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COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

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PRESS RELEASE

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7299/85 (Presse 94)

1015th Council meeting
- Labour and Social Affairs -
Luxembourg, 13 June 1985

President: Mr Gianni DE MICHELIS
Minister for Labour
of the Italian Republic

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Michel HANSENNE
Minister for Labour
and Employment

Denmark:

Mr Jakob RYTTER
Deputy Permanent Representative

Germany:

Mr Wolfgang VOGT
Parliamentary State Secretary
to the Federal Minister for
Labour and Social Security

Greece:

Mr Costas PAPANAYOTOU
General Secretary at the
Ministry of Labour

France:

Mr Michel DELEBARRE
Minister for Labour, Employment
and Vocational Training

Ireland:

Mr Ruairi QUINN
Minister for Labour

Italy:

Mr Gianni DE MICHELIS
Minister for Labour

Luxembourg:

Mr Jean-Claude JUNCKER
Minister for Labour

Netherlands:

Mr J. de KONING
Minister for Employment and
Social Security

United Kingdom:

Mr Tom KING
Secretary of State for Employment

Commission:

Mr Alois PFEIFFER
Member

Mr Peter SUTHERLAND
Member

PROPOSAL FOR A DIRECTIVE ON NOISE

The Council reached an overall compromise on the three main problems posed by the proposal for a Directive.

The compromise provides:

- regarding the review clause:
that the Council will reexamine the Directive within 4 years from its introduction, with a view to reducing the risks arising from exposure to noise;
- regarding the exposure limit value:
this value is fixed at 90 decibels; for new installations it is fixed at 85 decibels.

Three delegations maintained provisional reservations on the 85 dB limit.

- regarding audiometry: "Where it is not reasonably practicable to reduce the daily personal exposure of a worker to noise below 85 dB, the workers exposed shall be able to have their hearing checked. The way in which this check is carried out by the Member States shall be established in accordance with national law and practice".

The Council instructed the Permanent Representatives Committee to continue examining other outstanding questions, with a view to adoption of the Directive as an "A" item by the Council at a forthcoming meeting.

PROGRAMME OF SPECIFIC MEASURES FOR EMPLOYMENT

Acting on a proposal by the Presidency, the Council approved the conclusions given in Annex I.

These conclusions follow those of the Brussels European Council (March 1985) on the economic and social situation and the wishes expressed by the Parliament in its Resolutions of April 1985.

PARENTAL LEAVE AND LEAVE FOR FAMILY REASONS

The Council examined the proposal for a Directive on parental leave and leave for family reasons, concentrating on the parental-leave aspect.

It established that there were still reservations of substance on this subject. It therefore asked the Permanent Representatives Committee to continue examining the proposal in the light of its discussion.

EQUAL TREATMENT FOR MEN AND WOMEN IN OCCUPATIONAL SOCIAL-SECURITY SCHEMES

The Council discussed the proposal for a Directive on equal treatment for men and women in occupational social-security schemes.

In view of the reservations of certain delegations, it considered that the proposed solutions called for further detailed consideration. It therefore asked the Permanent Representatives Committee to continue its discussions and report back to it in time for the next meeting.

IMPLEMENTATION OF DIRECTIVE 76/207/EEC

The Council also took note of a letter from Mr KING on the implementation of Directive 76/207/EEC of 9 February 1976 on equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

COMPARABILITY OF VOCATIONAL-TRAINING QUALIFICATIONS BETWEEN
MEMBER STATES OF THE COMMUNITY

The Council reached agreement on the Decision on the comparability of vocational-training qualifications between Member States of the Community.

The purpose of the Decision is to enable workers to make better use of their qualifications, in particular for the purpose of obtaining suitable employment in another Member State.

In close co-operation with the Member States, the Commission will undertake work with a view to achieving comparability of vocational-training qualifications between the various Member States in respect of specific occupations or groups of occupations.

The Decision also specifies the procedure which the Commission will use to establish comparability of vocational-training qualifications.

