

SOCIAL EUROPE

Progress report on the implementation
of the medium-term
social action programme
1995-97

Employment & social affairs



European Commission

Social Europe – supplements 1996

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SUPPLEMENT 4/96



Employment & social affairs

European Commission

Directorate-General for Employment, Industrial Relations
and Social Affairs

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INTRODUCTION

A breakthrough for new ideas and new policies

The Social Action Programme, adopted by the Commission in April 1995, marks a breakthrough for new ideas and policies. The basic concept behind the Programme is that social policy is a productive factor facilitating change and progress, rather than a burden on the economy or an obstacle to growth.

The political strength of the Programme has been enhanced by broad and wide-ranging debate, following the presentation of the Green and White Papers on Social Policy in 1993 and 1994 respectively. Since its adoption a number of institutions and organisations have given opinions and made proposals on the Programme. In particular, the Commission has had useful discussions with the Employment and Social Affairs Committee of the European Parliament, and welcomes the adoption of favourable Opinions on the Programme by the Parliament, the Economic and Social Committee and the Committee of the Regions. These Institutions remain of key importance in moving the Programme forward over the coming period.

The Programme has served as a platform for a number of Commission initiatives in the fields of employment, equal opportunities, social rights and social protection, public health, and health and safety at work. Fundamental to the successful implementation of the Programme have been **political dialogue** with the Member States, **social dialogue** with employers and unions, and **civil dialogue** with NGOs. These continue to be of crucial importance.

Now is the time to take stock of the achievements of the first period of the Programme's implementation, and to look forward to the next steps needed to meet the commitments made. The following eight chapters in this progress report describe developments in policy. The annexes contain a brief overview of the actions undertaken in the framework of the Programme, and an overview of the state of communication of national measures implementing Community law in the fields falling within the Programme's remit.

Achievements 1995/96

The most important initiatives undertaken in the first 18 months of the Programme period can be summarised as follows:

- Employment: the Essen process has gained momentum and multiannual programmes have been drawn up by all the Member States as the first step towards a new, active employment policy. The Social Affairs and Ecofin Councils have agreed on the structural goals for employment policy - integration of young people, prevention of long-term unemployment, and mainstreaming of equal opportunities.
- Equal opportunities for women and men: the Fourth Action Programme has been adopted by the Parliament and the Council. Mainstreaming in all public programmes is now the underlying principle of work on equal opportunities policy.

- Social protection: the Commission has initiated a broad European debate on the future of social protection systems. The focus is on how to make social protection systems both more employment-friendly and sustainable. The Commission intends to present conclusions to this debate in early 1997.
- Social action: the first European Forum on Social Policy was held in March 1996, bringing together NGOs, social partners and other key players at a new stage in the development of civil dialogue at European level. The period has also seen the successful adoption of 1997 as the European Year against Racism, sending a clear political message of the Union's values.
- Public health: progress has been made in implementing the programmes on Community action on cancer, health promotion, information, education and training in the field of public health; and on AIDS and communicable diseases. On a proposal by the Commission, the European Parliament and the Council have adopted a programme on combatting drug dependence. The Commission has also adopted proposals for an action programme on a health monitoring system and on creating a network for the surveillance and control of communicable diseases. Work has also started on the EU/US Task Force on a global early-warning system and response network for communicable diseases.
- Health and safety: the Commission has launched a new five-year Community programme on safety, hygiene and health at work, based on three approaches: to disseminate best practice; to improve knowledge through education; and prevent poor safety practices. The Council is currently considering the related proposal for a Council Decision including the SAFE Programme.
- Social dialogue and social rights: the first European collective agreement has been reached, relating to parental leave to help reconcile family and professional life. The Social Affairs Council has enacted the terms of the agreement into Community law by adopting a Directive. The social partners have also decided to open negotiations on flexibility in working time and security for workers. Meanwhile, the Commission has presented a Communication on the future of the social dialogue (see below).
- European Social Fund: the Commission has taken the initiative in giving priority to measures to support the employment strategy within available financial resources. There has also been agreement on allocating the budgets for the newer Member States, and on allocating the Community Initiative reserve. The latter opportunity was availed of to strengthen efforts to combat social exclusion and to promote projects in the information society field. An initiative has also been launched with the Member States to improve the financial management and execution of the ESF budget.
- External dimension and enlargement: significant developments have taken place in external relations in the field of social affairs, both multilaterally and bilaterally, notably with Japan, US and Canada. As regards preparation for the enlargement of the Union, the Commission has begun work to prepare the opinions on the requests for accession and on evaluating the effect of this on Community employment and social policy, as requested by the European Council in Madrid.

Next steps in 1996/97

During the coming year further progress is expected in implementing the Social Action Programme. The Commission will take initiatives to develop employment and social policies further in the Programme framework. The following initiatives merit particular attention:

- Social policy as a productive factor. The Commission will continue to analyse the contribution that social policies make to economic performance and to achieving the economic and social objectives of the Union, as set out in Article 2 of the Treaty. The results of this work, which are intended to assist future policy development, will be presented in a Communication in the first half of 1997. This will include a presentation of the main lines of the Commission's studies programme.
- The Joint Report on Employment policy to the European Council in Dublin. This is the second policy report to be developed jointly by the Commission, the Social Affairs Council and the Ecofin Council. It will focus on the macroeconomic and structural aspects of employment, and summarise and assess experience with the first phase of implementing the Essen strategy. It will take account of the Commission's report on "Action for Employment in Europe - A Pact of Confidence". The Joint Report will also take account of the Commission's report on the possibility of refocussing the Structural Funds more on job creation and of the Cohesion Report.
- Action will be pursued in favour of equal opportunities for women and men, including the follow-up to the Commission's initiative on sexual harassment at the workplace, the proposal to complete the principle of sex equality in social security matters, and work on the individualisation of rights.
- The future of social dialogue will be a key topic following the Commission's presentation of a Communication considering possible ways forward in an area which is of crucial importance across the range of employment and social policy questions.
- The debate on the social and societal aspects of the Information Society. The Commission has presented a Green Paper on living and working in the Information Society, focussing on three aspects: new ways of organising work; employment; and cohesion. A colloquium held by the Irish Presidency in September 1996 is moving forward the analysis of the social implications of the Information Society.
- The mid-term review of the European Social Fund. The mid-term review will be carried out during the first half of 1997, on the basis of interim evaluation results and with the aim of increasing the effectiveness and impact of measures in order to underpin the evolving European employment strategy. It will take account of the Cohesion Report and of the Commission's report on the possibility of refocussing the Structural Funds more on job creation. The Commission will also initiate work to simplify Structural Fund procedures.
- The European Agency for Safety and Health in Bilbao (Spain) is becoming fully operational and a Director has recently been appointed. The Agency is expected to play a key role in improving health and safety conditions at work.

- The continuing implementation of the four public health programmes will be a priority, along with preparations for the implementation of the programme on health monitoring and negotiations on the last three programmes foreseen in the framework communication of 1993 (COM(93)559).
- Action against racism. The Council has proclaimed 1997 the European Year Against Racism, and the social partners are taking joint initiatives to combat racism at the workplace.
- Promoting equal opportunities for disabled people, on the basis of the fundamental shift in approach set out in the Commission's Communication on the subject. This sets a common frame of reference for future action with a new impetus based on equality and human rights rather than on impairment and the traditional welfare perspective.
- The future of fundamental rights at Union level, which will be considered in the light of the recommendations made by the *Comité des Sages*.
- Employment and social policy initiatives in the IGC process. In its Opinion on the future of the EU the Commission proposes specific provisions on employment to be included in the Treaty, as well as the integration of the provisions of the Agreement on Social Policy, and the introduction of an anti-discrimination clause.

The Medium-Term Social Action Programme covers the period 1995-97. Looking to the longer term, a revision of the plan for social action at European level is scheduled to take place following the outcome of the current IGC.

1. EMPLOYMENT

Developments in employment policy in 1995/96

1. The employment situation in the Member States worsened in the early 1990s. Against this background, the Commission brought forward an initiative for a re-employment strategy in its White Paper on Growth, Competitiveness and Employment, which was then developed further to form the core of its Medium-Term Social Action Programme. The Programme cites the fight against unemployment as a paramount task of the European Union and its Member States. Building on the Conclusions of the European Council at Essen, the Programme sets out a detailed plan of action to push forward and monitor Member States' progress in applying the Essen Conclusions. Working from this Programme, a wealth of activity has been developed in the field of employment policy.

2. In June 1995 the European Council at Cannes confirmed the five key areas of action agreed at Essen. These provide a framework for an employment strategy based on a mix of structural adjustment policies, notably a more active labour market policy and a stability-oriented macroeconomic policy aimed at increasing growth. In autumn 1995 each Member State presented a Multi-Annual Employment Programme setting out how it intended to implement the Essen employment strategy, and in October the Commission produced an initial summary of progress made.

3. To help strengthen the implementation of the Essen strategy, each Member State, with the Commission's support, has held a national seminar to present its medium-term employment strategy as set out in the Multi-Annual Employment Programme. The range of topics covered at these seminars included each of the five Essen priorities. In addition to this, the Commission regularly produces a *tableau de bord* providing synoptic tables and statistics on the Member States' labour markets and measures taken under the Essen strategy.

4. Furthermore, the Commission's annual Employment in Europe report is being adapted as an effective instrument for assessing progress in implementing the Essen strategy. The 1996 report provides analysis of employment trends and the main developments in the Member States, and considers the relationship between macro-economic policies and structural labour market policies, offering policy-oriented conclusions. The editorial section of the report "Meeting the employment challenge - issues and policies" adopted by the Commission contains a number of suggestions on how to make progress in the fight against unemployment through this integrated strategy and through the involvement of all actors.

5. A further step in developing a common EU strategy against unemployment was taken in the autumn of 1995, when, under the Spanish Presidency, a Single Report on Employment was prepared jointly, for the first time, by the Labour & Social Affairs Council and the Ecofin Council in partnership with the Commission. The Single Report gives concrete directions for following up the employment strategy, and recognises the need for an integrated approach to employment policy combining the policies underlying the Essen framework: a growth- and stability-oriented macroeconomic policy combined with policies for structural adjustment, including labour market policy. The Report confirms three specific commitments:

- all **young people** should be provided with the level of education, training and work experience needed to make them employable;

- all unemployed people should have the opportunity of retraining or reintegration before becoming **long-term unemployed**;
- **equal opportunities** should be promoted in all relevant policies affecting employment, with particular emphasis on desegregation of the labour market and reconciliation between family life and paid work.

6. The European Council at Madrid consolidated and strengthened the employment strategy by confirming that "job creation is the principal social, economic and political objective of the European Union and the Member States". The European Council endorsed the Single Report and supported the establishment of a 'stable structure' and of common indicators to help put the employment monitoring procedure into practice (see paragraphs 14 and 15, below).

7. Towards the end of 1995 economic activity began to slacken, employment growth ceased, and unemployment began to rise again in the European Union. In January 1996 President Santer launched an initiative on "Action for Employment in Europe - A Pact of Confidence". This is aimed at unlocking the growth and prosperity potential of the integrated European economy through sound macroeconomic policy, through Union action to reinforce competitiveness and to take employment into account across the range of Community policies, and through policies and initiatives to modernise labour market structures and the operation of the labour market. The initiative also received great attention from the social partners at a Round-Table on Employment in April 1996 and, along with national governments, at a Tripartite Conference in Rome in June 1996.

8. The G7 Conference on employment in Lille - the second "Job Summit" - was an important event, bringing together political leaders from North America, Japan and Europe to examine experience of economic and employment policies in the three economic areas in recent years. The tone of the summit was set by President Chirac, who proposed a third way for Europe which would avoid both poverty and unemployment traps. The Conference concluded that it is not necessary to make a choice between worsening unemployment and widening income inequality: rather, economic growth and shared prosperity must be achieved in parallel.

