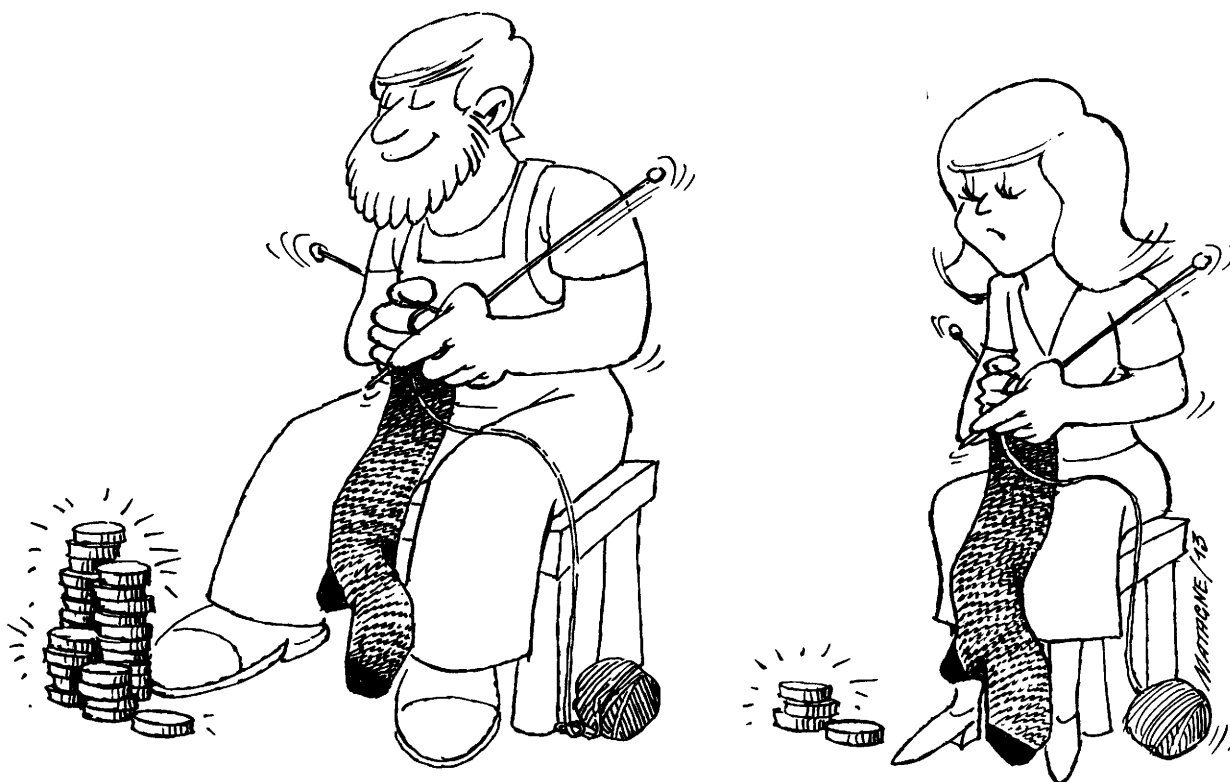


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Equal work, but with strings attached (see page 3).

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++ AID TO JOBLESS YOUTH

In 1977 two million young people were registered unemployed, five times as many as in 1969. During the coming ten years, population factors (an increase of four million looking for jobs) will only aggravate this depressing situation.

In Annex 1, Euroforum outlines the new measures proposed by the European Commission to improve job prospects for young people.

++ EQUAL WORK AND EQUAL PAY FOR WOMEN

The principle of equality is written into the founding Treaty of Rome and has also been confirmed in a Community directive. But law is one thing and reality another. The case of Belgian air hostess Gabrielle Defrenne has amply demonstrated the determination required by women to actually obtain their right to equality.

The saga of this air hostess's long drawn out legal battle with the Belgian national airline Sabena is recounted in Annex 2.

++ EDUCATING CHILDREN ABOUT EUROPE

Though "Europe" is not exactly absent from the school curriculum, courses such as "Community study" which could provide an overall understanding of what is happening in Europe today, are distinctly lacking.

In Annex 3, Euroforum examines the Commission's proposals to ensure that youngsters at least have a basic understanding of what the Community is by the time they leave school.

