

# [ ETUC newsletter ]



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## Figure of the month

# 239 million people

Up to 239 million people worldwide are at risk of becoming unemployed in 2009, according to the International Labour Organization. This corresponds to a global unemployment rate of 7.4% – the highest level since 1991.



## Dear Readers,

May was a very busy month for the European trade union movement. More than 350,000 of us marched through the streets of Madrid, Brussels, Prague and Berlin to say ‘no’ to the crisis and demand a new social deal. We shouted our message loud and clear: ‘Never again!’ – never again a crisis caused by speculation that has to be paid for by governments and out of the public purse; and never again a crisis that is also exerting such a heavy toll on workers.

The European Action Days from 14 to 16 May were a tremendous success, exceeding our expectations. They showed that our concerns and demands are shared by many of the citizens of Europe.

Moreover, European trade union leaders met up in Paris for an ETUC conference on the crisis. At the end of that conference, we adopted the Paris Declaration which sends out a strong message to Europe’s leaders that the fight against unemployment can no longer be. This crisis is far from over. The EU’s unemployment rate will very probably rise above 10% and the social repercussions will be considerable.

The European Parliament elections from 4 to 7 June constitute an unmissable opportunity to help decide what kind of Europe we want.

Your vote can help to set the EU on a different course: towards a social Europe that promotes better jobs, greater social justice and more solidarity.

So let’s all vote and choose a social Europe!

**John Monks**  
General Secretary



# [ETUC in action]

## Great success for the three European days of action: 350,000 people in the streets to say 'no' to the crisis

14-16/05/2009 - More than 350,000 people took part in the four Euro-demonstrations held in Madrid, Brussels, Prague and Berlin in the framework of the three European days of actions organised by ETUC. **The demonstrators asked for more ambitious actions for employment and for an end to the excesses of financial capitalism.** John Monks, ETUC General Secretary, declared: 'The size of these Euro-demonstrations reveals the widespread concerns for the future. Tighter regulation of financial markets

*is needed now and more workers' influence on boardrooms. Workers want life support systems for industry and jobs too, and ambitious action to help the fight against growing unemployment'. You will find a [photo gallery](#) of the four Euro-demonstrations on the next pages.*

[ETUC press release](#)

[Fight the crisis: put the people first – ETUC website section dedicated to the economic crisis](#)



## European trade unions adopt the Paris Declaration

28/05/2009 - At the ETUC mid-term conference in Paris, the European trade union movement adopted the **Paris Declaration**, with a twofold aim: fight the crisis and push forward a more equitable society. It is built on **five key points**, namely **more and better jobs** promoted in the framework of an expanded European recovery plan, **stronger welfare systems**, **stronger workers' rights** and an end to the dominance of the short-termist market principles, **better pay** and **European solidarity as a protection against the excesses of financial capitalism**.

[ETUC press release](#)



## [ETUC in action]

350,000 demonstrators  
said 'NO' to the crisis!!



“ Fight the crisis:  
put people first ”

EUROPEAN DAYS OF ACTION  
MADRID – BRUSSELS – BERLIN – PRAGUE 14–16 MAY 2009





# [ETUC in action]

350,000 demonstrators said 'NO' to the crisis!!!



EUROPEAN DAYS OF ACTION  
MADRID – BRUSSELS – BERLIN – PRAGUE 14–16 MAY 2009



## [ETUC in action]

### European elections: Vote for social Europe!

09/05/2009 – On the occasion of 'Europe Day', the anniversary of the Schuman Declaration, ETUC officially launched the campaign for the European elections to be held on 4–7 June 2009, by publishing a [Manifesto with nine key points](#). Despite the fact that [the European trade union movement has scored several successes with the outgoing Parliament](#), the [European Parliament can do better](#). The European trade union movement invites all European citizens and workers to vote and to make the voice of social Europe heard.