9. For their part, the social partners have always played an important role in the development of employment and social policies in the EU. In recent years the social dialogue has focused more on employment, and the Social Dialogue Committee has become the central forum for constructive cooperation between the main organisations. ETUC, UNICE and CEEP have agreed to begin negotiations on a collective agreement on flexibility in working time and security for workers. They have also agreed on a work programme to make concrete contributions to President Santer's confidence initiative. The work programme includes youth employment, education and training, the Structural Funds, the social protection system, and macroeconomic policies.

10. Employment and growth were the main issues at the European Council in Florence in June 1996. The European Council supported the Commission's Communication on "Action for Employment in Europe - A Pact of Confidence", which proposes an open and flexible process enabling all concerned to enter into specific commitments at their own level of responsibility. The European Council invited each Member State to select regions or cities as candidates for pilot projects on territorial and local employment pacts, and stressed that

labour market reforms should be accelerated in the fields of public employment services and training policies. It also adopted new guidelines for fiscal policy, giving priority to investment in human resources, infrastructure and research and development as a stimulus for enterprises and job creation. There was also confirmation of the mandate to Ecofin, the Labour & Social Affairs Council and the Commission to prepare a new step in the developments of the Essen employment strategy and to submit a Joint Report to the December meeting of the European Council in Dublin.

11. The employment issue has been brought onto the agenda of the Intergovernmental Conference (IGC). The Commission's Opinion, presented at the opening of the Conference in Turin in March 1996, argues for a "people's Europe" promoting a European social model that is active in fields including employment and sustainable economic development. The Commission proposes that specific provisions on employment be included in the Treaty, with the aim of consolidating the conditions for a common strategy on employment and taking employment into account in all Community policies. The European Council in Florence gave an added impetus to the IGC process by inviting the Irish Presidency to present an outline for a new Treaty including provisions for improved cooperation and coordination to strengthen national employment policies.

Key developments in employment policy 1996/97

12. During the remainder of 1996 and 1997, up to the end of the Social Action Programme period, the Member States will be making the first updates to their Multi-Annual Employment Programmes. These will provide an input to preparations for the next step in the Essen strategy, which will be set out in the Joint Report to the European Council at Dublin in December 1996 (see also paragraph 16).

13. During the same period the social partners are expected to present the first initiatives under the joint work programme agreed in the Social Dialogue Committee.

14. To improve the framework for cooperation with the Member States in implementing the Essen employment strategy, the Commission has put forward a proposal for the Council to establish an Employment and Labour Market Committee. The Council is considering this proposal, and implementation could begin early in 1997. This would provide a 'stable structure' to support the work of the Employment & Social Affairs Council, and would work closely with the Economic Policy Committee and the Standing Employment Committee.

15. Late 1996 will also see decisions on the series of indicators which the Commission has developed in conjunction with the Member States and the Community's statistical office, Eurostat, to support the system for monitoring the Multi-Annual Employment Programmes. The intention is to develop progressively more refined indicators in the future.

16. The Joint Report for Dublin will focus on the macroeconomic and structural aspects of employment, including the three commitments outlined above: the integration of young people; the prevention of long-term unemployment; and equal opportunities in employment policies. The Report will summarise and assess experience with the first phase of implementing policies based on the Essen strategy. It will also take account of the Commission's final report on coordinating structural and economic policies, which view the EU as an economic entity; of the Cohesion Report and of the Commission's report on the possibility of refocussing the Structural Funds more on job creation. The initiative on "Action

for Employment in Europe" also aims for practical and interlinked commitments at the Dublin European Council.

17. In the light of agreements made on the employment strategy in Dublin, the Commission will present a concrete work programme for 1997 to support Member States in implementing the strategy. This will continue the process initiated by the Joint Report linking macroeconomic and labour market policies, and strengthening the development of policy management through objectives and commitments. This puts greater emphasis on results but avoids detailed prescriptions, giving Member States greater leeway in finding the right mix of policies.

18. The Community framework for the coordination of national social security provisions for people moving about the Union has to be constantly updated to take account of new developments. In addition to the annual technical amendments, the Commission will present proposals to facilitate greater access to cross-border health care and services and to extend to all third-country nationals the provision of immediate medical care and other limited benefits, an area in which the European Parliament in particular urges action. Following the Stockholm Conference of June 1996, the Commission, in close collaboration with national authorities, will focus on the strategy to be chosen for the reform and simplification of the Community regulations.

19. The remaining obstacles to free movement of persons and workers generally raise a variety of complex and often interrelated problems. The Commission has established a high-level panel on free movement to consider a number of these issues. The panel's final report is due to be presented to the Commission at the beginning of 1997, with an interim report on the specific question of pension rights due before the end of 1996. On the basis of this, the Commission will present a White Paper setting out an integrated strategy including specific proposals aimed at tackling the outstanding problems (1997). It will also support seminars in the Member States (1997) to prepare a major European conference aimed at improving the visibility of Community activities and stimulating the debate on these issues on the occasion of the 30th anniversary of Regulation 1612/68.

20. Progress is also expected over the remainder of 1996 and 1997 in the operations of EURES (EUROpean Employment Service), which was established in November 1994 to link the Commission, national employment services and, within cross-border groupings, the social partners and regional authorities. Its aim is to improve the operation of the European labour market through partnerships in cross-border zones and Union-wide exchange of job offers and applicants, on the evolution of the labour market, and on living and working conditions in the countries of the Union and in Iceland and Norway. Work will also continue on the study on public employment services which is currently being carried out for the Commission, in view of their importance in activating labour market policies.

2. EQUAL OPPORTUNITIES FOR WOMEN AND MEN

1. The economic context of equality policy has changed dramatically over the past few years. The increase in women's activity rates in the labour market has taken place in spite of, and in parallel with, higher rates of female unemployment in aggregate across the Union (12% compared to 9% for men), and experience in some countries shows that increased activity by women is not automatically linked with growth in part-time work. The difficulty of finding work has not discouraged women from increased economic activity, including enterprise creation. This confirms access to employment as a major component of women's aspirations, acting as a key element to economic and social autonomy, and to participation in economic and social life.

2. The adaptability and creativity of both women and men continues to be a strength in the drive for growth and competitiveness in the EU. This is a major impetus behind the increasing priority being given to promoting equal opportunities at European level. Lower activity rates of women in the EU compared to, for example, women in the US and Japan is a factor which militates against achieving greater competitiveness, especially given the current predominance of women in second- and third-tier education in the EU and their generally higher levels of educational attainment. Greater competitiveness can also be achieved by upgrading working conditions in flexible and low-protected, low-paid or informal jobs so that their economic role in production as well as consumption is increased through appropriate recognition and remuneration. Particular attention needs to be paid to the opportunities offered by technological and industrial change, including the development of the Information Society - a point addressed in greater detail in the Commission's Green Paper on living and working in the Information Society.

3. The contribution which women can make to revitalising the economy is one of the reasons why the issue of equality is a key element to be taken into account in all relevant mainstream policies. Indeed, the keyword of developments in equal opportunities policy over the Social Action Programme period has been "**mainstreaming**". At the 4th UN Conference for Women in Beijing in September 1995, in which the Commission played an active role, this principle was identified as being of key importance in implementing equal opportunities for women and men. Mainstreaming means bringing all activities and policies to bear, taking account of their potential impact on the respective positions of women and men ("gender perspective") at all stages of preparation, implementation and development.

4. This mainstreaming approach is the underlying principle of the Action Programme on Equal Opportunities for Women and Men (1996-2000) set up by the Council on 22 December 1995. This followed the Commission's proposal for a Fourth Action Programme presented on 19 July 1995, which proposed legislative progress, increased mobilisation of Community policies, and specific actions to promote equal opportunities. The Programme's key objectives include the elimination of segregation in the labour market, better access to training, reconciliation between family and professional life, balanced involvement in decision-making, and strengthening the conditions in which equal rights can be exercised. The Programme was launched in Dublin in October 1996.

5. At the same time as the Commission brought forward its proposal for the Action Programme it also made a decision to broaden the membership and strengthen the role of the Advisory Committee on Equal Opportunities. This Committee now consists of representatives of the Member States, national equal opportunities bodies and the social partners, putting it

in a better position to assist the Commission in the implementation of equal opportunities policies or measures.

6. Mainstreaming was the subject of a Commission Communication in February 1996, and feeds the work of a Group of Commissioners established under President Santer to encourage reflection and ensure that equality between women and men is a key element across the Union's activities. In implementing the guidelines set out in the mainstreaming Communication, an Interdepartmental Group on Equal Opportunities will pay particular attention to defining methods and indicators for monitoring the impact of Community policies on equal opportunities, and to the contribution that can be made by the Structural Funds, both in their mainstream and in specific Community initiatives such as the EMPLOYMENT-NOW Programme - the largest specific programme in Europe concerning women's training and employment. In May 1996 the Commission increased the EU contribution to the NOW Programme to around 500 MECU which, combined with national funding, brings the total budget for the programme to almost 900 MECU over the period 1995-1999.

7. 14 December 1995 marked a milestone in the development of mainstreamed equal opportunities, reconciliation of family and professional life and, indeed, Community law-making in general, when the European Trade Union Confederation, the Union of Industrial and Employers' Confederations of Europe, and the European Centre of Enterprises with Public Participation established a framework agreement on parental leave. This was arrived at, for the first time, under the provisions of the Agreement on Social Policy relating to negotiations between the social partners. The Commission subsequently adopted a draft Council Directive to transpose the social partners' agreement into Community law. This was approved by the Council on 29 March 1996.

8. The Commission's consultation with the social partners on part-time, fixed-term and temporary work also has an important equal opportunities dimension (see Chapter 6, paragraph 4).

9. On 17 July 1996 the Commission adopted a proposal for a Council Directive on the burden of proof in sex discrimination cases. This proposal aims to provide for a sharing of the burden of proof between plaintiff and defendant. Until now, a woman who alleged there had been a breach of the principle of equality has generally had to bear the full burden of proving her case, even where certain facts were easier for her employer to establish. The proposed Directive would enable the European Court of Justice's case law with regard to the burden of proof to be applied consistently throughout the European Union and it also provides for a clear definition of indirect discrimination, building on EC case law. It is based on Article 2(2) of the Agreement on Social Policy, and was adopted following two rounds of consultations with the social partners. It is currently being submitted to the European Parliament and the Council.

10. At the same time as it adopted the draft Directive on the burden of proof, the Commission adopted a Code of Conduct concerning the implementation of equal pay for women and men for work of equal value. The Code is designed to accompany the Commission's Memorandum on Equal Pay for Work of Equal Value, which was published in 1994. It aims to provide practical guidance on measures to secure equal pay in all aspects of the pay package where work of equal value is undertaken by women and men. It also provides guidance for the elimination of direct and indirect sex discrimination where grading, classification and job evaluation schemes are used as the basis for pay structures. The Code

has been drafted after consultation with the social partners and is intended to apply at the workplace in both the public and private sectors. The steps and measures it contains are clearly not exhaustive. This is not a legally binding instrument but it aims to encourage good practice with a view to tackling the remaining problems in the area of pay.

11. On 24 July 1996 the Commission decided to launch a consultation of the social partners on the issue of taking further action against sexual harassment in the workplace. The consultation document was accompanied by a report assessing the 1991 Commission Recommendation. This confirms that the Recommendation has not led to sufficient measures being adopted by the Member States to create a working environment where sexual harassment is effectively prevented and countered. Given the lack of adequate progress in the fight against sexual harassment, the consultation document urges the social partners to negotiate on this issue. It also suggests that a binding instrument may be the way forward in this area, setting out a common plan to be adapted to each country's situation. The question is left open as to what legal basis for further action could be appropriate. Work on this and the other initiatives outlined above will continue across the remainder of the Social Action Programme period.

