

[ETUC newsletter]



Dear readers,



We were 35,000 strong on the streets of Ljubljana on Saturday 5 April 2008, from more than 30 European countries, demonstrating for higher pay and greater purchasing power. The 50 or so trade union organisations taking part that day were united around the same demands, and that had a very strong impact on the demonstrators.

The Euro-demonstration in Ljubljana was a high point in our campaign: 'On the offensive for fair pay' – and a springboard for future action on this issue.

Also during the month of April the European Court of Justice (ECJ) issued its ruling in the Rüffert case. Once again, following the Laval and Viking judgements, the ECJ found against the rights of workers. The ruling can indeed be interpreted as a victory for the market over fundamental rights and equal treatment. Furthermore, this judgement is a clear invitation to social dumping and a downwards spiral in social conditions. Worse still, it risks reinforcing hostility towards open borders in Europe. European decision-makers must now take action to correct the impact of these rulings and restore the support of citizens and workers for the European project. To avoid future judgements like the Rüffert one, we are calling for a Social Progress Clause to be added to the Lisbon Treaty. A further ruling is due to emerge soon, on the Luxembourg case.

Another topic of great concern at present is the revision of the European Works Council Directive. From our intensive contacts with BusinessEurope and the European Commission, it seems extremely unlikely that an agreement beneficial to workers could be concluded within the lifetime of this European Commission and Parliament. Therefore we have announced that we are not prepared to start negotiations with the employers, and are asking the Commission to take up its obligations as legislator in order to strengthen European Works Councils. We also believe the time has come to launch a European campaign for revision of the directive. In the coming weeks you will find more information about this on our website homepage.

Mayday wishes to you all,

John Monks
General Secretary



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Figure of the month

38%

In 2007 in the EU, **38% of young people** (15–24 years) in employment were on temporary contracts, compared with 32.5% in 2001.
(Source: Eurostat)

Make a note



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[ETUC in action]

35,000 demonstrators in Ljubljana



05/04/2008 – For the first time in its history, the ETUC organised a Euro-demonstration in a new EU Member State.

In response to the ETUC's call, 35,000 trade unionists from more than [50 trade union organisations in some 30 countries](#) marched through the streets of Ljubljana to demand higher wages and more purchasing power.

The Euro-demonstration took place alongside the [informal meeting of EU economic and finance ministers](#) in Brdo (Slovenia). Before the march, a delegation of trade union leaders met with **Slovenian Prime Minister and EU Council President Janez Janša**, to present [the demonstrators' demands](#).

[List of ETUC Euro-demonstrations up to the present day](#)

Decent work and fair trade are the focus of the 4th EU-Latin America and Caribbean Trade Union Summit

21/04/2008 – Deputy General Secretary Maria Helena André led the ETUC delegation taking part in the fourth EU-Latin America and Caribbean Trade Union Summit.

The participants adopted a declaration to be put to the meeting of [heads of state and government in Lima in May](#).

Strong action to implement the association project between the two regions, as well as **transparency and the participation of trade unions in the negotiations** are the main elements of the trade union demands. At the same time, trade union organisations in the two regions are calling for fair trade principles to be at the centre of the trade chapter of the negotiations, and for the social and labour dimensions to be strengthened.

[ETUC press release](#)
[Trade union declaration](#)

Conferences: The future for services of general interest

9–11/04/2008 – More than **50 trade unionists from ETUC-affiliated organisations**, as well as representatives from the European institutions and the academic world took part in the conference on **'Services of general interest and the internal market – What does the future hold?'** organised by the

ETUC in Lisbon.

Experience at national level, means of financing, the European Commission's strategy and the joint trade union approach to public services were the main themes of the conference.

