



"The voice of crafts and SMEs in Europe"

SMEs satisfied with Council agreement on working time and temporary work

Brussels, 10 June 2008 – UEAPME, the European craft and SME employers' organisation, welcomed the political agreement reached by the Employment Council yesterday (Monday) on working time and temporary work. The organisation congratulated the Slovenian Presidency of the EU for managing to unlock the long-lasting stalemate on working time. It was also pleased by the terms of the agreement, which foresees a 12-month reference period to calculate the average 48-hour working week and stipulates that the "inactive" part of on-call time is not working time. UEAPME also reacted positively to the deal struck on temporary agency workers, which provides a reasonable balance between flexibility and security through equal treatment after a set "qualifying period".

"The Council's success in finding political agreement on these sensitive topics is a positive signal for European crafts and SMEs", said Secretary General **Andrea Benassi**. *"With 23 out of 27 Member States in breach of the current law, Europe obviously needed a set of clear rules on working time, which will benefit both workers and employers and provide legal certainty on such a sensitive issue. The same goes for the deal on agency work, which is perhaps the first real application of the 'flexicurity' concept to EU legislation",* he continued, before elaborating on the main SME points.

On working time, said Mr Benassi, UEAPME is particularly pleased by the introduction of the possibility for Member States, by legislation or regulation, to calculate the average weekly working time over a 12-month "reference period". Such a solution responds to the flexibility needs of crafts and SMEs, which increasingly tend to operate on the basis of an annual working plan. It will also accommodate seasonal productivity fluctuations that are typically associated with several important economic sectors. As far as the issue of "on-call" time is concerned, the political agreement confirms the introduction of the concept of an "inactive" part of on-call time, which is not deemed to be working time. UEAPME supported this decision, which is far more in line with Europe's economic reality. The compromise was made possible by a sensible solution to the delicate issue of the "opt-out clause", which will be kept but reasonably regulated.

Ministers also finally agreed on the option of a "qualifying period" before giving temporary workers the same basic working and employment conditions enjoyed by the staff recruited directly by the same company. The deal was made easier by a similar agreement on the topic reached in the UK some weeks ago, commented Mr Benassi, who stressed that the Employment Council proposal is balanced, reasonable and in line with the flexicurity discussions at EU level.

Both dossiers will now go to the European Parliament for a second reading. *"The ball is now back in the Parliament's court. We trust that MEPs will back these delicate compromise proposals, for the sake of closing this long-lasting impasse and providing both workers and employers with a stable and predictable legal framework",* concluded Mr Benassi.

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EDITORS' NOTES: UEAPME is the employers' organisation representing exclusively crafts, trades and SMEs from the EU and accession countries at European level. UEAPME has 86 member organisations covering over 12 million enterprises with 55 million employees. UEAPME is a European Social Partner. For further information: <http://www.ueapme.com/>

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