

Temporary agency work

2002/0072(COD) - 21/10/2002

The committee adopted the report by Ieke van den BURG (PES, NL) amending the proposal under the 1st reading of the codecision procedure. The main amendments were as follows: - the need for better basic protection of temporary agency workers from the first day of their assignment and changes to the rules against discrimination between temporaries and in-house staff; - as regards the directive's objectives, the committee stressed the need to improve agency workers' basic statutory employment rights and social protection, which would help inter alia to improve the appeal of temporary agency work; moreover, it stated that the temporary agency work sector should contribute to job creation by providing undertakings with temporary human resources without detrimental effects on existing permanent workforces; it also inserted a third objective, namely, to recognise temporary work agencies as employers, whilst ensuring that their activities do not compromise existing standards in user companies and sectors; - as regards the proposed "non-discrimination" principle, the committee said that instead of having to identify a "comparable worker", the focus should be on ensuring that agency employees' working conditions while on assignment are at least as good as those they would have if hired directly by the user firm; - as regards derogations from the equal treatment principle, the committee deleted the possibility of a general derogation for assignments of less than six weeks and limited the proposed exemption for permanent contracts to pay. This exemption was also extended to other contracts lasting at least 18 months but the committee insisted on greater protection regarding the payment of workers between assignments; - on the question of restrictions on temporary work, the committee broadened the scope of the proposed reviews by Member States of any limitations or bans on such work while at the same time extending the grounds on which restrictions can be justified (e.g. protection of "temps", health and safety and other risks to certain groups of workers or sectors); - the committee inserted a new provision requiring Member States to prevent the use of temporary agency workers for strike-breaking.