[ETUC Manifesto for the European elections](#)



### [Trade Union Agenda] May – June 2009

01/05/2009	International Labour Day	
11–16/05/2009	LO-N Congress (Oslo)	<a href="#">Congress Agenda</a>
13/05/2009	Meeting of the Group II 'Workers' of the European Economic and Social Committee (Brussels)	
14/05/2009	European Action Day (Madrid)	
15/05/2009	European Action Day (Brussels)	
16/05/2009	European Action Day (Berlin and Prague)	
20–23/05/2009	CISL Congress (Italy)	<a href="#">Congress Agenda</a>
27–28/05/2009	ETUC mid-term conference (Paris)	<a href="#">Conference Agenda</a>
08–11/06/2009	European Public Service Union Congress (Brussels)	<a href="#">Congress Agenda</a>
10/06/2009	Meeting of the Group II 'Workers' of the European Economic and Social Committee (Brussels)	



## [Dossier]

# The European Parliament can make the difference

***Europe and the world are stuck in the deepest crisis since the Great Depression of 1929. National action on its own is not enough to overcome the crisis, European cooperation and solidarity are also needed. So far, Europe's response to the crisis has been unsatisfactory. Europe is facing some crucial changes, and now everyone has the chance to contribute to the decisions to be taken, since Europe will be holding elections for the European Parliament in early June.***

**T**he European Parliament is the European Union's only directly elected institution, and it has the rights of co-decision, control and information. It has a significant influence on the political organisation of the EU. Despite the growing importance of the European Parliament, voter turnouts have consistently dwindled in previous elections.

Those who want to see a strong and social Europe should use the European elections and establish whether their candidates are committed to our trade union demands and, if so, to which extent. The prime concern for us is the social progress clause. Anyone who wants our vote should commit firmly to this. The crisis must not lead to a situation where required changes in terms of energy and climate are delayed or missed. As the current Commission, under its President José Manuel Barroso, adopted ever stronger neoliberal positions in the course of its legislative period, the Parliament took

on a key role in 'social Europe' issues. In the current legislative period 2004-2009, a series of decisions have had a direct impact on workers' lives.

### We give but a few examples:

- The European Parliament rejected the **Ports Directive** in January 2006 by an overwhelming majority, after a demonstration by port workers in Strasburg.
- In February 2004, the Commission tabled a proposal for a Directive on **services** in the internal market. It was supposed to remove all the obstacles so that, in the future, services could be more easily offered across borders. The objective is the completely barrier-free movement of services across the entire EU. The directive is also often referred to as the 'Bolkestein Directive', after the then Internal Market Commissioner Frits Bolkestein. The Commission proposal provided for the much-discussed principle of the country of origin, under which
- service providers would be bound in their activities by the legal rules in their home country, not the country of destination in which they were offering their services. The directive caused controversy and was discussed across many public forums. It took a series of protests and demonstrations to make the Parliament stand up and take notice. Accordingly, the vote in Strasbourg in February 2006 restricted the scope of the directive, partly or completely excluding services in the area of health, social affairs, training and temporary agency work. The country of origin principle was thus successfully blocked.
- The Commission did not comply with the demand for a revision of the directive on **European Works Councils** until July 2008. First the social partners and then the Parliament were still able to implement several major improvements to the Commission's faint-hearted proposal. At its first and only reading, the directive's new wording was decided on in December 2008.
- In April 2009, an agreement between the European Parliament and the Council on the revision of the Working Time Directive failed. The European Parliament has played a key role to stop, with our support, an important piece of European social law to be considerably weakened.

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# [Dossier]

## The European Parliament can make the difference

- In May 2009, the European Parliament, at first reading, rejected the Commission proposal to amend the existing Directive on the organisation of working time of persons performing mobile road transport activities.
- The Directive on **temporary agency work** was put forward in 2002 and passed in October 2008. It stipulates that the principle of equal treatment of workers shall apply as from day one of employment.

Further European Parliament decisions during its current legislative period can be highlighted which also contributed to social progress being made in Europe, notably the adoption of the regulatory framework on chemicals or simply REACH and the 'Climate change' package. The former represented an important decision as regards workers' health and safety, while the latter will help to anticipate and manage the transition towards a low-carbon economy, thereby supporting workers to face the inevitable consequences of such a transition.

The recent decisions by the European Court of Justice (ECJ) have quite rightly attracted a lot of attention. There is a need for a political correction. So far, the European Parliament is the only institution to have spoken out in favour of such a correction. The ECJ has opened the floodgates to wage and social dumping in four

judgements relating to the Posting of Workers Directive. According to these judgments, countless national protective provisions for posted workers run counter to European law, with the minimum protection rights laid down in the Directive on the posting of workers being reinterpreted as maximum standards:

- in **Germany**, the Rüffert judgement meant that regulations requiring tenderers to undertake to abide by collective agreements (the so-called *Tarifreuevergelungen*) in the federal states were overturned;
- in **Sweden**, the Laval judgment called the entire Nordic collective agreement system into question;
- in **Luxembourg**, important parts of labour law were simply ruled impossible to apply. Until then, for example, all companies in Luxembourg, including those from abroad, had to abide by the customary collective agreements. The ECJ ruled that this went beyond the provisions in the directive on the posting of workers;
- the Viking judgement set strict criteria for the legality of cross-border collective actions.