12. On 24 September 1996 the Council adopted the substance of the draft Council Recommendation on gender balance in decision-making which the Commission had adopted on 29 November 1995.

13. An unforeseen event since the adoption of the Social Action Programme was the European Court of Justice's ruling in the Kalanke case, relating to positive action. The ruling was given in October 1995, and in March 1996 the Commission acted to clarify the situation by presenting a Communication and draft Directive amending Directive 76/207/EEC concerning equal treatment as regards access to employment, vocational training and promotion. The aim of both instruments is to make it clear that positive action (that of rigid quota schemes) remains lawful and is to be encouraged.

3. SOCIAL PROTECTION, EQUAL RIGHTS AND CIVIL DIALOGUE

1. The Social Action Programme period is characterised by considerable activity under what can broadly be termed "social protection". The key framework is that of the Commission initiative on the **future of social protection**, in the context both of changes in the labour market and of wider demographic shifts. Specific initiatives can be noted relating to a number of groups at a potential disadvantage both in the world of work and in society more generally. This chapter gives a brief overview of activity undertaken and ongoing in these areas, including the increasing role of **civil dialogue** in promoting social cohesion in Europe, and the multi-faceted social and societal implications of the **Information Society** which reach far beyond the world of work.

The future of social protection

2. 1996 is the year of a European debate on the future of social protection, as proposed by the Commission at the end of 1995. The debate is wide-ranging, with input from all the European Institutions and the Member States, the social partners, and NGOs. It is progressing well, with useful input from the Informal Social Affairs Council organised by the Irish Presidency in July 1996 relating to the interaction between social protection and long-term unemployment. The Council and the Member States have acknowledged the importance of pooling experience on the development of social protection systems, particularly with regard to making them more employment-friendly and more efficient. The Commission will make sure that its follow-up Communication develops the analysis in this area, and also that this aspect is integrated into the overall context of the Essen strategy (see Chapter 1). The debate takes place against the background of considerable demographic change in the EU, as highlighted in the Commission's Report which was discussed at the Social Affairs Council on 3 June 1996.

3. Feedback received so far, especially from Member States, shows that there is a will to work together at European level to mainstream social protection in the interest of society as a whole and to develop further its positive role in economic terms. Financing is a major shared concern for Member States. Although the specific situation differs from one Member State to another, there is a clear preference for solutions which preserve the public, solidarity-based approaches which are characteristic of the European tradition in this area.

4. The Commission's next Communication will propose appropriate follow-up in areas where the debate identifies that a useful contribution can be made by action at European level. The next Communication will, in addition, identify the areas in which more in-depth analysis could be usefully pursued. The Commission departments are currently beginning to analyse the reactions, and draw up a Communication on the appropriate follow-up. The overall objective is to identify the areas in which more in-depth analysis of problems and solutions would be useful in helping Member States achieve their policy objectives as defined in the two Recommendations adopted in July 1992 on convergence of objectives, and on common criteria concerning sufficient resources and social assistance. As part of this process, a report will be produced in 1997 describing the progress achieved and obstacles encountered in implementing Recommendation 92/442/EEC.

5. The Commission will produce its third social protection report in 1997, so as to provide an up-to-date comparative analysis of Member States' social protection systems and policies. It will also continue to develop MISSOC (Mutual Information System on Social

Security within the Community), which provides an analytical tool through the publication of comparative tables and periodic newsletters, as well as ESSPROS (European System of Social Protection Statistics).

Action against poverty and exclusion

6. The Commission is committed to decisive action seeking to overcome social exclusion and promote social integration. As noted in Chapter 1, the European Council has made the creation of jobs the Union's first priority: successful action against unemployment is also successful action against social exclusion. The European Social Fund will play a growing role in this respect, in its mainstream programmes and particularly by the use of its Community Initiatives. The new INTEGRA strand of the EMPLOYMENT Initiative will have as its focus the reintegration into working life of people suffering from, or threatened by, social exclusion. Similarly, social inclusion and integration is a key concept in the EU Support Programme for Peace and Reconciliation in Northern Ireland and the border counties of Ireland.

7. It is widely recognised however that exclusion from the labour market is only one variable of the process whereby people may become excluded from society. The interplay of other factors such as lack of adequate education, housing conditions, and drug or alcohol addiction is also important, and a successful strategy to combat social exclusion must take this complexity into account. In this context, the Commission will present a Report on Social Exclusion describing all relevant Community actions, embracing in particular the contribution of the Structural Funds, the targeted socio-economic research programme, and the LEONARDO programme. This Report will bring transparency to current activity, and identify gaps. Based on reactions to this Report the Commission will make appropriate recommendations for future policy in 1997.

8. The Commission will maintain a regular dialogue with Member State policy-makers through meetings of the High Level Group on social exclusion, which started its work in September 1995. During the remainder of 1996 and 1997 the Commission will endeavour through the budgetary and other means at its disposal (see below) to help other actors at European level make their contributions more effective. NGOs, local authorities, businesses, social partners, charities and social welfare organisations, foundations and trusts, are crucial partners to governmental bodies in tackling social exclusion. The underlying objective is to enable representatives or networks of these organisations to help the Commission and the Member States identify innovative strategies, disseminate best practice, change attitudes, and to bring about participation of those who are excluded. This is a key component in the developing civil dialogue at European level (see below).

Equal opportunities for disabled people

9. In July 1996 the Commission adopted and published a Communication on equality of opportunity for disabled people in the Union, along with a proposal for a joint Council Resolution in this area. This initiative is a formal demonstration of the Union's commitment to equal rights for disabled people. It sets a common frame of reference for future action for mobilisation and cooperation, to be developed in 1997 in accordance with the principle of subsidiarity. Its aim is to bring about a new impetus to the way European society tackles disability issues, focussing on equality and human rights rather than impairment and the traditional welfare perspective. The Communication also proposes the establishment of a European Network/Observatory to assist the Commission and the Member States with

reporting on the situation of disabled people in the Union as well as a High Level Group of Member States' Representatives on disability in order to keep policy development in the Member States under review and to pool information and experience.

10. Employment is an essential aspect of the policy of equalising opportunities. Throughout the remainder of the Social Action Programme period, the Commission will concentrate on the question of employment for disabled people, especially with a view to integrating disabled people more tightly into the process of monitoring employment trends and systems in the European Union. Before the end of 1996 the Commission will launch a study, with results available in 1997, analysing the cost-benefit of "reasonable accommodation" for disabled people in the employment field. It will also draw up a strategy document on the employment of disabled people, with a view to discussions with the Member States, the social partners and disabled people in 1997. The Commission will support initiatives developed in the framework of the social dialogue aimed at drawing up a code of good practice for companies throughout the Union.

11. Furthermore, the HORIZON strand of the EMPLOYMENT Community Initiative will be given greater impetus and visibility to identify and implement innovative action and strategies with wide dissemination potential. 475 MECU of Community financing is provided for the period 1994-1999 through this strand, and significant additional resources are also set aside for people with disabilities through the mainstream Structural Fund programmes. Efforts will be made to involve groups of and for disabled people more actively in the implementation and follow-up of Structural Fund action. The Commission will hold a special European conference to take stock of promising initiatives and examine ways of mainstreaming good policies and practices in the period ahead, also taking account of experience in HELIOS II, which ends in 1996. Whilst awaiting the outcome of the final evaluation of the programme in the first half of 1997, the Commission will continue its consultations on appropriate new initiatives, especially where these involve actors at local level.

Older people

12. The Commission will continue to promote action at the European level which benefits the older generation by adding value to relevant policies and action established at national, regional and local levels. There will be two focal points: social protection, and employment.

13. From a social protection perspective, the Commission will facilitate an examination of how Member States can protect the older generation against the risks of poverty and dependence. With regard to care insurance for persons becoming dependent, as the Union's population ages, numbered amongst it are increasing numbers of people in our society who are becoming dependent. People in this position need long-term help and constant care. Preparation work for a comparative report on care and dependence is underway in 1996. A report will also be prepared on the role of social protection systems with regard to age and poverty. Both reports will be discussed with policy makers and policy implementors in 1997.

14. From an employment perspective, preparatory work is underway to examine access to opportunities of older workers and older jobseekers across the Union. A report will be prepared for discussion with policy makers so as to see what lessons may be drawn in labour market terms.

15. The Commission will continue to promote or facilitate information and experience exchanges amongst innovative practitioners including NGOs, related to these items. The Commission's capacity to do this is seriously affected by the effective freezing by the European Court of Justice of Community expenditure in favour of older people in 1996 following the challenge by two Member States. This problem, which also affects social exclusion, underlines the need to insert into the Treaty a specific legal base, with qualified majority voting, for the adoption of programmes and actions to address the needs of the poor, the vulnerable and the disadvantaged citizens of Europe.

Action to counter racism, xenophobia and anti-semitism

16. To help counter discrimination on grounds of race, in December 1995 the Commission presented a Communication on racism, xenophobia and anti-semitism, including a draft Council Decision to designate 1997 as the European Year Against Racism. The Commission will work closely with others - particularly the Council of Europe - to ensure its success. The Commission also continues to support discussions in the social dialogue on the implementation of the social partners' joint declaration on the prevention of racial discrimination and the promotion of equal treatment in the workplace - an initiative which was, in fact, the forerunner of the Commission's Communication. Furthermore, the new INTEGRA strand of the EMPLOYMENT Community Initiative incorporates the fight against racism and xenophobia, taking account of the fact that the most vulnerable in society are those most at risk of discrimination.

Integration of immigrants and ethnic minorities

17. The Commission will continue to promote the exchange of information and experience with governments, NGOs and local authorities (Elaine network *inter alia*). In particular, the Commission will support exchange initiatives involving various partners, demonstrating the multiplier effects they have, and the added value they bring at European level. To enhance the visibility and impact of these initiatives, the Commission will publish evaluation reports on grants for innovative projects which contribute to the design and testing of measures to improve the integration of immigrants into society. The INTEGRA strand of EMPLOYMENT will support NGOs in helping them promote a broad range of actions to increase the participation of immigrants and ethnic minorities in public life.

Civil dialogue

18. The social reforms needed to address the challenges and massive structural changes facing the Union, require a new balance between legislation and collective bargaining and an increased participation of the social partners in the preparation and implementation of Community social policy. The social partners have played a crucial role at national level in working towards economic and social progress; they also have an active role to play in economic and social policy at European level, in areas such as employment, health and safety, vocational training, equal opportunities, and working conditions in general. A wide range of voluntary organisations and other representative bodies also need to be much more actively engaged in helping to reconcile economic performance with a wide-spread social solidarity.

19. In line with Declaration 23 on cooperation with welfare organisations annexed to the Treaty on European Union, and without prejudice to the particular role of the social partners, the Commission considers that voluntary and other representative organisations should have

a role to play in a wide range of social issues. Its Opinion in the framework of the IGC stresses the need for the European Institutions to be closer to Europe's citizens. The development of a dialogue with civil society through cooperation with charitable associations and foundations is one way of moving towards this goal. The first European Forum on Social Policy, held in March 1996, successfully brought together the widest possible range of interested parties, including the social partners, NGOs, Member States and the European Institutions.

20. One of the positive outcomes of the Forum was the beginning of a mutual understanding about the respective roles, responsibilities and capacities of the various actors in civil society in developing a strong civil dialogue, involving both social partners and NGOs. Whilst the Commission for its part will look for new ways to work together with civil society, NGOs for their part must re-examine their role, structures, objectives and capacities in order to engage fully in new ways of working together. The Commission will launch a study of the role and structures of these organisations in the Member States, and explore with them what role they can play at European level. This will complement the major role played by the social partners in promoting social Europe, notably through the social dialogue. The commitment to convene a second European Forum on Social Policy is an important part of this process. The Commission also welcomes the support of the European Parliament for involving NGOs actively in deliberations on the future of European social policy, and will work very closely with Parliament in taking work forward in this area. It will also take account of the views of the other Institutions, and notably those of the Economic and Social Committee and the Committee of the Regions.