++ PRICES DOWN IN FEBRUARY

February 1978 saw average price rises of 8.1% with a peak of 13.1% in Denmark down to 3.1% in Germany. The UK was middle-ranking with 9.5%. The average in January of this year was 8.3% and for the month before 9%.

<u>More than 12%</u>	<u>%</u>	<u>Around 9%</u>	<u>%</u>	<u>Below 6%</u>	<u>%</u>
Denmark	13.1	U.K.	9.5	Belgium	5.4
Italy	12.7	France	9.2	Netherlands	4.6
		Ireland	8.3	Luxembourg	3.3
				Germany	3.1

++ AMOCO-CADIZ AND THE COMMISSION

Eleven years after the horrendous coastal pollution caused by the Torrey Canyon, the Amoco-Cadiz catastrophe has once more highlighted the inadequacy of present measures to protect our seas from oil spills. Short-term help for the sufferers of the Amoco-Cadiz disaster has of course not been lacking - the Commission itself has given emergency aid amounting to 600 000 dollars to rectify the damage to Brittany. But longer term measures are required. The Commission has taken the opportunity to remind the Council of Ministers about a proposal the Commission presented them with in June 1977:

- the first stage of the programme would be to launch a research programme into the ecological impact of oil, and into techniques for dealing with oil pollution;
- the second stage would be to set up an information network on available anti-pollution techniques.

The Commission considers that the preventative measures it proposed are still valid, and that the super-tanker accident confirmed the urgency of examining the navigational aspects of the problem as proposed by the Commission in December 1977.

For several years now the Commission has been studying ways of preventing hydrocarbon pollution at sea, and it is now considering an extension of the programme in two particular areas - tanker shipping lanes and technical characteristics.

The French Foreign Minister, Mr. de Guiringaud has recalled that the damage risk for vessels flying under flags of convenience (Panama, etc.) is four times greater than for those flying OECD country flags. He has proposed that the Community:

- generalise the extension of territorial waters to 12 miles so as to control the movement of those ships;
- immediately implement the Convention signed by the countries bordering the North Sea (particularly as regard to sub-standard ships);
- quickly ratify the international conventions on the standards applicable to shipping (safety of tanks, working and living conditions at sea, etc.);
- combat unfair competition within the Community, restrict the use of convenience flags, refuse access to ports for ships not conforming to the prescribed standards, and

combat pollution by way of Community research into the development of appropriate technology.

Roy Jenkins, President of the European Commission, has requested the Community's Council of Ministers to accelerate its examination of the Commission's proposals which are still awaiting decision. The Commission will be looking at supplementary measures which could be introduced in the light of the suggestions made by Mr. de Guiringaud.

++ TRADE UNION ACTION DAY

More than 40 million workers and their 31 trade union organisations were involved in the 18 country European action day, April 5th, to demonstrate against unemployment and call for a boost in industrial production. Organised under the auspices of the European Trade Union Confederation (ETUC), individual trade unions engaged in a variety of activities: demonstrations, strikes, mass meetings, etc. At the same time, the national labour organisations affiliated to the ETUC, presented their demands to governments, employer organisations and the media. Their demands covered: stimulation of demand and consumption by way of protecting workers' purchasing power and increasing incomes of the lowest paid; creating full employment by a more egalitarian distribution of available work and a reduction in working hours.

A delegation from the ETUC, protesting against the Nine's lack of will or lack of ability to agree on a policy for the Community's seven million unemployed (of whom one and a half million are young people), was received by Commission President Roy Jenkins. The delegation demanded that real progress be made in combatting unemployment.

++ ENVIRONMENT COMMITMENT QUADRUPLES

Since 1973, the European Community has allocated more than 43 million units of account for the protection of the environment (1 u.a. = + 1.2 dollars) and expenditure in 1977 was more than four times greater than in 1973.

Most of the budget has been devoted to research activities either undertaken directly by the Community's Joint Research Centre, or contracted out to research institutes which bear some of the cost.

From 1977-80, the Community's direct research programme will be dealing with four projects concerning air, water, chemicals and resources.

Contracts with research institutes concentrate on four areas : establishment of criteria for pollutants, chemicals and nuisances; management of environmental information; prevention and reduction of pollutants and nuisances; and improving the environment.