The examples cited from the current legislative period of the European Parliament show that the Parliament has repeatedly used its formative power within the legislative procedure in order to

protect or strengthen workers' rights. These examples also illustrate that the current voting circumstances in the EP do not always allow winning majorities to strengthen social Europe. For example, the demand for a framework directive for the public service has been repeatedly denied.

The Treaty stipulates that Europe has no competence in the field of 'remuneration, the right of association, the right to strike or the right to impose lockouts'. Yet, the decisions by the ECJ represent an unacceptable and massive intrusion into the Member States' wage systems. The EU is thus *de facto* acting outside its remit. It needs to be put in its place.

It is important that the Posting of Workers Directive be revised, for the sake of bringing to a halt social dumping and competition by undercutting wages, and asserting the principle of 'the same pay for the same work in the same place'. The social progress clause should state unequivocally that fundamental rights are more important than internal market rules. The EU should be obliged to improve working and living conditions and to guarantee fundamental social rights, such as the right to strike and wage autonomy.

The last five years have seen social Europe being blocked or advancing only very hesitantly. The European Commission has frequently put pressure on the Member



# [Dossier]

## The European Parliament can make the difference

States to deregulate and privatise further. The Working Time Directive showed that the Commission is no longer afraid of imposing socially retrograde conditions. The European trade unions have been highly vocal in their criticism of this behaviour.

### Therefore, the important points for the future are that:

- more importance must be attached to the Social Agenda, containing binding proposals;
- tax competition must be controlled;
- social dialogue must regain its legislative role;
- total deadlock must be avoided and there must be recourse to reinforced cooperation.

How will 'social Europe' look like? Your decision matters. Your vote counts. So we are saying: 'Go and vote! For a strong social Europe!'

### ETUC manifesto

On the eve of 'Europe Day', 9 May, the anniversary of the Schuman Declaration, ETUC has launched its campaign for the European elections, based on the nine trade union demands outlined in the ETUC Manifesto.

- 1) Action to strengthen workers' and union rights by adopting a **Social Progress Protocol** and a revised **Posting Directive** to correct the recent ECJ judgements (Laval, Viking, Rüffert, Luxemburg). This is crucial to restore our fundamental rights on free movement of labour and services. Any candidate who refuses this does not deserve any trade union support.
- 2) A **New Social Deal** in the economic crisis, with full trade union and workers' involvement, aimed at full employment, quality jobs, better pay and pensions, stronger welfare states and benefits, sustainable development and a strong regulation of financial markets – workers should not pay for bankers' incompetence.
- 3) A stronger European social and a coordinated fiscal policy with a view to establishing a **European social union**.
- 4) A fair deal on **Working Time** protecting workers against long working hours, safeguarding the special role of collective bargaining in the organisation of working time, and ensuring the right for all workers to be able to reconcile work and family life.
- 5) Stronger **protections against the growth of precarious work and for workers in precarious jobs**, providing them with better coverage by labour law and social security, and a transition to quality jobs.
- 6) A new **European industrial strategy** based on innovation, research and development, investment, education and training, and a sustainable environment. We want to ensure rapid and fair transition towards a low carbon economy, with a carbon levy on imports from industrialised countries which do not meet EU carbon emission and other environmental standards.
- 7) A new initiative on **gender equality** to combat persistent discrimination, especially the pay gap, and to ensure that women will benefit from actions to counter the economic crisis.
- 8) Stronger protections and equal treatment for **migrant and mobile workers** and strong commitments **against racism, nationalism and xenophobia**.
- 9) Respect for **public services** and better statutory protection, quality investment and jobs.

**To download the ETUC Manifesto:**

[http://www.etuc.org/IMG/pdf\\_CES\\_ManifesteEN.pdf](http://www.etuc.org/IMG/pdf_CES_ManifesteEN.pdf)



# [Focus on the EU and trade union positions]

## Employment summit: ETUC demands a New Social Deal in Europe

07/05/2009 – At the Employment summit, held in Prague, ETUC **called on European leaders to take stronger, coordinated European action to tackle the crisis and the extremely negative impact it has on workers**. ETUC proposed a [New Social Deal](#) based on social justice, more and better jobs, better wages and effective protection against the excesses of financial capitalism.