[Conference programme](#)

[Trade Union Agenda]

April 2008 – May 2008

05/04/2008	Euro-demonstration on pay and purchasing power (Ljubljana)	Euro-demonstration Programme
09–11/04/2008	ETUC conference on services of general interest and internal market (Lisbon)	Conference Programme
15/04/2008	ETUC Steering Committee (Brussels)	
22/04/2008	Meeting of the Group II "Workers" of the European Economic and Social Committee (Brussels)	
28/05/2008	Meeting of the Group II "Workers" of the European Economic and Social Committee (Brussels)	
31/05–04/06/2008	LO-S Congress (Stockholm)	Congress Programme



[Focus on the EU and trade union positions]

Rüffert case: the ECJ ruling is dangerous

03/04/2008 – The European Court of Justice (ECJ) issued its [ruling](#) on the [Rüffert case](#).



The judgement confirmed the ECJ's narrow interpretation of the Posting Directive in the Laval case and ignores the Public Procurement Directive 2004 which explicitly allows for social clauses. As a result, the finding is a threat to workers' rights and working conditions and is an open invitation for social dumping, which could strengthen public opposition to open borders.

In view of this risk, the European authorities must take urgent steps to demonstrate that the principle of social progress is fundamentally important in the EU, in order to retain the support of European citizens and workers for the European project. To avoid repetitions of the [Laval](#) and Rüffert cases, the ETUC is calling for a social progress clause.

[ETUC press release](#)

[ETUC website page dedicated to the Rüffert case](#)

[ECJ press release](#)

Climate change and employment: joint ETUC–CEEP statement

04/04/2008 – In the framework of the United Nations talks in Bangkok on setting a timetable for reaching a new international climate change agreement, the ETUC and CEEP adopted a [joint declaration on the European Commission's climate change and energy package with a view to employment](#).

While supporting the package, the ETUC and CEEP called on the Commission to set up a consultative committee on climate change policy, involving the European social partners.

[ETUC press release](#)

Revision of the EWC Directive: negotiations are not practical

11/04/2008 – After intensive contacts with BusinessEurope and the European Commission, the ETUC concluded that it is not realistic to launch negotiations within the framework of the social dialogue.

On the evidence of existing contacts, it is unlikely that a favourable outcome for workers would be achieved in the lifetime of this Commission and Parliament. Furthermore, fundamental differences exist with BusinessEurope on the content of the revision. The ETUC has called on the Commission to act decisively to strengthen European Works Councils and worker and union participation.

[ETUC press release](#)

[ETUC letter to Commissioner Spidla](#)

[Joint press release BUSINESSEUROPE–UEAPME–CEEP](#)

Fiscal policy and dumping: a debate is needed

08/04/2008 – John Monks took part in the [Brussels Tax Forum](#) 2008 organised by the European Commission. In his speech, he called for a European and international debate on tax policy in order to avoid fiscal dumping.

[John Monks' speech](#)



[Focus on the EU and trade union positions]

Discrimination:

limited scope of the new Commission initiative

10/04/2008 – The Commission intends to propose new initiatives to prevent and combat discrimination. The ETUC welcomes this action, but is disappointed about the **limited scope of the new draft directive**.

If the measure goes ahead as proposed, it will be limited to discrimination on the grounds of disability. By contrast the ETUC, [in its response to the Commission's consultation](#), argued in favour of broad legislation covering discrimination on grounds of age, sexual orientation and religion, in order to protect all citizens.

[ETUC press release](#)

The future of the European labour market: regulation is needed

16/04/2008 – ETUC Confederal Secretary Joël Decaillon took part in the conference on [A Social Europe fit for Globalisation](#) organised by the European Commission in Brussels.

In his intervention, he stressed the need to reinforce **European governance, to take account of the relationship between the EU's external and internal policies**.

In the view of the ETUC, **work cannot continue to be merely an adjustment factor**. On the contrary, faced with the challenge of global competition, Europe must choose efficiency rather than precariousness.

[ETUC press release](#)

IMPACT ruling offers better protection to fixed- term contract workers



16/04/2008 – The ETUC welcomed the European Court of Justice ruling on the dispute between [IMPACT, a trade union representing the interests of civil servants in Ireland, and Irish public authorities](#).