Two hundred contracts were given out for completion between 1976 and 1980.

These two approaches are complementary to each other and are based on specific research activities such as a pilot data bank scheme for chemicals in the environment, and remote sensing techniques for atmospheric pollution, etc.

Community environmental protection efforts are coordinated with various national programmes. On top of this, there is an information procedure to keep the Commission abreast with developments at the national level, as well as an advisory committee of experts who assist the Commission on the management of programmes.

++ MOTORWAY CAFES IN EUROPE

"The motorway restaurants along Europe's highways offer goods of mediocre quality at high prices and tolerate conditions of hygiene which leave a lot to be desired. They abuse their semi-monopolistic position to exploit a travelling clientele". At a time when food critic Egon Ronay has hit out at service station cafes in the UK, this is the view of Georges Carpentier of the European Parliament who has been asking the Commission if it has any plans to take action.

The Commission has replied that it has insufficient information on these allegations and does not have the intention of taking Community-wide action on such a matter. The Commission takes the view that drivers are quite capable of finding other places to eat at, and ones that are subject to national inspection.

++ SMALL BUSINESS AID FROM REGIONAL FUND

How much is allocated by the Regional and Social Funds to projects affecting small and medium sized firms, asks Aart Geurtsen of the European Parliament.

Out of total funds distributed in 1975 and 1976 by the European Regional Development Fund, 17% involved investment projects of less than 10 million units of account (1 u.a. = \pm 1.2 dollars). This low percentage is explained by the fact that Regional Fund grants have mostly gone towards infrastructure projects rather than industrial or service sector

- investment projects. The Commission does, however, intend to facilitate access to funds for small sized companies (tourism and the craft industry, for example).

Moreover, the Social Fund finances general vocational training programmes and a large number of people taking part are likely to end up in small or medium sized enterprises. It is, however, impossible to indicate the precise amount of allocations which have directly or indirectly benefited small industry.

++ LIMITING PESTICIDES IN FOOD

The Community is actively engaged in limiting pesticide residues in food and is currently drawing up a number of directives to restrict pesticide residues in cereals, animal meat, vegetable and fruit, tobacco, oils and vegetable fats intended for human consumption.

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AID TO JOBLESS YOUTH

The number of unemployed young people in the Community stood at 400,000 in 1969. By 1977 it had gone up to two million. The rate of unemployment among people under twenty was three times the average and for those between 20 and 25 years still twice the average. In 1977 young people under 25 represented 37.4% of total unemployed and made up only 17% of the Community's working population.

The question is whether this brutal acceleration in youth unemployment can continue. Current forecasts are not optimistic. Over the coming ten years the number of young people reaching working age will increase considerably - on average more than 4 million per year. By contrast, the number of people reaching retirement will be abnormally low (annual average of 2.5 million). The Community's working population will increase by 4.5 million people between 1975 and 1980 and by 5 million between 1980 and 1985 (c.f. Euroforum N° 12/78).

Even if job opportunities do pick up they are likely to be insufficient to reabsorb this disequilibrium. On top of this, the change in world demand and the introduction of new technologies will see restructure in industry and a drop in the demand for labour as a result. There are a number of other factors which single out young people as the target for dole queues: the current organisation of the labour market (priority to those already in work, etc.) and growing distortions between the educational system and qualifications required by the labour market.

Since 1975-76, all Community countries have taken emergency measures to remedy the more immediate consequences of youth unemployment. It is increasingly clear, however, that these measures cannot cope with economic recession. They should be backed up by more far-reaching measures to deal with the more durable aspects of the recession.

Community action

Apart from short term cures, the Community is progressively trying to remedy the deep-seated causes of youth under-employment. As a result, they have started action in two particular fields:

- labour demand
- transition between school and the first job.

Labour demand

- the European Commission is currently assessing the optimum share-out of the volume of available work;

- the resources of the European Investment Bank (EIB) and the European Regional Development Fund (ERDF) have been supplemented by Community loans with the aim of encouraging investment. In 1975-76, the ERDF contributed towards the creation of 115 000 jobs. The EIB granted loans of around 1086 million units of account in 1976 (1 u.a. = 1.12 dollars).