21. By way of initial follow-up to the first European Forum on Social Policy, a summary of the conclusions is being widely distributed in all the official languages of the Union, and it is the Commission's hope that the social partners and NGOs involved will carry on the debates raised at the Forum at Member State, regional and local level. Where possible the Commission will actively support initiatives to do this. The Commission will also consult the NGO Platform on what role it may continue to play in the post-Forum process.

Information Society

22. In July 1996 the Commission adopted a Green Paper on living and working in the Information Society. This is now feeding into a wide debate, carried forward at a major colloquium on this theme in Dublin in September 1996. An Action Plan to be prepared at the end of 1996 will promote the model of a European Social Information Society through a variety of actions to help create new employment opportunities and adapt the qualifications of the workforce appropriately.

4. PUBLIC HEALTH

1. In line with the Treaty the guiding principle of action in the field of public health at European level is to attain a high level of human health, disease prevention and health promotion. The background to this is set out in the Commission's 1993 Communication on the framework of action in the field of Public Health. The Commission's 1995 Report on the State of Health in the European Community furnishes a great deal of information in support of these principles. The data show the important role of behavioural determinants of health, notably smoking, alcoholism, drug abuse, diet and exercise. For example, according to some estimates, half a million deaths a year in the EU are smoking-related. Northern and southern countries have differing diets, which can give rise to differing patterns of illness. Other factors linked to health include the environment (housing, public hygiene, transport, air quality) and social status (unemployment, social inequality). In the light of this, it is clear that although health care and treatment services have an important role, they must be complimented by public health actions to promote health and prevent disease as well as actions in other policy areas.

2. 1996 has seen the adoption of four public health programmes which are now being implemented: on health promotion, information, education and training; on AIDS and certain other communicable diseases; on cancer; and on drug dependence.

Key ongoing developments

3. The health promotion programme is one of the cornerstones of progress on implementing the preventive principle. The Commission is developing Community-wide action and networks in close cooperation with the Member States to promote healthy lifestyles in different environments - school, work, leisure, etc. - among specific target groups - older people, disadvantaged social groups - and linked to different risk factors, such as nutrition, alcohol, tobacco, and self-medication. It is also supporting and promoting cooperation between Member States on vocational training in public health and health promotion.

4. The preventive principle is also at the heart of the new Programme of Community action on the Prevention of AIDS and other Communicable Diseases within the framework for action in the field of Public Health (1996-2000), which the Commission will be implementing through the remainder of the Social Action Programme period. The Commission intends to support action involving as many Member States as possible, developing European Networks and Campaigns, supporting initiatives to protect children and young people and to combat discrimination against HIV-infected persons and AIDS sufferers. It will also provide support for social and psychological assistance for people affected by disease.

5. Over the same period the Commission will be working to advance the aims and objectives of the third action plan against cancer (1996-2000). The Commission's work will concentrate in particular on the areas of data collection and research, information and education, early detection and screening, and training and quality control. This follows on from earlier initiatives. A feature of this action plan involves European weeks against cancer. The last, in October 1995, launched a new code against cancer through a series of meetings and events such as a European seminar on food and cancer, and a European conference on continuing training in the field of oncology.

6. The first Community action programme for the prevention of drug dependence in the framework of public health (1996-2000) aims to contribute to the fight against drug dependence, notably by encouraging cooperation between Member States, supporting their action, and promoting coordination of their policies and programmes with a view to preventing dependence linked to the use of drugs and psychotropic substances, as well as the related use of other products. In this context it is worth recalling that the French Memorandum presented at the Turin European Council stresses the need to combat drug dependence among young people through intervention at school, in line with the principle of prevention.

7. With regard to communicable diseases, the Commission has adopted a proposal to create a Community network for epidemiological surveillance and control. This is intended to ensure effective exchange of information between Member States, identification of cases, and consultation and coordination on control measures.

8. The Commission will be supporting transnational action and networks to improve the quality of life of those suffering from Alzheimer's disease and dementia, and of those providing them with care, including informal care.

9. Another important area of activity over the coming period is the development of electronic networks within the Community's Interchange of Data between Administrations programme (IDA) to support the use of health data and indicators, and communicable disease surveillance. Work has already begun and is complemented by the Union's participation in the G7 Global Healthcare Application Project to demonstrate the feasibility of international cooperation in these fields.

10. Activities will also be undertaken in the context of the joint EU-US Action Plan, signed in December 1995 along with the New Transatlantic Agenda. One of the three actions in the social field related to social and health policy (see Chapter 8) is the establishment of an EU/US Task Force to develop and implement an effective global early-warning system and response network for communicable diseases. Work in this important area of partnership and cooperation will continue through the remainder of the Social Action Programme period.

Key developments for 1996/97

11. The Commission looks forward to the adoption in 1997 of the proposal on health monitoring. The proposed Directive on tobacco advertising remains on the table for adoption by Council. In addition, preparatory work is ongoing concerning the last three programmes foreseen in the framework communication of 1993, on rare diseases, pollution-related diseases and accidents and injuries.

12. As in 1995, in 1997 the Commission intends to continue to produce reports on the integration of health requirements into Community policies, giving an overview of health-related policy areas in the Union. Further work will aim at improving the methodology for ensuring that health requirements form a constituent part of Community policies. The Commission will also continue to present reports on health status in the EU. General reports will be presented at regular intervals, interspersed with more focused reports concerning specific groups and situations.

13. In response to the Council's demand for the development of a Community blood strategy aimed at improving the situation in the blood transfusion chain, the Commission is developing actions on blood safety and self-sufficiency including a proposal on specific legislative measures (1997).

14. The Commission will also present a Communication giving a global analysis of issues related to tobacco consumption, including economic, industrial, agricultural and public health considerations, and making relevant proposals concerning the reduction of the impact of tobacco consumption on citizens' health.

15. The Commission will be keeping the health situation in the Community under review, in particular as regards morbidity and the influence of health determinants. In close cooperation with the Member States, it will be appraising the priority areas for Community action and will be putting forward proposals for the development of Community action beyond the time period covered by the 1993 framework of action.

5. HEALTH AND SAFETY AT WORK

1. Protection of health and safety at the workplace is crucial both to safeguarding **social propriety** and to maintaining a **productive economic environment**. This puts it at the heart of the objectives set for the Social Action Programme. Data indicate that more than 8.000 workers in Europe lose their lives each year as a result of industrial accidents. The sector of activity most affected is agriculture, where the rate of mortality per 100.000 people employed is approximately 13, contrasted with approximately 8 in industry and 3 in the services sector. The annual number of industrial accidents and occupational diseases may be estimated at approximately 10 million. An opinion poll conducted in the European Community shows that 42% of workers consider that their health is or could be affected by their work. 40% consider that they run the risk of industrial accidents. All in all, one worker in seven claims to have had a recognised industrial accident or occupational disease.

2. Surveys have shown that most employers take a positive view of the need for measures to ensure the protection of health and safety, including measures at European level in view of the completion of the Single Market. Small firms are concerned about the well-being of their staff and see unscrupulous employers as threats to their business. Large businesses favour harmonised standards, and see the protection of health and safety as part of a good public image. The Commission intends to demonstrate that the protection of health and safety in business is an economic bonus and will continue proposing Community action to reinforce national action in line with the principle of subsidiarity.

3. Besides the social value of improvements in the protection of health and safety, advantages in economic terms can also be revealed by carrying out cost-benefit analyses for actions proposed. The Commission will continue to support the development of a methodology for the economic appraisal of proposed measures to improve health and safety.

4. The Commission considers that measures aimed at reducing the costs to employers, workers and Member States of ill health and accidents play their part in the development of an efficient, competitive, quality-based economy. The Commission will encourage the integration of efficient health and safety practices in best management practices. In addition to reducing costs - direct costs alone are estimated at 27 billion ECU for 1992 - this can improve competitiveness as a workforce convinced that serious efforts have been made to protect its safety will respond with improved productivity. This in turn will contribute towards better employment performance and a reduction in the current, unacceptable, level of joblessness in the EU.

5. The Commission will progress in consensus with its partners, including representatives of small, medium and large businesses, on the priorities and the best means of achieving them. Early consultation of policy makers in Government departments is also essential in order to ensure a harmonised approach.

Key developments in 1995/96

6. In July 1995 the Commission presented a Community programme concerning safety, hygiene and health at work (1996-2000) setting out the priorities in this area, and a proposal for a Council decision on a programme of non-legislative measures to improve health and

safety at work. This includes a proposal for a specific programme, Safety Action for Europe (SAFE), to promote better awareness of health and safety issues and legislation among small and medium-sized enterprises. The Programme is based on three approaches:

- The best-practice approach: the Commission will use best practice as a benchmark for the development of a work environment that is safe, productive and rewarding, and that can strengthen enterprises rather than being a burden.
- The education approach: the Commission will encourage and support Member States in their efforts in the field of information, education and training, in particular to stimulate employers and workers to foster good safety practice and to integrate health awareness into education systems at all levels.
- The worst-case approach: the Commission will use all the legal powers at its disposal to combat accidents and occupational diseases with the aim of eliminating the worst cases of risks and hazards.

7. A key element of the Programme is the integration of national and Community initiatives to combine efforts for improved results. An indispensable element in the development of this programme is the involvement of the social partners through the Advisory Committee on Safety, Hygiene and Health Protection at Work and the Safety and Health Commission for the Mining and other Extractive Industries.

Developments for 1996/97

8. To ensure the greatest possible coherence between actions proposed, the Commission intends to implement the Programme on safety, hygiene and health in close cooperation with the Member States. The Advisory Committee and the Safety and Health Commission will continue to advise the Commission on the measures taken at Community level or proposed to the Council in the field of health and safety at the workplace.

9. The indicative list of activities in the course of 1996-1997 annexed to the Programme includes, for example establishing guidance notes and core information material on legislation, information, education and training on non-legislative matters, investigation into health and safety at work problems related to new technologies and production techniques, new proposals for high-risk activities, or for certain categories of workers, and continued improvement in international cooperation on the protection of health and safety.

10. The SAFE programme will support projects of a practical nature intended to demonstrate:

- the promotion of improvements in the work situation, especially in small and medium-sized enterprises;
- improvements in the organisation of work practice which influence attitudes towards health and safety at work, in order to reduce work accidents and occupational diseases.

11. The remainder of the Social Action Programme period will see considerable activity at Union level relating to the development of the Information Society, including consideration of the new opportunities that information and communication technologies bring in the field

of health and safety at work. In particular, the application of new technologies can bring considerable added value to risk assessment activities, the collection, screening and dissemination of information, and education and training in occupational health and safety, particularly for SMEs. A conference on these issues will be held in Brussels in November 1996, and they are also integrated into the Programme on safety, hygiene and health.

12. During the remainder of the Social Action Programme period the Commission will review the need for specific measures for high risk areas in the field of health and safety at the workplace, and carry out a risk assessment for particular safety and health issues, including pregnant workers, violence, stress at the workplace, and disposal of waste (analysis). Specific proposals are also foreseen for: a second Commission Directive on occupational limit values and for a second Commission Directive on the adaptation to technical progress of the Directive on biological agents; report on the European schedule of occupational diseases and the asbestos Directive. The Commission will pursue the discussions of the proposed Directives on chemical and physical agents and the amendment of the directive on carcinogens at Council and the European Parliament.

13. The European Agency for Safety and Health (Bilbao) has become fully operational in 1996, playing an important role in bettering the conditions of health and safety at work and this will lead consequently to a shorter index of work accidents and professional illnesses in the European Union. The first meeting of the Administrative Board was held on 25/26 October 1995, bringing together representatives of the Member States, the social partners and the Commission. In July 1996 the Board elected the first Director of the Agency.