The case concerned the transposition of the EU Directive implementing the [framework agreement on fixed-term contracts](#), concluded by the European social partners in 1999. The ECJ found, among other things, that **the non-discrimination clause in the directive is sufficiently precise** to allow workers to make use of it directly before a national court.

[ETUC press release](#)

Take action to counter the recession!

28/04/2008 – The European Commission released its [Spring Economic Forecasts for 2008](#), **revising growth prospects further downwards**. The [ETUC responded with a report entitled 'Time to Act!](#) calling on European decision-makers to **put in place macroeconomic policies to prevent the economy from getting caught in a further downwards spiral**.

In addition, **the ETUC urged the Commission and finance ministers to convene a special ECOFIN Council aimed at strengthening economic governance to address the downturn, and to invite the European social partners to take part**.

[ETUC press release](#)

[Commission press release](#)



[EU Agenda]

April 2008 – May 2008

04-05/04/2008	Informal Meeting of Ministers for Economic and Financial Affairs (Brdo)	Meeting Agenda
07-08/04/2008	Transport, Telecommunications and Energy Council (Luxembourg)	Council Agenda
09-10/04/2008	"Mini-Plenary" Session at the European Parliament (Brussels)	
11-13/04/2008	Informal Meeting of Environment Ministers (Brdo)	Meeting Agenda
14-16/04/2008	Informal Meeting of Ministers for Competitiveness (Brdo)	Meeting Agenda
17-18/04/2008	Informal Meeting of Ministers for Health (Brdo)	Meeting Agenda
17-18/04/2008	Council Justice and Home Affairs (Luxembourg)	Council Agenda
21-24/04/2008	Plenary Session at the European Parliament (Strasbourg)	
22-23/04/2008	Plenary Session at the European Economic and Social Committee (Brussels)	
28-29/04/2008	General Affairs and External Relations Council (Luxembourg)	Council Agenda
05-06/05/2008	Informal Meeting of Transport Ministers (Brdo)	Meeting Agenda
06/05/2008	EU Troika – Turkey	Meeting Agenda
07-08/05/2008	"Mini-Plenary" Session at the European Parliament (Brussels)	
13/05/2008	Eurogroup (Brussels)	Meeting Agenda
14/05/2008	ECOFIN Council (Brussels)	Meeting Agenda
16-17/05/2008	Summit EU – Latin America Countries (Lima)	Summit Agenda
19-22/05/2008	Plenary Session at the European Parliament (Strasbourg)	
21-22/05/2008	Education, Youth and Culture Council (Brussels)	Council Agenda
22/05/2008	EU Troika – Ukraine (Brdo)	Meeting Agenda
26-27/05/2008	General Affairs and External Relations Council (Brussels)	Council Agenda
28-29/05/2008	Plenary Session at the European Economic and Social Committee (Brussels)	
29-30/05/2008	Competitiveness Council (Brussels)	Council Agenda



[Interview]

“On the offensive: for stronger European Works Councils”

Interview with Reiner Hoffmann, Deputy General Secretary of the ETUC



1) Why has the ETUC not accepted to initiate the negotiation procedure in the frame of the social dialogue in order to revise the European Works Councils (EWC) directive?

Reiner Hoffmann: Until recently, repeated attempts by the ETUC to reopen matters with the employers have been rejected and they have not seen the need for a revision of the Directive at all. Only when the Commission produced its proposals did BusinessEurope develop a mandate for talks. We welcome that change of heart, but it causes problems with the timetable necessary to see the revision of the Directive by the end of the year as scheduled in the legal work programme of the Commission.

Despite intensive informal efforts it has not been possible to secure the agreement of the employers to complete the negotiations within the necessary timetable for the revision to be accomplished within the lifetime of this Commission and Parliament. Nor have

the employers given any indications that they would be prepared to move significantly on the ETUC key demands. The ETUC regrets that BusinessEurope was not in a position, under the admittedly difficult circumstances, to contribute to the creation of a robust basis for negotiation. In the end the ETUC had to decline the option of negotiating.