Transition from school to work

Specific Community action :

- the Community has drawn up a programme of pilot projects to run until 1980, which will develop ways of facilitating the passage of young people into working life;
- the European Agricultural Guidance and Guarantee Fund (EAGGF) has contributed to financing the socio-economic development of young agricultural workers. In 1975 the Commission drew up a proposal for a directive to cover the granting of special financial aid to young people working in agriculture. This proposal is currently with the Council of Ministers;
- since July 1975, the European Social Fund has granted more than 280 million units of account to vocational training programmes for young people out of work. More than 200 000 young people have benefited from this aid, which is particularly directed at the professional preparation of young people;
- finally, the Commission is currently working on a new exchange programme for young workers (such exchanges have been organised on a limited basis since 1964). The Commission intends to add training trips to training courses.

Job training and placement programmes:

- in the majority of Community countries, these systems have encountered a good many difficulties - more technical than financial - in adapting to new circumstances. The Commission's role has been to render these systems more efficient by undertaking comparative studies, test comparisons or by introducing other forms of cooperation;
- in 1977, the European Commission adopted a recommendation aimed at preparing young people who leave school without any vocational preparation for work. This recommendation has been guiding the work of the European Social Fund and that of the European Centre for the Development of Vocational Training, set up in 1976 to promote Community policy.

- the apprentice system in Member States has been the subject of a number of studies. The Commission is currently examining the results of these studies;
- the Commission has launched further studies aimed at comparing job creation programmes being conducted in four EEC countries. These studies form part of a wider programme of labour market studies which started in 1975. One of the stated aims is to find a better balance between supply and demand in the job market;
- SEDOC (the European system for balancing job supply with demand) has enabled a catalogue of jobs to be drawn up for the use of national job placement services. With the assistance of national services, the Commission is currently aiming towards practical application of the SEDOC system to facilitate the geographical mobility of labour in the Community.

New aid

Efforts undertaken by the Community should be supplemented with the latest proposals from the European Commission. Based on a proposal from its Vice-President Henk Vredeling, the Commission wants to introduce a new form of aid to supplement the European Social Fund system. The object is to promote the employment of young people under 25 years with two types of grants:

- employment premiums for young workers
- subsidies to programmes employing young people in the general interest

The European Social Fund aims to encourage national efforts through Community intervention. The Community contribution can be as high as 50% and even 55% for operations undertaken in the more economically and socially deprived regions.

The contribution of the Social Fund is calculated on the basis of a wage reimbursement not exceeding:

- for employment premiums : 30 European units of account (1 EUR : 1.2 dollars approx.) per person per week for a maximum period of 26 weeks. The Community contribution is limited to 50% and fixed at a maximum of 15 EUR per person per week for a period of 26 weeks.
- for job creation programmes : 60 EUR per person per week for a maximum period of 52 weeks. Community contribution is a maximum of 30 EUR per person per week for a duration of 52 weeks.

Intervention amounts will be increased by 10% for those operations undertaken in five distressed regions : Greenland, the French Overseas Departments, Ireland, Northern Ireland and the Italian Mezzogiorno.

Such aid only applies to regions where young people are faced with high unemployment rates. The number of young people who should benefit is estimated by the European Commission at around 150 000. The budgetary impact of the new aid should amount to 110 million EUR per year. As of 1979, this aid could expand the means available to the European Social Fund beyond the classical approaches of providing vocational training and increasing the mobility of young people. (These classical aids have absorbed more than 280 million EUR since 1975 for 200 000 young people. The total budget for the European Social Fund for 1978 stands at 570 million EUR).

The European Commission is aware that its proposals constitute only a partial solution to the problem of youth unemployment which affects around 2 million under 25's in the Community. It is ready to supplement these measures as long as the needs for Community intervention are clearly identified.

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EQUAL WORK AND EQUAL PAY FOR WOMEN

The principle of equal pay for men and women is written into the Community's founding Treaty of Rome and has been formalised in a European directive which is obligatory in all Community countries.

Precisely how far Member States have applied the principle is the subject of a survey by the European Commission. A questionnaire has been sent to national governments who will be drawing up their replies in collaboration with national female work organisations and European employers and trade unions. The questions are numerous and detailed and focus on legal aspects (recourse to law and jurisprudence), trade union agreements, problems of job classification, job evaluation and inspection procedures etc.