6. LABOUR STANDARDS AND SOCIAL DIALOGUE

1. Adherence to high labour standards, and also to the principles of equal rights and equal opportunities, is not only fundamental to maintaining a Europe characterised by social cohesion and respect for the values of human dignity. It is also a key element in promoting the **competitiveness** of European businesses and sustaining that competitiveness in a future where the need for security, flexibility, motivation and reconciliation of work and family life become increasingly intertwined in an evolving mix of economic activities and social structures. These are crucial issues to be addressed by representatives of management and labour in the social dialogue. The Social Action Programme set out a series of measures intended to reinforce these aspects of the European model at Union level, and this chapter outlines the key points in progress made since the Programme's introduction. A comprehensive overview can be found in Annex 1.

Key ongoing developments in labour standards

2. Significant progress towards enhancement of the *acquis communautaire* was achieved on adoption by the Council on 24 September 1996 of the Directive on the posting of workers in the framework of the provision of services. Under the Directive a worker posted by his employer to the territory of another Member State to perform services there will be covered by a hard core of mandatory rules under the labour legislation in force in that Member State. While improving legal certainty in the context of exercise of freedom to provide services, the Directive aims in addition to prevent any risk of abuse in recourse to posted workers which could be detrimental not only to the workers' interests but also to the very exercise of the economic freedoms assured by the Treaty. In economic circumstances where transnational subcontracting is on the increase, the Directive represents a major step forward.

3. Increasing numbers of companies are also restructuring on account of the economic climate, in many cases by means of transfers. In this area, where jobs are in need of protection, progress is expected on preparation of a Directive amending Directive 77/187/EEC on the safeguarding of employees' rights in the event of transfers of undertakings. The Commission's proposal has been discussed in the European Parliament which should be delivering its opinion in December. With the aim of making Community law more effective and transparent, the Commission will be publishing a memorandum on employees' acquired rights in the event of transfers of undertakings towards the end of the year. This memorandum will include guidelines for application of Directive 77/187/EEC further to the case law of the Court of Justice of the European Communities.

4. Current economic trends also give rise to diverse employment patterns (part-time, fixed-term and temporary work), but this need for flexibility on the labour market should go hand in hand with a quest for improved security for employees in such types of work. On that front, given the blockage in the Council on the Commission's proposals in this area, the Commission has decided to launch consultations with the social partners under the Agreement on Social Policy to consider what further action may be taken. The consultation document recalled the need for a European legislative measure on working conditions governing part-time, fixed-term and temporary work. Although views differ greatly on this issue, most social partners have declared themselves willing to play an active role in the elaboration of the principles involved and in putting them into practice, notably through collective bargaining

at the appropriate level. The second stage consultation was launched in April 1996, leading to the announcement by the social partners in June 1996 that they had decided to open negotiations.

5. Where working time is concerned, discussions with social partners on working time in sectors excluded from the working time Directive have continued and studies on doctors in training and work at sea not covered by this Directive have been completed. A White Paper on the sectors and activities excluded from the working time Directive is currently being prepared with a view to publication in early 1997.

Developments in 1996/97

6. The Commission has been focussing on a number of areas in the light of the changes which have occurred in labour markets, the recent trends in employment policy, the expansion of the information society and the more recent expectations of civil society.

7. The Commission will consider whether the Directive relating to the protection of employees in the event of the insolvency of their employer needs revising, and if so, to what extent. The report on the application of this Directive in the Member States has revealed that the current provisions concerning the concept of insolvency and the onset of insolvency are no longer consistent with the course taken by bankruptcy law in the Member States in the recent past, that the Directive cannot settle issues relating to transnational insolvencies, that some of its provisions are difficult to apply on account of their complexity and that the protection of employees' claims in the event of their employer's insolvency are now covered by an ILO convention and recommendation which have thrown new light on certain points.

8. Developments are expected on worker information and consultation. In November 1995 the Commission embarked upon wide-ranging consultation (including the Council, the European Parliament, the Economic and Social Committee and the European social partners) on its Communication of 14 November 1995 on the information and consultation of employees. The Communication, presentation of which was particularly welcomed by the European Parliament, takes stock of Community action in the field of employee information and consultation, sets forth the main principles which should underlie the European Union's policy in this area and suggests a number of options for future initiatives. Its principal objective is to make the Community framework in this area more comprehensive and coherent and to help overcome the impasse reached on a number of proposals under discussion in the Council for many years, notably those on the statute for a European company, a European association, a European cooperative and a European mutual society and the proposed Fifth Directive (company law). In the light of contributions already made to this debate in the current consultations, the Commission has established an expert group to review Member States' legislation and practice in respect of worker participation and make proposals or recommendations to the Commission. Once this group has reported on its findings, the Commission will take such initiatives as it considers necessary in this area. In this context, the Commission will also take an initiative in the field of information and consultation of workers in national undertakings and examine the issue of the individual rights of workers to be consulted on internal company matters which concern them.

9. In the context of the IGC and the promotion of civil society, the Commission launched a debate on fundamental rights. In May 1995 the European Parliament and the Commission jointly organised a public hearing on the need to revise the 1989 Social Charter or to

incorporate some or all of its provisions into the future Treaty. In February 1996 the *Comité des Sages* published its report: For a Europe of Civic and Social Rights. The Commission and the European Parliament have adopted their Opinions on the IGC (February and March 1996), addressing *inter alia* the issue of incorporation of fundamental rights into the Treaty. In collaboration with the European Parliament and taking account of the conclusions drawn from the European Forum on Social Policy, the Commission will continue its reflections on the issue of fundamental rights in the light of the recommendations made by the *Comité des Sages* whose report it will publish and disseminate.

10. The Commission also intends to study the future of work. In conjunction with modernisation, the growth of the services sector and the spread of new technologies, considerable changes have occurred in the fundamental nature of work and its organisation, notably as regards timeframes. The principal benchmarks used in the past to regulate employee relationships have often been swept aside or lost their relevance. Classic labour law is currently coming up against new situations: the very concepts of employment, activity as an employed person/activity as a self-employed person, working time and public policy and the *in favorem* principle have evolved and the relations between legislation, collective agreements and employment contracts have been transformed; new yardsticks are being applied. The Commission envisages comprehensive reflection at Union level on the future of work and its impact on labour law. An expert group has been set up for that purpose and a Communication will be presented.

11. Against the background of the changing world of work, more specific reflection will concentrate on the organisation of work. In all Member States the pattern of work has changed radically over the last ten years or so and traditional attitudes to work and its organisation are being challenged. The rapid introduction of new technologies, and in particular of new information technologies, has opened up new horizons for work organisation and for working relations (cf. the Commission's Green Paper on living and working in the Information Society). All these changes have important implications for education, training, industrial relations, equal opportunities for women and men and the reconciliation of work and family life. In the light of these developments the Commission will prepare a Green Paper on work organisation including working time early in 1997. This Green Paper will include the issue of new teleworking practices with a view to improving the working conditions of teleworkers.

12. The Commission intends to present a Recommendation on homeworking in early 1997 to encourage Member States to ratify the ILO Convention on homework.

13. The Commission will shortly be completing its study on rules in the Member States relating to the protection of the privacy of workers: study on rules in Member States, and a Communication on the matter will be presented in the first half of 1997.

14. Following the forthcoming completion of its comparative examination of the national rules and regulations on individual dismissals, the Commission will consult the Member States and the social partners on the approach it might take in this field (first half of 1997) which is also of general relevance to employment policies.

15. The Member States and the social partners will also be consulted in the near future on a paper prepared with a view to a Communication on the implementation of directives by collective agreement. The Communication will also review and reflect on ways and means

to involve the social partners in monitoring the transposal and enforcement of Community law (first half of 1997).

16. With the aim of improving efficiency and transparency in the application of European labour law, the Commission has organised a study to assess the general context of national systems for monitoring the application of labour rules; the ultimate intention is to set up information and good practice networks linking the Member States.

Key developments in the social dialogue

17. The social partners have a central role in finding a balance between the flexibility requirements of enterprises and the aspirations of workers through collective negotiation at all appropriate levels. In recognition of this, the Agreement on Social Policy opened up the possibility of "instigated negotiation" on a Commission proposal. This was the route which led, for example, to the framework agreement on parental leave in December 1995. It is also currently being applied in the second phase consultation of the social partners concerning the flexibility of working time and workers' security (launched in April 1996), leading to the announcement by UNICE, CEEP and ETUC in June 1996 that they had decided to open negotiations. Another issue currently put to consultation by the Commission is that of sexual harassment in the workplace.

18. From the earliest years the social partners have been consulted on Community affairs, notably within cross-industry advisory committees and, later, through the establishment of the Standing Committee on Employment. In the mid-1980s the social partners took an active part in the Internal Market project and the new impetus towards European integration. The specific role of social dialogue was further confirmed from 1985 onwards by the commitment of the social partners to a dialogue- and negotiation-based approach (Val Duchesse Social Dialogue), and the formalisation of support for the social dialogue in the Single European Act.

19. In September 1996 the Commission adopted a Communication on the future of the social dialogue. This is a consultative document which explores ways to strengthen the social dialogue both at sectoral and interprofessional levels, to make it more adaptable, and to associate it more closely in the development and implementation of EU policies, particularly employment and economic growth. It covers all forms of European social dialogue (interprofessional advisory committees, Val Duchesse Social Dialogue, sectoral social dialogue, joint action in the Standing Committee on Employment) as well as possible developments at other levels. The social partners have until the end of 1996 to give their views and suggestions on the questions raised in the Communication. The Commission will issue a second Communication in 1997 setting out the steps to be taken.

20. The Commission approach to the possible development of social dialogue has been guided by the following considerations:

- respect for the autonomy of the social partners and their ultimate responsibility for deciding on the form and content of the dialogue;
- the need for the Commission to facilitate dialogue further in the context of the Essen strategy for employment (see Chapter 1), and the recognition by successive European Councils of the role of the social partners in this strategy;

- the need to rationalise dialogue structures, including the Standing Committee on Employment, and;
- the need to facilitate changes and possible developments at other levels.

21. The Communication raises a number of issues which need to be addressed, including the efficiency of certain aspects of the dialogue, the transparency and visibility of the results of the dialogue, and the difficulties of representativeness. It presents the lessons to be learned and the perspectives for development.

22. The social partners have had a growing influence on recent development in the field of employment linked to the Essen follow-up. In October 1995 the representatives of European employers and workers, meeting at a European-level social dialogue summit in Florence, declared their readiness to assume fully their responsibilities in the structural reform of the labour market. In making this declaration to the European Council, the representatives also made a joint appeal to mobilise forces against racism and xenophobia, outlining the general direction in a code of conduct to be applied at the workplace.

23. Within the Essen follow-up, the "Action for Employment in Europe - A Pact of Confidence" proposed by President Santer is based on the idea of partnership for employment. The Pact constitutes a process of mobilisation which began with President Santer's tour of capitals and the social partners' Round Table on Employment in April 1996. The Pact brings together interlinked commitments which support and reinforce each other. Following the Commission's proposal, the social partners decided to work on a joint contribution to the European Council at Dublin, establishing a work programme leading up to a social partners summit in November 1996. The aspects likely to be covered include macroeconomic policy, promotion of young people's employability, and the contribution of European structural policies to employment and training throughout working life.

24. At the initiative of the Italian Presidency, a Tripartite Conference on Growth and Employment was held in Rome in June 1996, attended by representatives of the European Institutions, the Member States and the social partners. In reactivating the practice of high-level tripartite meetings, the Italian Presidency wished to emphasise the importance of employment issues. The Conference conclusions refer to the important and necessary contribution of the social partners, especially concerning the modernisation of the labour market.