Each Member State will designate a national co-ordination body, based wherever possible on existing structures, which will be responsible for ensuring - in close collaboration with the social partners and the occupational sectors concerned - the proper dissemination of information to all interested bodies. The Member States will also designate the body responsible for contacts with the co-ordination bodies in other Member States and with the Commission. These bodies will also draw up a standard information sheet for submission by workers to employers.

The Council instructed the Permanent Representatives Committee to finalize the Decision for adoption as an "A" item at a forthcoming meeting.

GUIDELINES FOR A COMMUNITY POLICY ON MIGRATION

The Council adopted the Resolution given in Annex II.

INFORMATION AND CONSULTATION OF WORKERS AND PART-TIME WORK

The Council held a policy debate on action to be taken on the proposals for Directives on the information and consultation of workers and voluntary part-time work.

It established:

- that the implementation of these two Directives would pose fundamental problems for certain Member States, as in those Member States the matters involved were exclusively governed by collective agreements;
- that a solution should be found to this problem of principle before continuing to examine the two proposals.

EUROPEAN SOCIAL FUND: STATISTICAL MECHANISM

The Council discussed the Commission communication on statistical machinery to establish the order of priority to be applied when granting European Social Fund assistance to regions.

At the end of the discussion, the Council approved the following conclusions:

"The Council,

- having taken note of the Commission communication on statistical machinery to establish the order of priority to be applied when granting European Social Fund assistance to regions;
 - having noted the delegations' comments;
 - having taken note of the Commission communication on the guidelines for the management of the European Social Fund in the financial years 1986 to 1988;
1. Will follow attentively the results of implementing the abovementioned guidelines in 1986, particularly with regard to the indicators used to facilitate identification of the areas of high and long-term unemployment and/or industrial and sectoral restructuring referred to in the second sentence of Article 7(3) of Decision 83/516/EEC.
 2. Considers, furthermore, that improved transparency in the management of the Fund could help make the task of management easier and increase the effectiveness of the Fund's operation; requests the Commission in particular to hold further consultations with the Member States for this purpose."

PROGRAMME FOR SPECIFIC EMPLOYMENT MEASURES

"THE COUNCIL,

- convinced that the greatest problem facing the Community countries is that of unemployment, especially among the young;
- having particular regard to the conclusions of the European Council in Brussels (29 and 30 March 1985) advocating specific measures to create jobs and strengthen the labour market;
- convinced that the way to obtain lasting solutions is, without any doubt, to achieve stable, satisfactory and non-inflationary growth rates in the Member States' economies;
- bearing in mind that the pursuit of these objectives calls for the creation of an integrated internal market of European dimension that will promote growth and employment, the introduction and widespread use of new technologies and the identification and promotion of investment projects with a common European interest and with high economic and social returns, the development of research in an environment of increased opportunities for collaboration between firms, requiring active involvement by both sides of industry;
- convinced that in addition to public intervention, greater emphasis should be given to the role of firms in job creation;
- whereas, however, to that end it is necessary to define and organize a European Social dimension that will ensure continuous adaptation of social norms appropriate to a modern economy, protecting the competitiveness of firms;

- having established, on the other hand, that as an immediate task the effects of the imbalance in the supply and demand of labour resulting from the sudden structural changes connected with the introduction of new technologies must be tackled;
- considering the concurring views already expressed by the European Parliament, the Economic and Social Committee and, recently, the Standing Committee on Employment;
- having noted that initiatives and measures in the social and employment spheres can coherently and systematically be undertaken within the framework of the second medium-term social action programme adopted by Council Resolution of June 1984 and that they could constitute the first stage of that programme;
- whereas any Community measure must accompany and enhance national strategies to combat unemployment,

CALLS UPON THE COMMISSION TO EXAMINE THE POSSIBILITY OF:

- I. - promoting co-ordinated action to develop experimental or exemplary Community and/or national projects, aimed in co-ordinated fashion at creating new job opportunities and new undertakings and developing a spirit of enterprise.