The Commission will be publishing a report based on the replies and will subsequently examine measures which can be introduced at the Community level to ensure that the principle of equal pay for equal work is strictly applied.

Air hostess case

One example that has demonstrated the imperfect application of the principle and the difficulties involved in achieving justice, is the case of the air hostess Gabrielle Defrenne who persevered with her case against the Belgian national airline Sabena. Her battle against discrimination began in 1968 when she was automatically retired from her job at age 40. Male stewards are allowed to continue working beyond 40 years, so Mlle Defrenne took her case to the courts.

Belgian court case

1968 : Mlle Defrenne filed a complaint against Sabena at the Brussels work tribunal and demanded retribution for the damage done to her in three respects: loss of wages and retirement and pension rights, and retribution for unequal treatment of air hostesses and male stewards doing identical work.

She demanded damages for the discrimination which she had been subjected to:

- her salary as an airhostess was less than that of stewards;
- as hostess she was obliged to retire at 40 years, at which point she received no retirement remuneration or pension - stewards work until the age of 55, can choose to go on flying if they are physically able and can draw a pension at 55 instead of waiting until they are 65. In addition,

the hostess who loses her job at 40 has to await the legal age of retirement (60 years) before she can draw a State pension.

1970 : Brussels Work Tribunal decided there was no basis to her complaints.

1971 : Mlle Defrenne appealed and the Belgian Labour Court (Cour du Travail belge) took up the case.

1975 : The Belgian Labour Court referred the issue to the European Court of Justice on the basis of one of the complaints : that of equal pay.

In fact, Mlle Defrenne had set in motion a procedure in the Belgian Appeal Court to abolish national law dealing with pension rights for civil aircraft personnel. She argued that the law discriminated against women and was therefore in contradiction to Article 119 of the Treaty of Rome.

ARTICLE 119 TREATY OF ROME

Each Member State shall during the first stage ensure and subsequently maintain the application of the principle that men and women should receive equal pay for equal work.

For the purpose of this Article, "pay" means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives, directly or indirectly, in respect of his employment from his employer.

Equal pay without discrimination based on sex means:

- (a) that pay for the same work at piece rates shall be calculated on the basis of the same unit of measurement;
- (b) that pay for work at time rates shall be the same for the same job.

The basic question however is whether retirement pensions (and social security systems) are covered by Article 119 of the Treaty. To interpret the matter, the Belgian Appeal Court turned to the European Court of Justice since there were no higher national courts to give a ruling on the matter.

Court of Justice

1971 : The ruling of the European Court of Justice, 25.5.71, stated that a retirement pension resulting from the legal social security system does not constitute an indirect benefit paid by the employer to the employee in the sense of Article 119.

Based on this interpretation, the Belgian Appeal Court rejected Gabrielle Defrenne's claim (10.12.71).

The Court of Justice was obliged to make a second ruling on the Defrenne case since in 1975 the Belgian Labour Court had lodged a complaint on the question of Mile Defrenne's remuneration which it regarded as discriminatory. Two questions were put:

1. Is Article 119 directly applicable or not to the domestic national law of each Community Member State. If this is the case, from when is it valid.
2. What is the power of the national legislation in this field.

Decision

On April 8, 1976, the European Court of Justice ruled that:

1. It affirms basically that the equal pay principle fixed by Article 119 of the Treaty of Rome can be invoked in national law. This implies that the national judge should apply the ruling, and the application of the ruling should have been undertaken by founder Member States as of 1.1.1962 and by the three new Members as of 1.1.1973.

The Court, however, added one reserve which astonished certain lawyers : given the economic consequences of the decision, the full impact of Article 119 cannot be invoked in law except from the date of the present ruling, unless the employee had already lodged a complaint with the courts. Though women who have suffered discrimination might find they are in the right, they cannot claim backpay from the employer if their complaint had not been filed before the ruling.

2. The Court also expanded the field of application of Article 119 and ruled that in areas where Article 119 does not have direct effect (in the case of "disguised" discrimination) the implementation of the equal pay principle can result in a conflict between Community and national legislation.