25. In September 1995 the Commission presented a Communication concerning the European Centre for Industrial Relations, which was set up at the initiative of the social partners at European level and inaugurated in Florence in October 1995. The Centre is an emanation of UNICE, ETUC and CEEP. It aims to increase trade unions' and employers' representatives' awareness of European issues through joint training at European level. The Commission takes a particularly close interest in the implementation of this major and challenging innovation.

7. THE EUROPEAN SOCIAL FUND

Landmarks in 1995/96

1. In early 1996 two landmark events took place relating to the European Social Fund (ESF). One was the presentation of the Commission's Communication on **Structural Assistance and Employment** (see below). The other was the agreement, reached in May 1996, on the package allocating the reserve budget of 1.650 MECU for the Community Initiatives. This provides financial reinforcement of 460 MECU for the Community Initiatives EMPLOYMENT and ADAPT. It also adds:

- a new strand to EMPLOYMENT - INTEGRA - covering integrated approaches to improving the job prospects of vulnerable groups in society and, in line with the Conclusions of the European Council at Cannes, helping to combat racism and xenophobia;
- a new objective to ADAPT - ADAPT-BIS - relating to the social policy implications of the Information Society. This was appropriately launched during 1996, the European Year of Lifelong Learning.

Key developments in support of the employment strategy in 1996/97

2. Whilst continuing to fulfil their main task of promoting economic and social cohesion in the Union, the significant financial resources of the Structural Funds - 170 billion ECU for the period 1994-1999 - are increasingly being harnessed in the service of employment promotion. The greater flexibility that the reform of the Structural Fund regulations introduced to the ESF in 1994, making it more of a policy driven instrument, is also now beginning to be capitalised on.

3. These two factors have enabled the development of greater coherence between the Structural Funds and the European Employment strategy with a view to improving the links between broad policy level discussions and the use of major financial resources.

4. This coherence will be strengthened by systematically informing Ministers and Directors General for Social Affairs and for Employment on the progress of the Structural Funds and vice versa, so that those responsible for the Structural Funds are also aware of developments pursued under the multi-annual programmes.

5. In March 1996 the Commission Communication on Structural Assistance and Employment was adopted. This systematically identifies the contribution of the Structural Funds to employment and puts forward proposals to strengthen this contribution. The Communication on "Action for Employment in Europe - A Confidence Pact" further examined the role of the Structural Funds and employment and put forward proposals to complement those of the March Communication. Four main recommendations concerning the Structural Funds emerge from the two Communications:

- the available financial margins for manoeuvre (notably the 5,5 billion ECU additional resources provided by the deflator effect, and the 8 billion ECU for the next phase of Objective 2 programming) should be used to give priority to measures to support job creation and employment;

- the interim and mid-term evaluation exercises should give preliminary indications on the contribution of the Structural Funds to the Essen strategy and, where necessary changes should be introduced to improve effectiveness;
- there should be more emphasis on anticipation of industrial change; on innovatory measures for SMEs and on stronger links between the Structural Funds and the European Investment Bank;
- encouragement should be given to local initiatives for development and employment, including in the form of territorial pacts which mobilise all the key actors to boost employment and job creation.

6. Arrangements have been put in place to take forward these recommendations in partnership with the Member States and to ensure that, within the existing Structural Fund framework and budget, all involved in the implementation of the Structural Funds step up their efforts to increase the employment element. As requested by the European Council at Florence, the Commission will prepare a report for the Dublin summit covering the possibility of refocussing the Structural Funds to take greater account of job creation; support for small and medium-sized enterprises and support for local employment initiatives.

7. Discussions with Monitoring Committees will continue with the aim of using the Cohesion Report, the report on refocussing the Structural Funds and, especially the results of the mid-term evaluation reports (expected in spring 1997), to identify the most effective actions and recommend operational ways of giving greater attention to employment using the available financial margins of manoeuvre.

8. The negotiation of the new Objective 2 programmes represents the first concrete opportunity to apply the recommendations in favour of job creation. The new guidelines for Objective 2 highlight the importance of human resource development and non-material investment and give special emphasis to new sources of jobs and local employment initiatives. The Commission is committed to completing these negotiations before the end of 1996.

9. In line, with the Conclusions from Florence, the Commission is also taking forward the idea of territorial pacts. At the end of July 1996 guidance was sent to the Member States, the Social Partners and the Monitoring Committees to help them in the process of establishing territorial pacts and draw their attention to the possibility of using available financial margins of manoeuvre to support employment actions defined in such pacts. The aim is for Member States to select their participating territories in late 1996 with up to six months to prepare the pacts with a view to implementation getting underway in spring 1997.

10. It will be especially important to involve the social and economic partners on a systematic basis as well as to intensify the participation of regional and local authorities. Furthermore the growing importance of the "civil society" (see chapter 6) means that a special effort needs to be made to ensure that the valuable expertise and experience of NGOs is brought more to the fore in the Monitoring Committees.

Key developments in related fields in 1996/97

11. In November 1996 the Commission published its first report on progress towards economic and social cohesion in the European Union. This document lays the foundations for thinking on the Structural Funds and cohesion into the 21st Century.

12. In parallel with the increasing alignment of the Structural Funds with the employment strategy, and in line with the European Council Conclusions of Essen and Madrid, particular emphasis is being placed in the ESF on the themes of promoting equal opportunities for women and men, combatting long-term unemployment, and facilitating the integration of young people into the labour market. A Labour Market Expert has been appointed for each Member State to assist in this. These experts are analysing progress on these themes in the implementation of the ESF, especially under Objective 3, and making recommendations to improve targeting on those in greatest need.

13. The Commission will forward its report on Objective 4/ADAPT to the European Parliament later in 1996. This will review progress on implementation of the programmes and make a first assessment of the contribution of Objective 4 and ADAPT to the issue of adaptation of workers to industrial change. This is of special strategic significance because of Objective 4/ADAPT's focus on the need for firms to develop a better capacity to anticipate sectoral and technological change.

14. As part of the overall drive to improve the effectiveness of action and get the best value for money, the Commission has decided to overhaul the procedures and operation of Article 6 of the 1993 ESF Regulation, which is the special Social Fund budget line for promoting pilot projects and testing out innovative ideas and approaches. A much more targeted approach is being introduced focussing on one single theme and the Commission is taking the management into its own hands. For 1996 and 1997 the theme will be new sources of jobs.

15. Furthermore, new guidelines have been introduced for Social Dialogue actions financed under paragraph 1.c of Article 6. These are aimed at orienting projects towards one of three broad themes: the economic and institutional framework of the EU; new methods of production and work organisation; and the introduction of new technologies in all sectors of the EU economy. In 1995 project proposals were received from ETUC, UNICE and CEEP. These covered both separate and joint actions, and summed to a total amount of approximately 7 MECU. The projects concerned involved people from both sides of industry and services, and covered two or more Member States. They dealt with transferring specialised knowledge relating to modernising production apparatus. These actions complement and underpin related work on adaptation to industrial change financed through Objective 4 and ADAPT.

16. Through the remainder of the Social Action Programme period and beyond, the issue of complexity of procedures should be reviewed carefully by both Member States and the Commission to identify the scope for simplifying and streamlining within the current regulatory framework. This is also an important topic for the SEM 2000 (sound and efficient management) project which is expected to report on the clarification of eligibility of interventions later in 1996. DGV is due to put proposals to the ESF Committee before the end of the year for simplification of ESF implementation procedures. Specific areas under

consideration include: complexities in financial, information and communication flows; an examination of whether any layers of bureaucracy could be reduced by a more flexible interpretation of Structural Fund regulations and the identification of points in the regulatory framework which cause complexity and which could perhaps be changed at the time of the next reform of the Structural Funds in 1999.

17. The Commission and the Member States will continue to strive to ensure that the available ESF resources are used to the full and concentrated on the most effective actions. With this view in mind an action plan to improve budget forecasting and execution has been implemented and is already yielding good results. Work is also progressing well on evaluation with independent evaluators now in place in most of the Member States. Finally, special attention is also being paid to promoting information and visibility to raise awareness of the ESF and the valuable contribution it makes both at European and at Member State level.

8. ENLARGEMENT AND THE EXTERNAL DIMENSION

Key developments in 1995/96

1. Bilateral cooperation: a process of cooperation with Japan in the social sphere has been in operation for many years. It is also being developed now with the United States, Canada and Australia. Since December 1995, cooperation with the United States has speeded up as a result of the signing of the New Transatlantic Agenda and the EU/US Action Plan, providing for cooperation in three main areas in the social sphere:

- establishment of an EU/US Task Force to develop and implement an effective global early warning system and response network for communicable diseases;
- establishment of a Joint Working Group on Employment and Labour Related Issues;
- exploration of the scope for an agreement for the exchange of information on issues affecting health and safety at work.

2. Euro-Mediterranean partnership: within the social sphere, the Barcelona Conference pinpointed the following priority issues: the importance of social development and respect for fundamental social rights; the role and essential contribution of civil society; the need to reduce migratory pressure through vocational training and assistance with job creation, while guaranteeing protection of all the existing statutory rights applicable to migrants legally resident in the territory of the partnership countries; combating clandestine immigration through closer cooperation. The Ministers meeting in Barcelona also agreed to take action against racist and xenophobic phenomena, and to combat intolerance; the field of health was also highlighted. The role and place of women are considered to be essential elements. Thought will be given to organising the partnership and cooperation on this basis.

3. Cooperation with Canada in the social sphere is now under way. Contacts were developed in the course of 1995/96. On 28 February 1996 the Commission adopted a Communication to the Council on EU/Canada relations, which provides in particular for the fostering of cooperation in areas of common interest linked to employment policy and social policy. The adoption of an EU/Canada Action Plan, which is currently under discussion, will likewise establish the framework for cooperation in the social sphere.

4. Cooperation with Australia will be continued and developed. An exchange of information took place at the end of 1995 on questions of common interest in the field of employment. These contacts proved to be constructive. The dialogue will be continued and intensified.

Key developments for 1996/97

5. Two communications are currently being prepared by the departments concerned. The framework Communication on the external dimension of Community social policy, which is expected to be adopted in 1997, will aim to establish the priorities for Community social policy in this area and to set out a coherent framework for the lines of action envisaged, in order to meet the challenges posed by the new international context. The Communication on follow-up to the World Summit for Social Development, which was held in Copenhagen in March 1995, will look at various areas in which specific action might be taken. In

Copenhagen, the Heads of State and Government adopted a Declaration and a Programme of Action focusing on three issues: eradication of poverty; increasing productive employment and reducing unemployment; social integration.

6. Cooperation in the social sphere with the countries of Central and Eastern Europe continued to progress over the past year. Numerous contacts (meetings, seminars, workshops) provided opportunities to learn more about the social reality of these countries and for them to gain information on the Community's social dimension. These contacts and cooperative activities will also be pursued in conjunction with the implementation of the Europe Agreements and of the White Paper on the approximation of legislation for the internal market, which gives a clear signal that the social dimension must go hand in hand with the economic dimension. In terms of pre-accession strategy, provision should be made for discussion fora. Following the conclusions of the Madrid European Council, the Commission has been asked to evaluate the effects of enlargement on Community policies, to prepare opinions on the applications for membership and to forward them to the Council as soon as possible after the end of the Intergovernmental Conference, and to prepare a composite paper on enlargement. The social dimension will be an important part of this exercise, as emphasised, for example, in the memorandum for a European social model presented by France at the Turin European Council.

