

Transparent and predictable working conditions: Council reaches general approach

On 21 June 2018, the Council agreed its negotiating position (general approach) on the directive on transparent and predictable working conditions. On the basis of this mandate, the Council Presidency will start negotiations with the European Parliament once the latter has adopted its position.

New ways of working can bring many advantages to both workers and the economy. However, we have to make sure that we are also able to address any issues which may arise. This draft directive defines a number of minimum rights for workers as part of the response to the challenges of these new forms of employment.

Biser Petkov, Minister for Labour and Social Policies

This draft directive addresses challenges brought by developments in the world of work, including growing flexibilisation of the labour market and, in particular, the increase in the number of 'non-standard' forms of employment, such as temporary employment, part-time and on call work, zero hours contracts, on demand and multi-party employment. New forms of employment are often not as regular or stable as traditional employment relationships, and can lead to reduced predictability for the workers concerned, creating uncertainty over applicable rights and social protection. It can even lead to situations where the workers are put in a very dependant and precarious situation, with uncertainty as to when and if they will work the next day.

The draft directive includes revised obligations to inform workers of the essential aspects of their work, in a written form and in a timely manner. The timing for the receipt of this information has been reduced from two months to a week for initial basic information, and at last a month after the first working day for the rest of the information. This includes information on the place of work, type of work, working time, remuneration, amount of paid leave, the institution receiving the social security contributions, training entitlement, and the procedure for terminating employment. One of the novelties is that if the worker's work pattern is unpredictable, the employer will still have to indicate the reference period in which the worker may be required to work and the minimum advance notice.

A number of minimum rights for workers are also defined, including the right:

- to limit to 6 months the duration of the probationary period at the beginning of the job
- to take up another job with a different employer in parallel

- to know reasonably in advance when work will take place
- to ask for a more secure job and receive a written reply from the employer
- to receive mandatory training cost-free

Background

The Commission presented its proposal on 21 December 2017, as a follow-up to the proclamation of the European Pillar of Social Rights in November 2017.

This directive will update and repeal existing directive 91/533/EEC on the right for employees to be notified in writing of the essential aspects of the employment relationship (written statement directive).

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