Back in Court

By stressing the extension of the scope of Article 119, Mlle Defrenne was able to reactivate her cause and she complained to the Belgian Appeal Court that the Labour Court had not taken her other complaints to the European Court of Justice : her pay complaint and that concerning her pension and contract termination indemnity.

In 1976, the Appeal Court put the case to the European Court of Justice which should give its judgement in the coming months.

In the near future - August of this year - a Community directive will come into force on the implementation of the principle of equal treatment for men and women in jobs, vocational training and promotion and working conditions.

This directive embodies many of the arguments put forward by Mlle Defrenne's lawyers : that the only way that Article 119 will have any useful effect is if it establishes equality of working conditions without which equal pay is but an abstract principle. Grounding an air hostess while male stewards can go on working is, according to Gabrielle Defrenne, a particularly striking example of discriminatory working conditions.

Hostess solidarity

The long legal battle of the Belgian air hostess has not been fought alone. Behind her she has had the Belgian Corporation of Flying Hostesses (BCFH), a professional association formed by SABENA hostesses to defend their rights. In 1966, Sabena introduced equal pay between male and female flight personnel. Following this, BCFH scored two victories : the 40 year barrier was raised to 45 and then to 50 years. This still leaves a five year discrimination period. But when hostesses are grounded at 50 they are given a choice of retiring or working on the ground.

EDUCATING CHILDREN ABOUT EUROPE

Europe as a subject is not completely absent from Community classrooms. In addition to traditional lessons on the geography and history of European countries, many schools cover economic relations within Europe. Some even try to explain such bizarre and abstract concepts as Common Market, European Community, Green pound and Treaty of Rome, etc. Yet there is a distinct lack of inter-disciplinary courses on the European Community itself, courses which could help give an overall view and explain what is happening in Europe today. The European Commission finds this somewhat disturbing. For if our aim is to build a closer union between the peoples of Europe - something that the Nine have committed themselves to - Europe's youngsters should at least have a basic understanding of what the Community is by the time they leave school.

A meeting of the Council of Education Ministers, in February 1976, took the decision to add a "European dimension" to the teaching of children in primary and secondary schools in the Community. A working document just drawn up by the services of the Commission proposes a number of measures to do just that.

In the first stage, efforts should be concentrated on the under-eighteen student population. The suggested programme would be extended over four years, beginning 1980, and the cost - close to 5 million European units of account (-1 EUR = + 1.2 dollars) - would be divided between the Community budget and Member States.

Three stage education

Lessons on the Community should, in the European Commission's view, continue throughout a child's school education, and be concentrated on three main areas:

- the Community in its European context : in particular the historic and political background which led to its creation. Its role in relation to other governmental bodies (local, regional and national), the Community as a framework for joint action to preserve the cultural diversity of its nations and its relations with other European countries, etc.

- the Community in action : its powers, its decision-making process, the development of its institutions (including, naturally enough, direct elections), its impact on everyday life and its future development etc.

- the Community in the world context : its relations with the super-powers, with other industrialised and developing countries, its role with regard to the United Nations and other international organisations, and how it is different from other regional groupings, etc.

Teaching problems

Though objectives need to be set from the start, the Commission recognises it would be a mistake to impose a standard curriculum. Teaching has to be adapted to the needs of each country and the approach and philosophies of individual schools and teachers. The goal would still be the same : to ensure that each child in each country can become fully aware of the Community's existence by way of a coherent succession of courses during the primary and secondary stages of school life.

The active cooperation of education officials in each of the Member States is indispensable in achieving this objective. Establishing such collaboration will take time, however.

Strategy

An active strategy is needed to ensure that "Community education" does not simply amount to a series of disparate and fragmented measures conducted by a number of isolated teachers and organisations. Such a strategy should be coordinated at the national and the Community level in five stages:

- systematically encouraging the introduction of Community teaching in all school curricula;
- testing new teaching methods in pilot projects, coordinated at the Community level;
- developing appropriate teacher-training programmes in each country;
- providing teachers with documentation and teaching material for their courses;
- including 'Community study' in the teacher information series which the Community is developing.

These proposals will be submitted to the Nine's education ministers for agreement on the basic principles and objectives and on the main points of the above action programme (including budget).

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