



Brussels, 23 May 2006
JM/CP/hc

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Martin Bartenstein
Minister for Social Affairs and labour
Stubenring 1
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Austria

Re:
Revision of Directive 93/104/EC,
concerning the organisation of working time

Dear Minister Bartenstein,

In the upcoming weeks, the Council of the European Union (Employment, Social Policy, Health and Consumer Affairs) will have on its agenda the next steps to take with regard to the proposals for the revision of the Working Time Directive.

The ETUC is very concerned about the developments with regard to this Directive.

The ETUC has called on the European Institutions time and again, that they should promote and enforce implementation of Community legislation while respecting its interpretation by the European Court of Justice.

According to the European Treaty and Charter of fundamental rights every worker within the EU has a right to limitation of his or her working hours, and protection of his health and safety at work. The European Treaties also oblige the European institutions to work towards improving the living and working conditions of European citizens, and towards progressive harmonization in the social policy area, while improvements have to be maintained.

The ETUC is addressing you as Minister for Employment, Social Affairs and Equal Opportunities of Austria, in your capacity of President of the Council of Ministers.

We ask you to do everything within your competence:

- *to ensure that the key principles of the Working Time Directive are upheld and that any proposals for revision, developed in the Council of Ministers, are compatible with the European Treaties and the Charter of Fundamental Rights;*
- *to take a firm stand: to only accept a political agreement in the Council if it also provides for a phasing out of the individual opt-out from maximum working hours, and to prevent 'salami-tactics' that would provide only for partial solutions while major issues remain unsolved;*

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John Monks, General Secretary

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- *to not accept the argument that 'long working hours' have anything to do with enhancing flexibility and productivity, and therefore would be indispensable for the competitiveness of companies and economies; experiences in various Member States show that productivity and adaptability are better served with 'smart' working time arrangements that combine flexibility with the protection of workers against long working hours;*
- *to take into account that demographic change will demand from European citizens a high commitment to longer working lives, while also bearing the burden of raising families and caring for relatives and other dependents. Modern working time legislation will have to provide for genuine measures to reconcile work and family life and to protect the health and safety of working parents and carers;*
- *to take the concerns of European citizens and workers seriously, and respect the compromise amendments that were adopted by a convincing majority of the European Parliament on the key issues of on-call work, reference periods, opt-out and reconciliation of work and family life. We ask you to convince your fellow Ministers that clear support for these amendments is the only sustainable way forward.*

We thank you in advance for your support,



John Monks
General Secretary ETUC

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