Priority should be given in aid measures to the long-term unemployed, and to the young;

- with that in mind and whilst respecting budgetary constraints, taking account of the possibilities afforded in particular by the joint use of aid provided by Community financial instruments for productive investments, investments in infrastructure and energy and those intended to facilitate occupational and geographical mobility, as well as recruitment aids; it will be particularly useful to examine the possibility, in the coming financial year, of making better use for the above objectives of the 5% of the resources of the European Social Fund currently earmarked for innovatory measures, as support for the experimental projects referred to above;
- promoting, in the light in particular of the results and experience acquired in the meantime and of specific sectoral analyses, a series of special employment initiatives at European level;

- within this framework, directing the abovementioned projects and plan towards sectors which promote growth in employment;
 - improving unemployment statistics so that they give a better picture of the situation created by programmes to combat unemployment which result in the development of situations falling between normal activity and genuine unemployment.
- II. - examining, in co-operation with the Member States and both sides of industry, to what extent legal and contractual arrangements will affect the labour market's ability to adjust, in order to arrive at a better balance between the promotion of employment and social protection, whilst avoiding disincentives to job creation, and submitting relevant proposals, above all as regards small and medium-sized undertakings;
- promoting and developing experiments in the reorganization of working time, by a better distribution of working time, in a manner appropriate to the different economic sectors, and improving working conditions, especially at the level of firms, so that it is economically viable to preserve current levels of employment and create new jobs;
 - encouraging training for stable jobs as a foundation for vocational training and retraining, depending on the opportunities available on the labour market.
- III. - defining further initiatives to encourage the development and regeneration of the economy and employment, especially in areas suffering from underdevelopment, undergoing major structural change and experiencing particularly high levels of unemployment;
- to this end, promoting forward-looking labour management, especially at local level; increased flexibility of the labour market, with the active involvement of both sides of industry; support for initiatives at local level and appropriate integration of policies, especially those supported by the structural funds, to increase their positive effect on jobs.
- IV. - encouraging the development of social dialogue in order to achieve the maximum possible degree of consensus on the initiatives and actions envisaged; this will improve the operation of the employment market and enable employment to react more directly to economic growth."

GUIDELINES FOR A COMMUNITY POLICY ON MIGRATION

- "1. The Council takes note of the Commission's communication on guidelines for a Community policy on migration.
2. It recognizes that in the area of Community legislation on free movement of workers in the Member States priority should be given to the following measures:
 - (a) improving the everyday application of current legislation, by making those concerned familiar with it, in particular through the publication of a handbook and by considering whether it is necessary to add to or amend current Community legislation, particularly for certain categories of migrant workers;
 - (b) continuing to analyse the rights to and procedures for the integration or participation, either individual or collective, of migrants in the various aspects of life in the host country;
 - (c) adapting and simplifying Community legislation on social security for workers who are nationals of Member States on the basis of Article 51 of the Treaty, to take account of changes in national legislation, and of the case-law of the Court.

3. It recognizes that it is desirable to promote co-operation and consultation between the Member States and the Commission as regards migration policy, and also vis-à-vis third countries and notes the Commission's intention of drawing up a procedure for such co-operation and consultation.
4. It is determined to implement the social security provisions contained in association and co-operation agreements.
5. It confirms its desire that, with due regard for the jurisdiction of the Community, everyone should have an equal opportunity of deriving advantages and making a contribution within the Community.
6. It also considers, that with a view to the harmonious co-existence of nationals of the Member States and migrant workers and their families, initiatives should be developed at Community level to inform and to promote awareness, such as:
 - the adoption of a joint declaration condemning xenophobia and racism;
 - the setting up of pilot schemes for the organization of briefing sessions at local level for staff of local administrations who are in contact with immigrants;
 - the improvement, particularly by means of pilot schemes, of the quality of free administrative assistance in fields such as legal proceedings, education and housing, for example through better information and linguistic help in order that the quality of such services for migrant workers may be equal to that available to nationals of the Member States.

It also recognizes the desirability of a dialogue at Community level with associations of migrant workers.

7. The Council calls on the Commission to take the necessary initiatives to put into effect the measures referred to in this Resolution and to submit the necessary proposals to it in this connection.
8. Community financing for the measures referred to in this section will be decided on under the budgetary procedure and in accordance with the legal commitments entered or to be entered into by the Council.

