



Committee of the Permanent
Representatives of the Governments of the
Member States to the European Union
COREPER I and II

REF. JWG/cb
Contact person: Jan Willem Goudriaan

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Commission's proposal for a Directive on transparent and predictable working conditions

Dear Ambassador,

We are writing to you in view of the discussions that take place in COREPER today on the Commission's proposal for a Directive on transparent and predictable working conditions. ETUC has written to you with proposals to strengthen the Directive and we support those.

We are very disappointed by the proposal of the Bulgarian Presidency to exclude public service workers in the civil service, armed forces, police, other law enforcement agencies, judges and prosecutors from the protection Chapter III offers. **We ask you to oppose the amendment of the Bulgarian Presidency (new recital 7 and new article 5).** It is not to be supported and it would be a blow in the face of many civil servants in the EU. EPSU represents workers in public services including in public administrations, in judicial services, in customs, prisons and other law enforcement agencies across the EU and beyond. (www.epsu.org) Workers have many stories of how these minimum rights would contribute to more security for them.

The exclusion of public servants from Chapter III (Minimum Rights) of the Directive i.e. to exclude them from protection in relation to excessive probation periods, being charged for their training, the right to request secure working hours and protection from being prevented – without a justifiable reason - from having a second job, and from the ability to modify the arrangements by collective agreement is completely unfounded.

The articles in Chapter III - for example 7 (probation period) or 8 (parallel employment) - allow for Member States to adapt the rules in case of justified concerns. The employers and the trade unions can further enter into a process of collective bargaining to adapt these rules in case needed.

We fail to understand why there should be different treatment of workers in the private and the public sector.

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For EPSU as it is for ETUC, it is crucial that the Directive has the broadest coverage possible. This Directive must apply to the private and the public sector alike and it needs to be future-proof and cover workers in different forms of work, such as platform workers, etc.

Dear Ambassador, as you will also discuss the proposed Directive on Work-Life Balance I take the liberty to underline that workers need an adequate payment of all leave arrangements proposed and that non-transferability of parental leave should be ensured, as well as the right to request flexible working conditions and adequate protections of workers against dismissal.

Without positive outcomes the European Pillar will remain a mere declaration. And that is not what is needed. Both Directives are crucial to working people and our unions. We urge you in your discussions not to further dilute the proposals of the Commission and show the determination to strengthen the proposals and deliver a Social Europe.
Thank you in advance for taking these points into your considerations.

Yours sincerely,

Jan Willem Goudriaan
EPSU General Secretary