

²⁰⁹ <http://www.epsu.org/spip/IMG/pdf/ExecutiveSummary081204.pdf> (73Kb pdf)

²¹⁰ <http://www.fiec.org/>

²¹¹ <http://www.fiec.org/upload/5/12937967192861626818291627562977420150714096f3087v1.pdf> (700Kb pdf)

²¹² <http://www.fiec.org/upload/5/72552466907737920206062491014949182501119857926f3280v1.pdf> (53Kb pdf)

²¹³ <http://www.union-network.org/UNISite/Sectors/Commerce/>

²¹⁴ <http://www.eurocommerce.be/index.jsp?ptp=tDetail.jsp&MenuID=null&pci=2&pti=2&psk=02&ppw=OK>

²¹⁵ <http://www.eurocommerce.be/upload/5/76248902715840506931248710059204647091699425619f2649v1.doc> (202Kb MS Word doc)

²¹⁶ http://www.effat.org/5/5_3/5_3_4/Files%20EN/HOTREC/Statement%20on%20CSR%20EN%20final.pdf (97Kb pdf)

²¹⁷ http://www.effat.org/2/2_3/Files%20EN/Tourism%202004%2012%20CSR%20EN.pdf (94Kb pdf)

²¹⁸ http://www.effat.org/5/5_3/5_3_4/Files%20EN/HOTREC/CSR%20Initiative%202004%20final%20EN.pdf (335Kb pdf)

²¹⁹ http://www.effat.org/2/2_1/Files%20EN/2004/EN-%20Express%2047%20-%20131204.pdf (27Kb pdf)

- health and safety;
- restructuring.

In relation to working conditions and work organisation in particular, work–life balance and family-friendly working time arrangements are emphasised. The social partners condemn any form of illegal or undeclared work. Training should enhance the employability and professional experience of employees, and the acquisition of skills and competencies should be supported by comprehensive recognition schemes.

Employee involvement

A number of the joint declarations, agreements and charters outlined above emphasise principles of employee involvement. Examples include:

- the call centre charter²²⁰: employees should be involved prior to implementation of changes in company policies and product development;
- the EFFAT/HORTREC guidelines for continuing training²²¹: employees should be involved in the development, planning, implementation and evaluation of training measures;
- the joint statement on future skills needs in the electricity sector²²²: employees should be involved in the cooperative competence management, considering the business needs and development of workforce skills;
- the EFFAT/HORTREC CSR initiative²²³: employees should be involved in the discussion of education and training and consideration of the resulting proposals, as well as in discussions affecting OSH and the work environment.

²²⁰ <http://www.union-network.org/UNISite/Events/Campaigns/CallCenter/UNICallCentreCharterEn.pdf> (14Kb pdf)

²²¹ http://www.effat.org/5/5_3/5_3_4/Files%20EN/HOTREC/Guidelines%20for%20training%20EN%20final.pdf (82Kb pdf)

²²² http://www.epsu.org/spip/IMG/pdf/Joint_Statement_Skill__v8.pdf (20Kb pdf)

²²³ http://www.effat.org/5/5_3/5_3_4/Files%20EN/HOTREC/CSR%20Initiative%202004%20final%20EN.pdf (335Kb pdf)

The revision of the working time directive will remain a key topic on the agenda for 2005. In particular, more EU-wide comparative, in-depth research could create a basis for political decisions on the important issue of quality of work and employment. Such research could examine the impact of long working hours on health and safety, on work–life balance and on gender equality, as well as evaluating the long-term societal and economic effects.

Concrete measures to promote work–life balance are not envisaged in the proposal for the revision of the directive, despite previous announcements of the need for such approaches. The use of predominantly male terminology in the Commission’s proposal on definitions of on-call time is questionable. It may be symptomatic of a general neglect of active measures for promoting gender equality in the revision of the directive.

Another key issue is the European social partners’ framework agreement on work-related stress. This agreement recognises work-related stress as a joint concern and the urgent need to tackle the risks for workers. With regard to the increase of work-related stress factors causing long-term absenteeism or disability, this agreement can be an instrument to improve quality of work and keep workers in employment.

The agreement provides a general framework for analysing and dealing with work-related stress. It covers a broad range of causal factors, such as work organisation, working conditions and environment, and poor communication. Its implementation and the monitoring of progress require the engagement of the social partners at European and national level and, especially, the actors at company level.

Work organisation, with respect to improving adaptability, is one of the four main areas identified in the Commission’s Communication, as a background to the 2004 employment package, and as one of the key priority actions in the proposal for the A-C-T-I-O-N approach of the new social policy agenda. However, analysis of EU policy documents for the period under review does not identify a single text that deals specifically with a policy framework, or with concrete aspects of this important issue.

Extending the focus of research and policy action into areas, such as achieving work–life balance, disability management, anti-discrimination measures, or tackling the issue of the working poor can foster proactive concepts and prevention policies. The fact that such issues are receiving more attention seems to indicate a shift in perspective, away from a standard linear employment relationship, to include a wider interface between work and non-working life, and between activity and non-activity in the labour market.

Quality of work and employment is at the core of the European social model. The upcoming mid-term review of the Lisbon strategy and the review of the social policy agenda are a challenge for intensifying efforts to achieve more and better jobs, and for a more socially inclusive European Union.

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This second annual review examines four key dimensions in working conditions and quality of work and employment: career and employment, health and well-being, skills development, and work-life balance. The report outlines relevant legislative and policy developments, and examines trends in the workplace. In terms of career and employment, employment rates are consistently rising for women and older workers, at least in the EU15, but progress is currently too slow to achieve the Lisbon targets. In the area of health and well-being, improvements regarding safety at work are reflected in the significant decline of serious and fatal accidents at work. The European social partner agreement on work-related stress is a further step towards achieving quality of work and employment. Looking at skills development, participation rates in lifelong learning have increased, particularly for women, although there was a drop in IT-related training. Under work-life balance, progress has been slow, due to a complexity of factors involved in improving reconciliation of working and non-working life, such as work organisation, working time arrangements, or provision of care facilities.

The European Foundation for the Improvement of Living and Working Conditions is a tripartite EU body, whose role is to provide key actors in social policymaking with findings, knowledge and advice drawn from comparative research. The Foundation was established in 1975 by Council Regulation EEC No. 1365/75 of 26 May 1975.



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