Specific projects requiring the aid of the European Social Fund will be carried out in accordance with the financing capacity and rules of that Fund.

9. The Commission is requested to inform the Council periodically of progress in implementing the measures provided for in this Resolution.

MISCELLANEOUS DECISIONS

Other decisions on Labour and Social Affairs

The Council adopted in the official languages of the Communities a Regulation the purpose of which is to adapt the Annexes to Regulation (EEC) No 574/72 (Social security for migrant workers) to the new territorial scope consequent on the withdrawal of Greenland and to safeguard the rights acquired by workers prior to withdrawal. It also enables certain rights to sickness or maternity benefits during residence outside the competent State for workers and members of their families to be maintained on a reciprocal basis between Greenland and Member States other than Denmark.

The Council also adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 - Social security for migrant workers - 1985 amendments.

The purpose of this Regulation is both to adapt Community rules to take account of amendments to national legislation since consolidation of the rules in June 1983, and to make various technical amendments intended to improve certain rules applicable in the event of overlapping of family benefits, in the light of experience and of decisions of the Court of Justice.

The Council noted that the proposal for a Directive on the application of the principle of equal treatment as 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, required further detailed discussion at the technical level. It instructed the Permanent Representatives Committee to do so with a view to a future meeting.

The Council adopted in the official languages of the Communities the following conclusions on the implementation of Directive 77/486/EEC on the education of the children of migrant workers:

"The Council taking note of the report on the application of Directive 77/486 submitted to it by the Commission on 10 February 1984; also taking note of the comments by the Commission and the delegations;

notes that, in order to ensure satisfactory implementation of the directive, and in particular Article 3 thereof, bilateral discussions are taking place between host Member States and Member States of origin to improve their collaboration;

hopes that these discussions will increase mutual understanding and, where necessary, will result at an early date in appropriate agreements on arrangements for teaching the language and culture of origin;

notes the Commission's intention to send the Member States a further questionnaire on the implementation of the Directive in order to update the information at its disposal;

asks the Commission to forward to it in two years' time a further report on the situation and the progress made".

The Council also approved the positions to be adopted by the Community and its Member States at the 71st session of the International Labour Conference (Geneva, 7 to 26 June 1985) on

- safety in the use of asbestos
- equality between men and women in employment.

The Council also adopted in the official languages of the Communities the Recommendation on social protection for volunteer development workers. This recommendation lays down in particular as one of the objectives of the Member States' social policy the introduction of social protection for volunteer development workers or the removal of shortcomings in this area.

"Volunteer development workers" are regarded as those persons who are sent, where appropriate pursuant to national law, to developing countries through the intermediary of approved non-governmental organizations, whether State-aided or not, under conditions of remuneration similar to local conditions, for the purpose of making a positive contribution to the physical, economic and social development of such countries, and "members of their families" are regarded as those persons so defined under national laws and practices.

Furthermore, the Recommendation lays down that Member States should to this end take the measures necessary for the achievement of social protection for volunteer development workers and for members of their families on the basis of the following principles:

1. Volunteer development workers and members of their families should benefit from a level of social protection similar to that which exists in the sending country for persons carrying out a comparable activity in that country.

That cover extends to the period of preparation spent under contract by the person concerned in the sending country.

The cover should relate to benefits during service in a developing country and the acquisition and maintenance of social entitlements during such service with a view to guaranteeing social protection on return.

2. Cover should relate to the following:

- (a) sickness;
- (b) maternity;
- (c) invalidity;
- (d) old age;
- (e) death;
- (f) accidents at work and occupational diseases recognized as such by the Member State concerned;
- (g) unemployment on return;
- (h) family benefits paid within the territory of the Community.

In the case of exporting of benefits, national laws may limit benefits or adjust the amounts thereof.

ECSC

The Council gave its assent pursuant to Article 56(2)(a) of the ECSC Treaty concerning the Westdeutsche Landesbank Girozentrale, Düsseldorf (Federal Republic of Germany).

