

Much of the protection you benefit from at work comes from European legislation.

EU social measures have created new safeguards for employment contracts and set Europe-wide standards for safe and healthy workplaces.

Europe has advanced women's rights at work and brought in new and stronger laws against racial and age discrimination.

The following are just a few of the important achievements of the EU over the years:

Equal pay for men and women

European law guarantees equal pay and benefits for men and women, if they do work of the same or a broadly similar nature, or equal value. Disparities must be objectively justified as caused by a significant and relevant factor other than gender.

Protection against discrimination

European law outlaws direct and indirect sex discrimination in access to employment, promotion, transfer, training or non-contractual benefits, facilities or services, or through dismissing or harassing a woman worker (including during pregnancy).

Protection of employment and acquired rights

European law protects workers' rights when a business changes hands (including contracting out or in and re-contracting). Employees are automatically employed by the new owner on their existing terms and conditions (except pensions). Union recognition and collective agreements also transfer; and key information must be given to the workforce in advance.

Maternity and Paternity rights

In the 1990s, the European Court of Justice ruled that discrimination on grounds of pregnancy/maternity breached the Equal Treatment Directive, while loss of benefits breached the Equal Pay Directive.



On top of that, the Pregnant Workers Directive requires member states to protect the health of pregnant workers and mothers and to provide at least 14 weeks maternity leave with pay for employees with a service of 12 months.

And the 1996 Parental Leave Directive – based on a framework agreement between the social partners – created a new European legal right to parental leave.

Protection of fixed-term, part-time workers and temporary agency workers

Social Europe has created new rights for all types of employment: permanent, fixed-term, full-time, part-time and temporary.

In 1997 a European “Framework Agreement” negotiated by the social partners – under powers created by the EU Treaty – established rights for part-time workers to equal treatment with comparable full-time workers.

In 1999 another Framework Agreement was reached on fixed-term work. The law now requires employers to treat workers on fixed-term contracts no less favourably than “permanent” counterparts doing broadly similar work in the same establishment – no discrimination is permitted in contract terms, training opportunities, or access to a permanent post. Service on a fixed-term contract now counts for conditions of employment requiring a service qualification. After four years, if a fixed-term worker is re-employed under another fixed-term contract, the law creates a presumption of permanent status.

In 2008, the European Parliament adopted a law extending equal treatment to temporary agency workers. By January 2011 – and sooner in some member states – agency workers will be entitled to equal treatment with their full-time counterparts including pay, access to training and trade union rights.

Working time

European law guarantees workers:

- at least four weeks annual paid leave;
- an average working week of not more than 48 hours;
- minimum rest breaks where the working day exceeds six hours;
- 11 consecutive hours rest in each 24 hours;
- at least 24 uninterrupted hours rest each week, in addition to the 11 hour break.

Consultation of workers

European law gives workers a voice.

The **Collective Redundancies Directive** requires employers to inform and consult workforce representatives before triggering collective redundancies.

The **Acquired Rights Directive** requires employers to give key information to representatives before they transfer ownership of the business.

The **Framework Directive on Information and Consultation** requires bigger employers to inform and consult workforce representatives on the organisation's development, employment prospects and changes in work organisation or contractual relations.

Social Europe has created European works councils in undertakings with at least 1000 employees – or at least 150 employees in two or more member states. It provides for regular dialogue and consultation between management and workforce representatives – e.g. on the structure and prospects of the business, the economic and financial situation, changes in organisation or working conditions.

Protection of workers posted in another member state

European law has required member states to remove legal barriers to workers being posted temporarily to work in other member states. Employers have to guarantee posted workers equality in the main terms and conditions of workers in the member state to which they are posted.

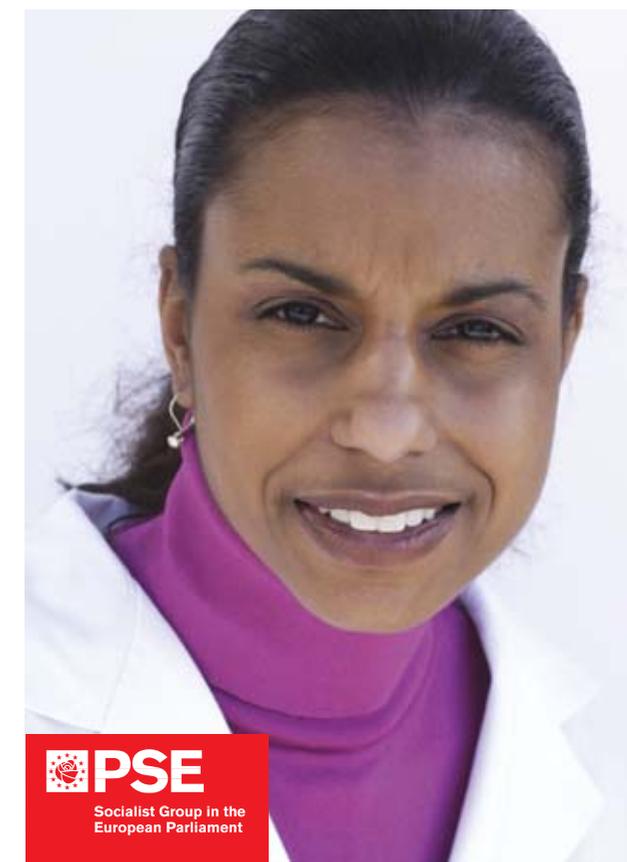
In 2007 and 2008, judgements by the European Court of Justice exposed serious loopholes in this legislation. The Socialist Group in the European Parliament, together with the European trade union movement, has launched a major campaign to put this right and to ensure that posted workers are guaranteed equal pay for equal work.

Protection of workers' health and safety at the workplace

European law provides comprehensive protection for workers' health and safety, through six health and safety directives adopted in 1989 and 1990. Further European Directives govern the control of asbestos at work, to reduce the exposure to asbestos and lessen the risk of asbestos-related illness.

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