2) What are the key proposals and demands of the ETUC for the revision of the EWC Directive?

RH: Article 15 of the Directive had foreseen until 22 September 1999 the revision and explicitly mentioned the need to consider the definition of thresholds for the number of employees. The Commission correctly emphasizes that the right to information and consultation laid down in Article 27 of the European Union's Charter of Fundamental Rights has the character of a fundamental right. For the ETUC the basic question arises, whether employees can be excluded from the application of the EWC Directive on the sole ground of the size of the enterprise. In any case, ETUC's clear demand is that the threshold be reduced from 1000 to 500 and from 150 to 100 employees respectively.

Other substantial core areas of the revision of the EWC directive are:

- The harmonisation of the definition of “information” and “consultation” corresponding to Directive 2001/86/EC on the

completion of the statutes of the European Company (SE) with regard to worker participation.

- The recognition of the role of the European Industry Federations in the Special Negotiating Body and in European Works Councils.
- The possibility of renegotiating Article 6 and Article 13. agreements that all EWCs should be able to benefit from an improvement of the directive.
- Improvement of working conditions of the EWC (among other things at least two meetings per year, the right to training, access to undertakings and inclusion of external experts).

3) What does the ETUC expect the Commission to do next?

RH: The revision is long overdue and we expect the Commission to present a revised Directive on the basis of its consultation document by the beginning of June 2008, in order to enable the European Parliament and the Council to adopt it by the end of 2008. We have responded comprehensively to the consultation paper and forwarded concrete and constructive proposals which the Commission should take on board in a revised Directive (here you can make a link to our web and our response!)

Useful links:

- [Section of the ETUC site devoted to EWCs](#)
- [ETUC response to the European Commission consultation on revision of EWC directive](#)



[Euro-manif]

We were 35 000 trade unionists in the streets of Ljubljana!!



“ More pay, more purchasing power, more equality ”



EURO-DEMONSTRATION - LJUBLJANA - 5 APRIL 2008



[You may be interested]

Media

Press conference announcing the Euro-demonstration on wages

04/04/2008 – On the eve of the Euro-demonstration on wages, the ETUC, together with its Slovenian affiliate ZSSS (Slovenian Association of Free Trade Unions), organised a **press conference in Ljubljana, attended by about 30 journalists**. During the press conference, **ETUC General Secretary John Monks and ZSSS President Dusan Semolic explained the reasons for the demonstration and the European trade union movement's demands**. The Euro-demonstration was widely covered by the European media.



Publications

The new ETUC leaflet is available!

The new ETUC leaflet is available, introducing and explaining the structure and activities of the ETUC.



[The PDF version is available on the website in English, French and German.](#) If you would like to receive printed copies, please contact Antonio Moreira: amoreira@etuc.org.

Framework Agreement on harassment and violence at work: ETUC interpretation guide



The ETUC has published an interpretation guide for the [Framework Agreement on harassment and violence](#)

[at work](#), signed on 26 April 2007 by the European social partners. This guide sets out to **assist ETUC member organisations in implementing the agreement and evaluating the results achieved**. The guide is available in English at: <http://www.etuc.org/a/4758>.

The ETUC website has a new look!

Since the beginning of April, [the ETUC website](#) has had a **new home page**. While keeping the site structure unchanged, we have opted for a **new more interactive home page with a more dynamic design**.



The aim of the new homepage is to **highlight all the ETUC's activities**. The left-hand column lists the ETUC's main areas of activity, the central section is dedicated to news, and the right-hand column is reserved for events, publications and campaigns.

European Commission publications

The following reports are now available:

- [Recommendation on improved working conditions for posted workers](#) (03/04);
- [Spring 2008 Economic Forecasts](#) (28/04).

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