7. Social issues connected with the globalisation of world trade: the Commission indicated in its Communication entitled "Access to Market Strategy" that the Singapore Ministerial Conference in December 1996 could usefully initiate a debate on this issue, and that it favours the establishment of a WTO working group to consider the relationship between international trade and working conditions. Such a forum would ensure open, clear debate in an environment of mutual trust. The work ongoing in the OECD and the ILO should provide a useful basis for these discussions. The Commission presented a Communication on the trading system and internationally recognised labour standards along these lines in July 1996, inviting the Council to include the proposal of a WTO working group in the EU's position at Singapore. The General Affairs Council considered this issue on 29 October 1996. Its conclusions recall the importance of the ILO in promoting better definition and universal observance of core labour standards, reject all attempts to undermine the competitive advantage enjoyed by developing countries in the matter of wage rates, and underline the importance of positive measures to assist developing countries in developing their institutional capacity to monitor compliance with core labour standards and to increase the educational opportunities available to children. The Commission has also taken the initiative of promoting respect for fundamental rights of workers in the context of the Generalised System of Preferences.

8. European Economic Area: the Commission has been working towards greater cooperation in the social sphere by involving the EFTA countries which are party to the EEA Agreement in a number of its activities in the fields of employment, public health, equal opportunities for women and men, and action in favour of disabled people. The Commission will continue along this path by proposing, in particular, that participation in forthcoming Community programmes be opened up to the EFTA/EEA countries.

ANNEX 1

STATE OF PLAY ON DGV SOCIAL ACTION PROGRAMME ITEMS: 30 NOVEMBER 1996

1. Employment/European labour market

Economic policy guidelines: employment chapter in the Commission Recommendation to the Council for the economic policies of the Member States and the Community (COM(95)228 of 31/5/95).

Follow-up to Essen: Commission contribution to first Single Report adopted 11/10/95 (COM(95)465).

Employment Report: 1995 report adopted 26/7/95 (COM(95)296). 1996 report adopted 9/10/96 (COM(96)485).

Employment action research programmes: Communication from the Commission and proposal for a Council Decision on the Commission's Activities of Analysis, Research, Cooperation and Action in the Field of Employment [Essen] adopted 13/6/95 (COM(95)250); modified proposal adopted 19/9/96 (COM(96)449).

Employment Observatory: Directors General for Employment examined Commission report on the functioning of Observatory in 1995, reaching consensus that the scope of its activities should be enlarged, synergies between networks should be better used, and visibility should be improved. A Commission Communication is envisaged under the proposed "Essen" Decision (see above).

Standing Employment Committee: following consultations based on the Communication on the Social Dialogue, the Commission will present proposals to revise the role, composition and functioning of the Committee.

Pension rights: draft Council Directive adopted 7/7/95 (COM(95)334). The Commission decided in February 1996 to request the high level panel on free movement of people (see below) to give its opinion on the best means to address the issues in this area. The Group's opinion is expected before the end of 1996 in the form of an interim report.

Social security for migrant workers: draft Regulations (miscellaneous amendments to 1408/71) adopted 14/7/95 (COM(95)352) and 20/9/96 (COM(96)452).

Codification of social security for migrant workers: adopted 10/7/96 (COM(96)318).

Early retirement schemes: draft Regulation adopted 10/1/96 (COM(95)735).

Unemployment benefits: draft Regulation adopted 10/1/96 (COM(95)734).

Access to cross-border health care and services: proposal to be presented in 1997.

Extension of Regulation 1408/71 etc. to third-country nationals: proposal to be presented in 1997.

High-level panel on free movement: report due to be presented to the Commission at the beginning of 1997.

Review of Regulations on social security for migrant workers: conference held in Stockholm in June 1996, as part of wide-ranging review leading to proposal for comprehensive revision in 1997 and beyond.

EURES network: report adopted 19/1/96 (COM(96)3).

Implementation of TESS: initial results of operational exchanges were presented at a conference in Newcastle-upon-Tyne (UK) in January 1996. The series of projects planned for step-by-step implementation by 1998 remains current.

2. Equal opportunities for women and men

Fourth equal opportunities action programme: Communication and draft Council Decision adopted 19/7/95 (COM(95)381).

Mainstreaming of equal opportunities: Communication adopted 21/2/96 (COM(96)67).

Equal opportunities and the Structural Funds: integrated into the Communication on mainstreaming.

Reconciliation of family and professional life: draft Directive adopted 31/1/96 (COM(96)26).

Follow-up to Barber judgement: draft Directive amending Directive 86/378/EEC adopted (COM(95)186 of 16/5/95).

Burden of proof in sex discrimination cases: following consultations with social partners, draft Council Directive adopted 17/7/96 (COM(96)340).

Code of practice on equal pay: adopted 17/7/96 (COM(96)336).

Women in decision-making: draft Recommendation adopted 29/11/95 (COM(95)593).

Dignity of men and women at work: report on the 1991 Recommendation serves as a basis for consultation with the social partners on possible future action in this area, particularly on any possible binding legislative instrument.

Amendment of Directive to complete implementation of the principle of equal treatment in social security schemes: modified draft proposal for a Council Directive to be put to consultation in 1997. This aims at completing the implementation of the principle, and addresses gaps in the law following the Barber and subsequent judgements.

Individualisation of rights: Communication to be presented in the first half of 1997.

4th UN Conference for Women: Communication adopted 29/5/95 (COM(95)221); the Commission participated actively in the Conference, and will now consider how to strengthen the implementation at European level of the action platform adopted in Beijing, in the framework of initiatives planned or underway.

Advisory Committee on Equal Opportunities: Decision adopted 19/7/95.

Annual report on equal opportunities for women and men: first to be adopted in early 1997.

3. Social protection, equal rights and civil dialogue

Economic and Social Cohesion Report: first Report adopted 6/11/96 (COM(96)542). This reviews the implementation of structural policies and assess their impact, presenting preliminary conclusions on ways and means of improving their effectiveness. This report could also serve as a major contribution to the report on the Structural Funds requested by the European Council in Florence.

European Forum on Social Policy: first held in March 1996.

Social protection initiative: Communication adopted 31/10/95 (COM(95)466), further Communication scheduled for the first half of 1997.

Financing of social security: integrated into the social protection initiative.

Complementary health insurance: integrated into the social protection initiative.

Care insurance for persons becoming dependent: comparative report to be presented before the end of 1996.

Social protection report: second biannual report adopted 31/10/95 (COM(95)457), with third due in 1997 to provide an up-to-date comparative analysis of Member States' social protection systems and policies.

Recommendation on social protection for volunteer workers: second report to be presented in early 1997.

Urban development and social exclusion: the Communication on Local Initiatives for Employment (COM(95)273 of 13/6/95) proposes the development of innovative projects for urban areas. Discussion of further possibilities underway under the auspices of the Cohesion Group of Commissioners.

HELIOS II: interim report adopted 23/1/96 (COM(96)8).

Reciprocal recognition of parking cards for disabled people: draft Recommendation adopted 15/12/95 (COM(95)696).

Elimination of discrimination against disabled people: Communication on Equality of Opportunity for People with Disabilities, and draft Council Resolution relating to UN standards, adopted 30/7/96 (COM(96)406).

Employment of disabled people: incorporated into Communication on Equality of Opportunity.

Employment of disabled people in the European Institutions: code of good practice to be drawn up in line with the Communication on Equality of Opportunity (1997).

Consultative body for disabled people: integrated into Communication on Equality of Opportunity.

Demographic Report: adopted 23/2/96 (COM(96)60).

Fight against racism and 1997 as Year Against Racism: Communication and draft Council Decision adopted 13/12/95 (COM(95)653).

Legal provisions against racism and xenophobia: comparative analysis to be updated.

Protection of rights of migrant workers and their families: Member States are invited to adopt the 1990 UN International Convention on this subject.

Evaluation of grants to NGOs: report to be produced.

Social and societal implications of the Information Society: Green Paper on Living and Working in the Information Society adopted 30/7/96 (COM(96)389). High Level Expert group report to be produced by the end of 1996.

4. Public health

Health data indicators: draft Decision adopted 16/10/95 (COM(95)449).

Programmes of action on pollution-related diseases, intentional and unintentional injuries and accidents, and rare diseases: Communication and draft Decision to be presented in 1997.

Integration of health protection requirements in other policies: annual reports continue, following on from the ones presented in 1995 (COM(95)196 of 29/5/95) and 1996 (COM(96)407 of 4/9/96). These will give an overview of health-related policy areas in the Union. Further work will aim at improving the methodology for ensuring that health requirements form a constituent part of Community policies.

State of health in the EU: Communication adopted 19/7/95 (COM(95)357), 1996 report to be adopted in December. The Commission will present annual reports on the state of health in the EU. General reports will be presented at regular intervals, interspersed with more focused reports concerning specific groups and situations.

Surveillance of communicable diseases: Communication and draft EP-Council Decision adopted 7/3/96 (COM(96)78).

AIDS programme: report adopted 7/11/95 (COM(95)521).

Cancer programme: report adopted 18/7/95 (COM(95)356).

European Drug Prevention Week: evaluation report presented 29/2/96.

Evaluation of the 1995 European Week against Cancer: to be adopted in December 1996.

5. Health and safety at work

Communication on a Community programme concerning safety, hygiene and health at work (1996-2000) adopted 12/7/95 (COM(95)282)

Draft Council Decision on SAFE: adopted 12/7/95 (COM(95)282).

Amendment of Directive 90/394/EEC on carcinogens: draft Council Directive adopted 13/9/95 (COM(95)425).

Risks from explosive atmospheres: draft Council Directive adopted 18/9/95 (COM(95)310).

Adaptation to technical progress of Directive 90/679/EEC on biological agents: Commission Directive 95/30/EC adopted 30/6/95. Second Commission Directive scheduled for the first half of 1997.

Second Commission Directive on occupational limit values: to be adopted in December 1996.

Report on the European schedule of occupational diseases: to be adopted by the Commission shortly.

Report on the asbestos Directive: to be adopted by the Commission shortly.

Guidance document on risk assessment for pregnant workers: scheduled for 1997.

Guidance document on violence at the workplace: scheduled for 1997.

Guidance document on stress at the workplace: scheduled for 1997.

Practical application of EU legislation on health and safety: guides under production.

6. Labour standards and social dialogue

Joint EP/Commission hearing on the future of the Social Charter: held in May 1995. Debate continues through the European Forum on Social Policy, fuelled by the report of the *Comité des Sages*.

Part-time, fixed-term and temporary work: negotiations between social partners under the Agreement on Social Policy started in September 1996.

Individual dismissals: following completion of the study on national rules and practices, the first stage consultation of the social partners on the advisability and possible direction of Community intervention in this area is due to be launched in the first half of 1997.

Working time: White Paper to be presented in early 1997.

Homeworking: Recommendation to be presented in early 1997.

Information and consultation of workers at national level, and rights of workers to be consulted on internal company matters: Communication adopted 14/11/95 (COM(95)547). First stage consultation of social partners to be launched in the first half of 1997.

Work organisation, including working time, and telework: Green Paper to be presented in the first half of 1997.

Illegal work: Green Paper to be presented in 1997, taking into account the wider debate on the future of social protection, to provide a basis for consultations with the social partners and national experts on the scope for Union action in this field.

Protection of the privacy of workers: study on rules in Member States to be completed in 1996, with Communication to be presented in the first half of 1997.

Payment of wages on public holidays and during illness: report to be adopted before the end of 1996.

Insolvency of undertakings: the Commission continues to examine the issue of whether and to what extent the Insolvency Directive should be revised.

Annual Report on the Social Charter & Protocol: 1995 report adopted 24/5/95 (COM(95)184). 1996 report to be adopted in December.

Monitoring of information and consultation Directive: report to be presented in 1997.

Future of social dialogue: Communication adopted on 18/9/96 (COM(96)448).

Sectoral social dialogue: included in the Communication on the future of the social dialogue.

European Training Centre for Industrial Relations: Communication adopted 25/9/95 (COM(95)445). The Commission continues to support the activities of this centre.

Comité des Sages: Committee established October 1995; report submitted 8/3/96.