Research

The Council noted that the Commission intended to sign the Memorandum of Understanding for the implementation of a project for international scientific and technical collaboration on advanced materials and standards (VAMAS).

Customs union

The Council adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 3599/82 on temporary importation arrangements as regards the date of its implementation.

Cultural affairs

The Ministers meeting within the Council adopted in the official languages of the Communities the Resolutions approved by the Ministers responsible for Cultural Affairs at their meeting on 28 May 1985 concerning:

- the annual event "European City of Culture",
- events including European audio-visual productions in third countries,
- a European sculpture competition.

(See Press Release 6924/85 (Presse 80) of 28 May 1985).

Brussels. 12 June 1982

NOTE BIO (85) 208 TO NATIONAL OFFICES
CC TO THE MEMBERS OF THE SERVICE

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Social Affairs Council : The Commission wants to relaunch migration policy to prevent discrimination and racism.(W.Helin)

Times have changed drastically, in economic and social terms since the Commission first adopted measures, in 1974, in favour of migrant workers and their families. The present uncertainties for labour forces, the high unemployment mainly affect migrants : this also leads to increasing discrimination, racism and xenophobia. In the meantime Member States have taken measures, in order to react to immediate pressures, such as limiting further immigration and trying to encourage a voluntary return to the countries of origin. As Commissioner Sutherland stated during a news conference in February 1985, it is unfortunate that such policies had not been coordinated between the Member States and there was need for a common position. The Commission has presented the Member States with a thorough analysis of the situation of the some 12 million migrant population within the Community. At the meeting of Ministers of Social Affairs tomorrow in Luxembourg, Mr. Sutherland is likely to get a political backing by the Governments of the Ten (in the form of a resolution to be approved.) The Commission will start a process to pave the way for real progress mainly in three areas:

- Community regulation in favour of migrants who are citizens of Member States INCLUDING PROGRESS TOWARDS THE GRANTING OF POLICAL RIGHTS TO THOSE MIGRANTS.

- Consultation between Member States and the Commission on National policies as regards in particular third country migrants.

- A thorough action to duly inform the people who de facto organise the first contact of immigrants in their new country.

The Ten will also have a debate on a matter related to migration, namely the follow up of the 1981 adopted Directive which sets out a series of concrete measures to improve the educational system to the benefit of migrants' children. In a nutshell, those measures guarantee intensive courses in the language of the host country, guarantee the training of the teachers in charge and also promote the teaching of both the mother tongue and culture of the country of origin. It is likely that the Council will ask the Commission to present it with a new questionnaire to get an updated view of what measures have been concretely taken and come up with a final report within two years. Commissioner Sutherland is expected to accept this new survey to be carried out but he will certainly make the point that the Commission is not, in the meantime, going to accept any further delaying or infringement of the law by the national governments.

SPECIAL ATTENTION LONDON OFFICE

A real social protection scheme for EC citizens who
volunteer in developing countries

At their meeting on Thursday, the Ten are going to adopt a recommendation tabled by the Commission which aims at granting a real social protection to people who volunteer in developing countries. The Commission has been receiving a considerable number of concrete requests mainly through Non-Governmental bodies asking for guidelines at the European level to remedy among others the loss of social advantages and protection encountered by those persons once they return home.

The Commission feels that although this recommendation might not be spectacular, it is a concrete answer to specific and justified needs. It also serves the dual purpose of, on the one hand, securing essential social protection for the volunteers, and on the other hand, of making this activity more attractive, thus helping developing countries.

Vredeling Directive : No decision expected

In answer to a series of questions we confirmed that this important legal text, organising a better information of workers about management decisions mainly in transnational companies, will be debated on again tomorrow, Thursday, but that no decision is expected.

ABSOLUTE DISCRETION : As a deep background information we told the press that :

a) it is absolutely out of question that the Italian Presidency might go for a vote on this issue, because
b) this might create the wrong impression with the Social Partners at European level who have since early 1985, finally embarked upon a real dialogue (UNICE for the employers, ETUC for the workers) which mainly centres on the crucial issue of the Vredeling Directive, i.e. the information of the labour force by Management.

c) It is ludicrous to imagine that the Commission would withdraw its proposal.