[ETUC press release](#)  
[Czech Presidency of the EU press release](#)



(Source: Czech Presidency of the EU)

## Disappointment: ETUC regrets missed occasion to improve the protection of pregnant workers

06/05/2009 – The European Parliament (EP) did not vote on the proposal to improve the protection of pregnant workers and young mothers in Europe. The issue was referred back to the responsible committee in the EP. This choice was taken because of strong opposition by the conservative and liberal groups in the parliament. ETUC is very disappointed with this outcome and will keep mobilised on this issue during the next EP mandate.

[ETUC press release](#)  
[European Parliament press release](#)

## Economic Spring forecast: no return to a 'business as usual' approach

04/05/2009 – ETUC reacted to the publication of the Economic Spring forecast by the European Commission by asking the political leaders **not to respond to the recession by reverting to a 'business as usual' approach**. For the European trade union movement, the recession is not a temporary blip and workers need a strong and coordinated response at EU level.

[ETUC press release](#)  
[European Commission press release](#)

## ETUC demands the adoption of a social progress protocol

29/05/2009 – As outcome of the [mid-term conference](#) in Paris, ETUC urged next European Summit to **take a clear and binding commitment towards fundamental social rights**. This demand is even more important as the European Council will examine the warranties for Ireland before its referendum on Lisbon Treaty.

[ETUC press release](#)



# [EU Agenda]

May – June 2009

03-05/05/2009	Informal Meeting of Ministers for Competitiveness (Prague)	<a href="#">Meeting Agenda</a>
04/05/2009	Eurogroup Meeting (Brussels)	<a href="#">Meeting Agenda</a>
04-07/05/2009	Plenary Session at the European Parliament (Strasbourg)	
05/05/2009	ECOFIN Council (Brussels)	<a href="#">Council Agenda</a>
07/05/2009	Employment Summit (Prague)	<a href="#">Summit Agenda</a>
07/05/2009	Eastern Partnership Summit (Prague)	<a href="#">Summit Agenda</a>
11-12/05/2009	Education, Youth and Culture Council (Brussels)	<a href="#">Council Agenda</a>
13-14/05/2009	Plenary Session at the European Economic and Social Committee (Brussels)	
18-19/05/2009	General Affairs and External Relations Council (Brussels)	<a href="#">Council Agenda</a>
28-29/05/2009	Competitiveness Council (Brussels)	<a href="#">Council Agenda</a>
04-05/06/2009	Justice and Home Affairs Council (Luxembourg)	<a href="#">Council Agenda</a>
04-07/06/2009	Elections for the renewal of the European Parliament (European Union)	
08/06/2009	Eurogroup Meeting (Luxembourg)	<a href="#">Meeting Agenda</a>
08-09/06/2009	Employment, Social Policy, Health and Consumer Affairs Council (Luxembourg)	<a href="#">Council Agenda</a>
09/06/2009	ECOFIN Council (Luxembourg)	<a href="#">Council Agenda</a>
09-10/06/2009	Plenary Session at the European Economic and Social Committee (Brussels)	
11/06/2009	Transport, Telecommunications and Energy Council (Luxembourg)	<a href="#">Council Agenda</a>
15-16/06/2009	General Affairs and External Relations Council (Luxembourg)	<a href="#">Council Agenda</a>
18-19/06/2009	European Council (Brussels)	<a href="#">Council Agenda</a>
25/06/2009	Environment Council (Luxembourg)	<a href="#">Council Agenda</a>



## [You may be interested]

### Closing conference of 'Towards a Trade union Erasmus' project

On 10 and 11 June 2009, ETUC will organise in Brussels the **closing conference of the first edition** of the project 'Towards a trade union Erasmus'. During this conference, participating organisations as well as European institutions representatives will draw an **assessment of this project**, aimed at developing the sharing of trade union knowledge and practices at European level through the exchange and mobility of trade unionists. Under the coordination of ETUC, 10 national trade union organisations and two European industry federations were involved in the project.

*In the next issue of the ETUC newsletter, we will tell you more on this experience by interviewing some participants in this programme.*

Go and Vote in the  
European Elections  
in June 2009



EUROPEAN TRADE UNION CONFEDERATION (ETUC)

### European Commission publications

The following reports are now available:

- [Spring economic forecasts 2009–2010](#) (04/05);
- [Communication on Financial Supervision in Europe](#) (27/05).

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