



FÉDÉRATION EUROPÉENNE DES MÉDECINS SALARIÉS  
EUROPEAN FEDERATION OF SALARIED DOCTORS

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### **EWTD Negotiations**

In the site of EPSU (European Public Services Union), Mrs Jencik and I, met the General Secretary, Carola Fishbach, and Mathias Maucher, who is the Policy staff officer for Health and Social Services.

The project of reviewing the European Working Time Directive comes from far away.

The European Parliament resisted up to now to the pressure of some Member States and, mostly, the representatives of employers, anyway several tentatives have been done to bring changes.

The topics are known: opt-out, and inactive periods of work are the most considered.

There has been a long series of meetings and the Employers representatives regretted that ETUC (European Trade Union Confederation) didn't want to continue with the negotiations, because, still according to employers, the derogations to the 48 hours/week and the on call time would be of benefit for employees, as well as for the employers.

Under a certain point of view, the fact that negotiations failed is a positive fact: we sustained the actual version of EWTD, but EPSU expects that the employer associations will start again within a few months. Therefore we must be alert and ready as the problems of opt-out and on-call work are also crucial for hospital doctors.

We'll keep in touch with EPSU and this is the occasion to discuss what decision to take before the employers start again with their assaults.

The Employers' document sustains that in the matter of a revision of the EWTD by the EU Commission *"the credibility Of European Law needs to be restored"*.

I sustain that the credibility of European Employers needs to be restored.

Two short documents concerning the failure of the negotiations have been sent out by employers' associations and ETUC:



14 December 2012

BUSINESSEUROPE, CEEP and UEAPME regret that the ETUC is not able to continue negotiations on the revision of the working time directive, which is essential to re-establish the conditions for its application in practice.

Employers have made substantial and concrete proposals to solve the crucial issue of on-call time and its link in some countries with the use of the opt out, which allows Member States to derogate from the 48h weekly working time limit. These proposals are to the benefit of both employers and employees.

The distinctive nature of on-call time needs to be defined in the directive to allow legal certainty for a different treatment than working time.

Considering the limited time that remains until the extended deadline set by the European Commission at the end of 2012, we are now at the end of the negotiations.

BUSINESSEUROPE, CEEP and UEAPME remain ready to examine proposals from ETUC, in particular with regard to the latest employers' proposal to which no counterproposal has been tabled.

In case of failure, it would be up to the European Commission to propose a solution to address the problems linked to the current unsatisfactory situation. The credibility of European law needs to be restored.



European Trade Union Confederation (ETUC)  
Confédération européenne des syndicats (CES)

14/12/2012

**Working Time negotiations: we note with regret that the employers proposals are very unbalanced**

Convened on 5 and 6 December, the Executive Committee of the European Trade Union Confederation (ETUC) discussed extensively the submitted interim report on the progress of negotiations to revise the European directive on working time. The Committee regretted to note that the "final offer" from the employers was not sufficiently balanced, and consequently did not make it possible to continue the negotiations as such.

There is an obvious link between long and irregular working hours and health problems related to work. The protection of the health and safety of workers must therefore remain the prime objective of any revision of the directive.