END DISCRETION.

Regards,


H. PAEMEN COMEUR ///

PRIERE DE FAIRE LA DIFFUSION HABITUELLE DEPUIS BRUXELLES

Luxembourg, le 13 juin 1985

**NOTE BIO(85) 208 (suite 1) AUX BUREAUX NATIONAUX
C.C. AUX MEMBRES DU SERVICE DU PORTE-PAROLE**

CONSEIL SOCIAL (P. VAN ENK)

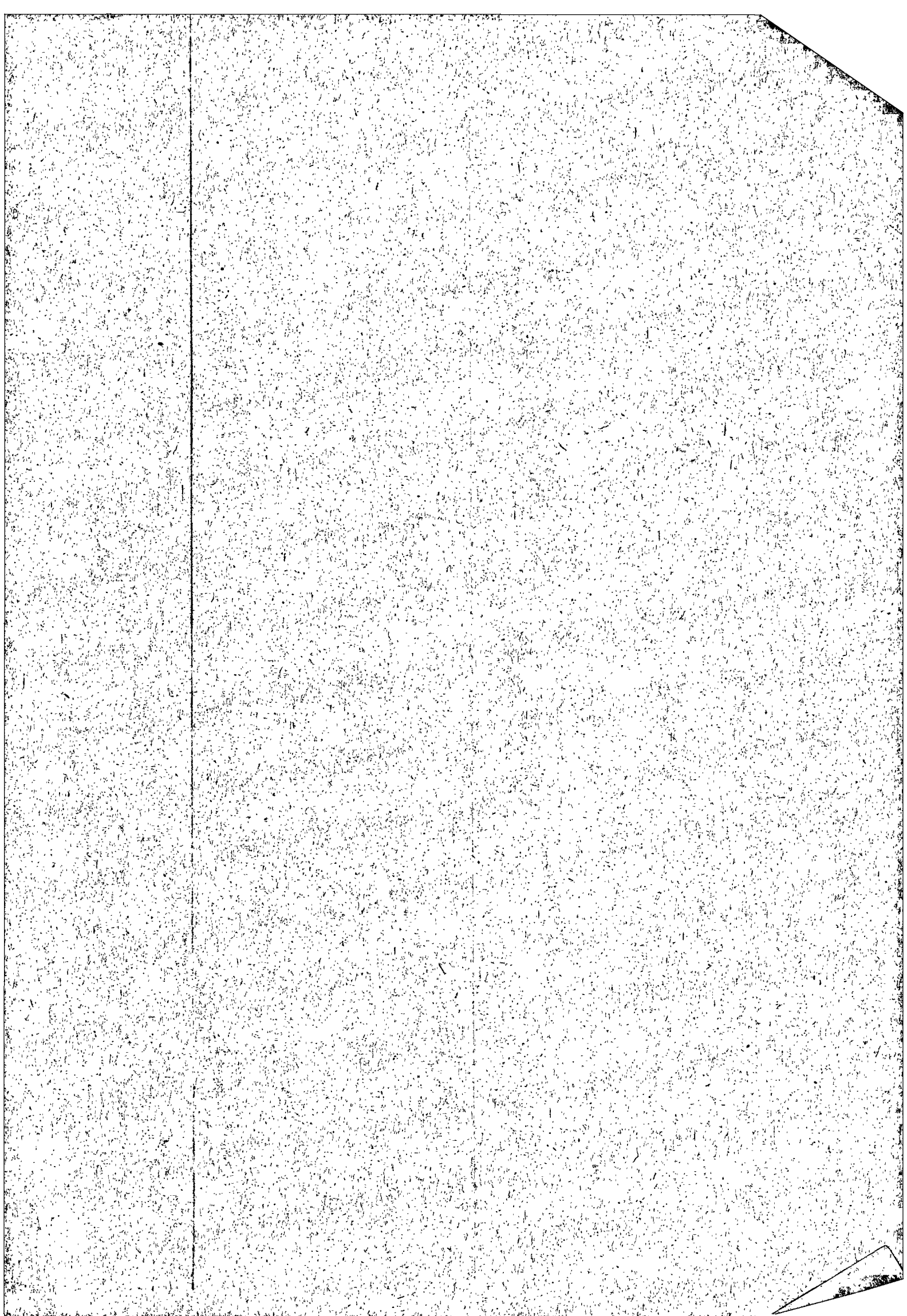
Le Conseil Social réuni aujourd'hui à Luxembourg n'a pu débattre de deux dossiers particulièrement épineux qui figuraient à l'ordre du jour : la directive VREDELING et la proposition de directive concernant le travail volontaire à temps partiel. En effet, lors de leur déjeuner les Ministres du Travail et des Affaires Sociales se sont rendus compte du fait que, dans la Communauté la matière des deux directives proposées est, grosso modo, traitée selon deux systèmes opposés l'un à l'autre. Dans la plupart des Etats membres ces problèmes relèvent de la législation et dans les autres, à savoir la Grande Bretagne et le Danemark, de négociations entre les partenaires sociaux. Les directives ont été renvoyées au Coreper en vue d'un examen de la question de savoir comment l'octroi des droits recherchés aux travailleurs pourraient se fonder en respectant les deux différentes traditions existantes.

