Basic information

1997/0221(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Part-time work: framework agreement concluded by UNICE, CEEP and the ETUC **Subject** 4.15.03 Arrangement of working time, work schedules	

Key players

European Parliament

Committee for opinion	Rapporteur for opinion	Appointed
FEMM Women's Rights	VAN DIJK Nel B.M. (V)	24/07/1997

Council of the European Union

Council configuration	Meetings	Date
Social Affairs	1930	1996-06-03
Social Affairs	1892	1995-12-05
Social Affairs	2060	1997-12-15
Social Affairs	2030	1997-10-07

Key events

Date	Event	Reference	Summary
05/12/1995	Debate in Council		
03/06/1996	Debate in Council		
23/07/1997	Non-legislative basic document published	COM(1997)0392	Summary
07/10/1997	Debate in Council		
24/10/1997	Committee referral announced in Parliament		
04/11/1997	Vote in committee		Summary
04/11/1997	Committee report tabled for plenary	A4-0352/1997	
18/11/1997	Debate in Parliament		
19/11/1997	End of procedure in Parliament		
08/12/1997	Final act published in Official Journal		

Technical information

Procedure reference	1997/0221(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/4/09223

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0352/1997 OJ C 371 08.12.1997, p. 0004	04/11/1997	
Text adopted by Parliament, single reading		T4-0550/1997 OJ C 371 08.12.1997, p. 0045-0060	19/11/1997	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1997)0392	23/07/1997	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EU	Implementing legislative act	31997L0081 OJ L 014 20.01.1998, p. 0009	15/12/1997	Summary
CofR	Committee of the Regions: opinion	CDR0389/1997 OJ C 180 11.06.1998, p. 0072	12/03/1998	

Part-time work: framework agreement concluded by UNICE, CEEP and the ETUC

1997/0221(COS) - 19/11/1997 - Text adopted by Parliament, single reading

In adopting the report by Mrs Karin JÖNS (PSE, D), the European Parliament welcomes the fact that the framework agreement on part-time work advocates the principle of non-discrimination against part-time workers. However, it criticizes the limitation to part-time work and the failure to cover every form of atypical employment. It also notes that the agreement does not address social security questions, which urgently necessitate the adoption of appropriate legislation. In particular, it criticizes the fact that the agreement in several respects falls short of the 1994 ILO Convention on part-time work. It especially regrets the fact that the Member States and/or social partners may make exceptions to the principle of non-discrimination, in the case of part-time workers who work only on a casual basis, or may make certain terms of employment subject to a minimum length of service or working time or wage/salary conditions. Parliament considers it necessary to stipulate that part-time workers who work on a casual basis within the meaning of the framework agreement are those with short, temporary and non-renewable contracts. It calls on the Commission to submit a directive covering all forms of atypical employment relationships and to provide fair social protection for everyone engaged in an occupational activity. Parliament also feels that the agreement is not completely in line with the objective pursued, in that it does not eliminate all types of discrimination against part-time workers and does not contribute to making part-time work more attractive. It calls for the social partners' delegations involved in future social dialogue negotiations to include a significant representation of women. It requests an annual report listing the groups of employees who continue

to be discriminated against and explaining why an exemption from the principle of non-discrimination is considered necessary in their case. The report should also indicate where progress has been made in removing discrimination Finally, with regard to the procedure pursuant to Articles 3 and 4 of the Agreement on social policy, Parliament calls for the right of codecision to be established, as in other areas, and repeats its call for an interinstitutional agreement on the implementation of social policy at Community level.

