Organisation of working time to cover sectors and activities excluded from Directive 93/104/EC

1998/0318(COD) - 20/01/2000 - Commission opinion on Parliament's position at 2nd reading

The Commission accepts four of Parliament's amendments in full, and a further three in principle. It rejects three amendments. Amendments accepted in full: - 'Own account' drivers are not defined as mobile workers and will receive the full protection of the Directive. - The possibility of derogation for offshore workers is not restricted to off-shore work. - Derogation in respect of urban transport workers - this amendment removes words considered to be superfluous. Amendments accepted in principle: - Limits on working time of mobile and offshore workers. - Limits on working time of workers on board sea-going fishing vessels · a maximum of 48 hours a week on average calculated over a reference period of 12 months is accepted. - Workers in urban passenger transport · a review within 5 years is accepted. Amendments not accepted : The Commission rejected the amendments on Sunday rest and on adequate rest. It also rejected the amendment on doctors in training. On the latter it does, however, propose to allow a transitional period of seven years from the date of adoption for implementation of the 48-hour maximum weekly working time on average, where there is an agreement between the employer and the workers' representative. This would be subject to a maximum of 54 hours a week on average over a reference period of 4 months for calculation of the average. The Commission considers this a more realistic proposal than the Parliament's amendment in favour of a transitional period of 4 years and the Council's common position, which provides for a total transitional period of 13 years.