Le report de la discussion a, bien entendu, permis d'éviter un blocage des deux dossiers, contre lesquels les délégations britannique et danoise paraissaient s'appêter à opposer leur veto.

A suivre,

Amitiés,

P. VAN ENK



LA FACON D'OPERER DE M. SUTHERLAND, CES DERNIERS JOURS, A SURTOUT ETE DETERMINEE PAR SON SOUCI DE NE PAS NUIRE AU DIALOGUE DES PARTENAIRES SOCIAUX QUI, EN JANVIER DERNIER LORS D'UNE RENCONTRE A BRUXELLES, A REPRIS DISCRETEMENT SOUS LES AUSPICES DE LA COMMISSION. UN ECHOUEMENT OU LA RETRAITE DES DEUX DIRECTIVES AURAIENT PU DECOURAGER NOTAMMENT LES SYNDICATS A POURSUIVRE LES DISCUSSIONS QUI SE DEROULENT A DIVERS NIVEAUX.

PAR AILLEURS, LE CONSEIL A ADOPTE LA PROPOSITION DE RESOLUTION SUR LA POLITIQUE MIGRATOIRE APRES AVOIR Y INCORPORE QUELQUES AMENDEMENTS, PRESENTES PAR LA DELEGATION FRANCAISE, ASSURANT LE RESPECT DES COMPETENCES NATIONALES EN LA MATIERE.

SUR PROPOSITION DE LA PRESIDENCE UNE TRES AMPLE RESOLUTION COMPORTANT DES ACTIONS SPECIFIQUES POUR L'EMPLOI A ETE ADOPTEE. LE CONSEIL A EGALEMENT, ET CECI APRES UNE DISCUSSION QUI, AINSI QUE L'A RAPPELE M. SUTHERLAND, A DURE PLUS DE 200 HEURES, APPROUVE LES ORIENTATIONS PRINCIPALES AUXQUELLES DEVRA REpondRE UNE DIRECTIVE QUI VISE LA PROTECTION DES TRAVAILLEURS CONTRE LE BRUIT SUR LE LIEU DU TRAVAIL, DIRECTIVE QUI FERA L'OBJET D'UN POINT 'A' D'UN PROCHAIN CONSEIL. POUR LE CONTENU DE CES ORIENTATIONS ET DE LA RESOLUTION SUR L'EMPLOI, AINSI QU'aux autres RESULTATS DU CONSEIL SOCIAL, JE VOUS RENVOIE AUX CONCLUSIONS DE LA PRESIDENCE.

A NOTER QUE LA RECOMMANDATION CONCERNANT LA PROTECTION SOCIALE DES VOLONTAIRES POUR LE DEVELOPPEMENT A ETE ADOPTEE COMME POINT 'A'.

AMITIES,

P. VAN ENK

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