Part-time work: framework agreement concluded by UNICE, CEEP and the ETUC

1997/0221(COS) - 23/07/1997 - Non-legislative basic document

OBJECTIVE: the implementation, through a Community directive, of the framework Agreement on part-time work concluded by the social partners (UNICE, CEEP and the ETUC), in accordance with paragraph 2 of Article 4 of the Agreement on Social Policy. SUBSTANCE: the framework Agreement has two main objectives: - to provide for the removal of discrimination against part-time workers and to improve the quality of part-time work; - to facilitate the development of part-time work on a voluntary basis and to contribute to the flexible organization of working time in a manner which takes into account the needs of employers and workers. The framework Agreement lays down the principle that, in terms of working conditions, part-time workers should not be treated any less favourably than full-time workers, unless different treatment was justified on objective grounds (principle of non-discrimination). The implementing procedure for this principle will be defined by the Member States and/or social partners, having regard to Community legislation, national law, collective agreements and national practices. The Agreement applies to part-time workers who have a defined working relationship in the Member States. When justified on objective grounds, Member States and/or social partners may make access to particular conditions of employment subject to a period of service, time worked or an earnings qualification. In addition, it would also be possible to limit or totally eliminate provisions in the Agreement affecting part-time workers who worked only occasionally. These access and exclusion criteria involving part-time work should be reviewed periodically, having regard to the principle of non-discrimination. Under the terms of the framework Agreement, a worker's refusal to transfer from full-time to part-time work or vice-versa should not in itself constitute a valid reason for termination of employment (without prejudice to the possibility of termination on other grounds such as might arise from the operational requirements of the establishment concerned). As far as possible, employers should give consideration to requests from workers to transfer from full-time to part-time work (and vice versa), including skilled and managerial positions. Measures should also be taken with a view to facilitating access by part-time workers to vocational training. The Directive included a 'non-regression' standard clause that affected the Member States which had, at the time of adoption of the Directive, a higher level of protection than that guaranteed by the framework Agreement. It also included a non-discrimination clause on sex, race, ethnic origin, religion or sexual orientation, as well as a clause obliging Member States to provide for penalties if the Directive was not applied.

Part-time work: framework agreement concluded by UNICE, CEEP and the ETUC

1997/0221(COS) - 15/12/1997 - Implementing legislative act

OBJECTIVE: to implement, through a Community directive, the framework agreement on part-time work concluded on 6 June 1997 by the social partners (UNICE, CEEP and the ETUC), in accordance with paragraph 2 of Article 4 of the Agreement on Social Policy. COMMUNITY MEASURE: Council directive 97/81/EC concerning the framework agreement on part-time work concluded by UNICE, CEEP and the ETUC. CONTENT: the framework agreement has two main objectives: 1) to provide for the removal of discrimination against part-time workers and to improve the quality of part-time work; 2) to facilitate the development of part-time work on a voluntary basis and to contribute to the flexible organization of working time in a manner which takes into account the needs of employers and workers. The framework agreement lays down the principle that, in terms of working conditions, part-time workers should not be treated any less favourably than full-time workers, unless different treatment is justified on objective grounds (principle of non-discrimination). The implementing procedure for this principle will be defined by the Member States and/or social partners, having regard to Community legislation, national law, collective agreements and national practices. The agreement applies to part-time workers who have a defined working relationship in the Member States. When justified on objective grounds, Member States and/or social partners may make access to particular conditions of employment subject to a period of service, time worked or an earnings qualification. In addition, it would also be possible to limit or totally eliminate provisions in the agreement affecting part-time workers who worked only occasionally. These access and exclusion criteria involving part-time work should be reviewed periodically, having regard to the principle of non-discrimination. Under the terms of the framework agreement, a worker's refusal to transfer from full-time to part-time work or vice-versa should not in itself constitute a valid reason for termination of employment (without prejudice to the possibility of termination on other grounds such as might arise from the operational requirements of the establishment concerned). As far as possible, employers should give consideration to requests from workers to transfer from full-time to part-time work (and vice versa), including skilled and managerial positions. Measures should also be taken with a view to facilitating access by part-time workers to vocational training. ENTRY INTO FORCE: the directive will enter into force on 20 January 1998. DEADLINE FOR TRANSPOSITION: 20 January 2000. Member States with specific difficulties in applying the directive or which comply under the terms of a collective agreement will have an additional year in which to comply with the directive.