European Industrial Relations Observatory: following arrangements made to ensure the effective functioning of the Observatory, in close cooperation with the European Foundation for the Improvement of Living and Working Conditions, the work of the Observatory enters a new operational phase at the end of 1996.

Support for the social partners: report to be produced.

Committee of Senior Labour Inspectors: the Committee was established officially by Decision of the Commission on 12/7/95. It has established a network of national correspondents on labour inspection to facilitate rapid information exchange. It has defined common principles of labour inspection in the field of health and safety at work, and is fostering the development of methods for assessing national systems of inspection in relation to these principles. The Commission will also continue to promote the improvement of knowledge and mutual understanding of different national systems and practices, the exchange of information and experience in enforcement, and the development of training modules for inspectors. The Commission Decision also provides for the Committee to address labour law issues.

Systems of inspection in the field of labour law: a study is under preparation.

Implementation of directives by collective agreements: Communication in first half of 1997.

Simplification, updating and clarification of collective dismissals Directive: to be adopted in December 1996.

Acquired rights of workers in the case of transfers of undertakings: Memorandum to be presented in early 1997.

7. The European Social Fund

Implementation of Objective 4, including ADAPT: report to be presented before the end of 1996.

ECSC readaptation aids: review of the readaptation measures in Article 56 of the ECSC Treaty to be presented before the end of 1996.

An Information Support Structure has been established to improve the transparency and visibility of the European Social Fund.

ANNEX 2

STATE OF COMMUNICATION OF NATIONAL MEASURES IMPLEMENTING COMMUNITY LAW¹ 15 JANUARY 1997

Sectors:

Codes:

1. Labour and working conditions
2. Equality of treatment for women and men
3. Free movement of workers
4. Health and safety at work
5. Public health

Communication of national legislation: C
 No communication of national legislation: N
 Directive not relevant to a particular Member State: NR
 Incomplete communication: IC

1. Labour and working conditions

Council Directive 75/129/EEC of 17 February 1975 on the approximation of the laws of the Member States relating to collective redundancies: OJ L 48 of 22.02.1975

<u>Transposition</u> 19/02/77	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.75/129	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 77/187/EEC of 14 February 1977 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses: OJ L 61 of 05.03.1977

<u>Transposition</u> 12/02/77	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.77/187	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer: OJ L 283 of 20.10.1980

<u>Transposition</u> 24/10/83	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.80/987	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

¹These tables refer only to communication by Member States of national measures adopted to implement Community Law and give no indication of whether or not Community Law has been fully complied with.

Council Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship: OJ L 288 of 18.10.1991

<u>Transposition</u> 30/06/93	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.91/533	C	C	C	C	C	C	C	IC	C	C	C	C	C	C	C

Council Directive 92/56/EEC of 24 June 1992 amending Directive 75/129/EEC on the approximation of the laws of Member States relating to collective redundancies: OJ L 245 of 26.08.1992

<u>Transposition</u> 26/08/94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/56	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community scale groups of undertakings for the purposes of informing and consulting employees: OJ L 254 of 30.09.1994

<u>Transposition</u> 22/09/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.94/45	C	C	C	N	N	C	C	N	N	N	N	N	C	C	-

Council and Parliament Directive 96/71/EC concerning the posting of workers in the framework of the provision of services: OJ L 18 of 21.01.1997

<u>Transposition</u> 16/12/99	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.96/71	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Equality of treatment for women and men

Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women: OJ L 45 of 19.02.1975

<u>Transposition</u> 12/02/76	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.75/117	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion and working conditions: OJ L 39 of 14.02.1976

<u>Transposition</u> 12/08/78	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.76/207	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security: OJ L 6 of 10.01.1979

<u>Transposition</u> 23/12/84	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.79/7	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes: OJ L 225 of 12.08.1986

<u>Transposition</u> 30/07/89	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.86/378	N	N	C	N	C	C	C	N	N	N	C	C	C	C	C

Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity and on the protection of self-employed women during pregnancy and motherhood: OJ L 359 of 19.12.1986

<u>Transposition</u> 30/06/89	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.86/613	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 92/85/EC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 348 of 28.11.1992

<u>Transposition</u> 24/11/94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/85	C	C	C	N	C	C	C	IC	N	C	C	C	C	C	C

Directive 96/34/EC of 3 June 1994 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC: OJ L 145 of 19/06/1996

<u>Transposition</u> 03/06/98	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.96/34	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Council and Parliament Directive 97/XXX/EC of 20 December 1996 amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes: not yet published in the OJ

<u>Transposition</u> 01.07.97	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.97/XXX	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

3. Free movement of workers

Council Directive N° 64/221/EEC of 24 February 1964 on the coordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security and health: OJ L 56 of 04.04.1964

<u>Transposition</u> 19/09/64	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.64/221	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive N° 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families: OJ L 257 of 19.10.1968

<u>Transposition</u> 16/07/69	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.68/360	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive N° 72/194/EEC of 18 May 1972 extending to workers exercising the right to remain in the territory of a Member State after having been employed in that State the scope of the Directive of 25 February 1964 on coordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health: OJ L 121 of 26.05.1972

<u>Transposition</u> 23/11/72	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.72/194	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

4. Health and safety at work

Council Directive 78/610/EEC of 29 June 1978 on the approximation of the laws, regulations and administrative provisions of the Member States on the protection of the health of workers exposed to vinyl chloride monomer: OJ L 197 of 22.07.1978

<u>Transposition</u> 05/01/80	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.78/610	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work: OJ L 327 of 03.12.1980

<u>Transposition</u> 05/12/83	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.80/1107	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 82/130/EEC of 15 February on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmosphere in mines susceptible to firedamp: OJ L 059 of 02.03.1982

<u>Transposition</u> 19/08/83	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.82/130	C	C	C	C	C	C	C	C	C	C	C	C	NR	C	C

Council Directive 82/605/EEC of 28 July 1982 on the protection of workers from the risks related to exposure to metallic lead and its compounds at work (first individual Directive within the meaning of Article 8 of Directive 90/1107/EEC): OJ L 247 of 23.08.1982

<u>Transposition</u> 01/01/86	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.82/605	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC): OJ L 137 of 24.09.1983

<u>Transposition</u> 01/01/87	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.83/477	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 86/188/EEC of 12 May 1986 on the protection of workers from the risks related to exposure to noise at work: OJ L 137 of 24.05.1986

<u>Transposition</u> 01/01/90	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.86/188	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Commission Directive 88/35/EEC of 2 December 1987 adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp: OJ L 020 of 26.01.1988

<u>Transposition</u> 01/01/88	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.88/35	C	C	C	C	C	C	C	C	C	C	C	C	NR	C	C

Council Directive 88/364/EEC of 9 June 1988 on the protection of workers by the banning of certain specified agents and/or certain work activities (fourth individual Directive within the meaning of Article 8 of Directive 80/1107/EEC): OJ L 179 of 09.07.1988

<u>Transposition</u> 01/01/90	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.88/364	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 88/642/EEC of 16 December 1988 amending Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work: OJ L 356 of 24.12.1988

<u>Transposition</u> 21/12/90	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.88/642	C	C	C	N	N	N	C	C	C	C	C	N	C	C	C

Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work: OJ L 183 of 29.06.1989

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.89/391	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC: OJ L 393 of 30.12.1989

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.89/654	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 393 of 30.12.1989

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.89/655	C	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 89/656/EEC of 30 November 1989 on the minimum safety and health requirements for the use by workers of personal protective equipment at the workplace (third individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 393 of 30.12.1989

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.89/656	C	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 90/269/EEC of 29 May 1990 on the minimum safety and health requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 156 of 21.06.1990

<u>Transposition</u> 31/12/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.90/269	C	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 156 of 21.06.1990

<u>Transposition</u> 31/12/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.90/270	C	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work (sixth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 196 of 26.07.1990

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.90/394	C	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 374 of 31.12.1990, p.1

<u>Transposition</u> 28/11/93	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.90/679	C	C	C	C	N	C	C	C	C	C	C	N	C	C	C

Commission Directive 91/269/EEC of 30 April 1991 adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp: OJ L 134 of 29.05.1991

<u>Transposition</u> 29/06/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.91/269	C	C	C	C	C	C	C	C	C	C	C	C	NR	C	C

Council Directive 91/322/EEC of 26 November 1991 on establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work: OJ L 177 of 05.07.1991

<u>Transposition</u> 31/12/93	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.91/322	C	C	C	N	N	N	C	C	C	C	N	N	C	C	C

Council Directive 91/382/EEC of 25 June 1991 amending Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC): OJ L 206 of 29.07.1991

<u>Transposition</u> 01/01/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.91/382	C	C	C	IC	C	C	C	C	C	C	C	C	C	C	C

Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements and the safety at work of workers with a fixed duration employment relationship or a temporary employment relationship: OJ L 206 of 29.07.1991

<u>Transposition</u> 31/12/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.91/383	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 92/29/EC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels: OJ L 113 of 30.04.92

<u>Transposition</u> 31/12/94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/29	N	C	C	C	C	C	N	C	N	C	C	C	C	C	C

Council Directive 92/57/EC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 245 of 26.08.92

<u>Transposition</u> 31/12/93	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/57	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 92/58/EC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 245 of 26.08.1992

<u>Transposition</u> 26/04/94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/58	N	C	C	C	N	C	C	C	C	C	C	C	C	C	C

Council Directive 92/91/EC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 338 of 28.11.1992

<u>Transposition</u> 11/11/94	B	DK	EL	D	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/91	N	C	C	C	C	C	N	N	C	C	C	C	C	C	C

Council Directive 92/104/EC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 404 of 31.12.1992

<u>Transposition</u> 07/12/94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/104	N	C	C	C	N	C	N	N	C	C	C	C	C	C	C

Council Directive 93/88/EC of 12 October 1993 amending Directive 90/679/EEC on the protection of workers from risks related to biological agent at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 268 of 29.10.1993

<u>Transposition</u> 30.04.94	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.93/88	C	C	C	C	N	C	C	C	C	C	C	N	C	C	C

Council Directive 93/103/EC of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 307 of 13.12.1993

<u>Transposition</u> 23/11/95	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.93/103	N	C	N	C	N	C	N	N	NR	C	NR	N	C	C	IC

Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time: OJ L 307 of 13.12.1993

<u>Transposition</u> 23/11/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.93/104	N	N	C	N	C	N	N	N	N	C	N	N	C	C	N

Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work: OJ L 212 of 20.08.1994

<u>Transposition</u> 22/06/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir. 94/33	C	C	C	N	C	N	C	N	N	IC	N	N	C	N	N

Commission Directive 94/44/EC of 19 September 1994 adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp: OJ L 248 of 23.09.1994

<u>Transposition</u> 30/09/95	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.94/44	C	C	C	N	C	C	NR	N	C	C	C	NR	NR	N	C

Council Directive 95/30/EC of 30 June 1995 adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 155 of 06.07.1995

<u>Transposition</u> 30/11/96	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.95/30	C	C	N	N	N	N	N	N	N	C	N	N	C	N	C

Council Directive 95/63/EC of 5 December 1995 amending Directive 89/655/EEC concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC): OJ L 335 of 30.12.1995

<u>Transposition</u> 04/12/98	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.95/63	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

5. Public health

Council Directive 89/622/EEC of 13 November 1989 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products: OJ L 359 of 08.12.1989

<u>Transposition</u> 01/07/90	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.89/622	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Directive 90/239/EEC OF 17 May 1990 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the maximum tar yield of cigarettes: OJ L 137 of 30.05.1990

<u>Transposition</u> 18/11/9183	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.90/239	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Council Directive 92/41/EC of 15 May 1992 amending Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products: OJ L 158 of 11.06.1992

<u>Transposition</u> 01/07/92	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Dir.92/41	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

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