

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

7350/86 (Presse 83)

1083rd Council meeting
- Labour and Social Affairs -

Luxembourg, 5 June 1986

President: Mr Jan DE KONING

Minister for Social Affairs
and Employment of the Kingdom of the Netherlands

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

Mrs Miet SMET State Secretary, Ministry of Social Affairs

Denmark:

Mr Henning DYREMOSE Minister for Labour

France:

Mr Jean ARTHUIS State Secretary,
Ministry of Social Affairs and
Employment

Germany:

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

Greece:

Mr Evangelos YANNOPOULOS Minister for Labour

Ireland:

Mr Ruairi QUINN Minister for Labour

Mrs Gemma HUSSEY Minister for Social Welfare

Italy:

Mr Gianni DE MICHELIS Minister for Labour and Social
Security

Spain:

Mr José ALMUNIA AMANN Minister for Labour and Social
Security

5.VI.86

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Labour

Netherlands:

Mr Jan DE KONING Minister for Employment and
Social Security

Mrs A. KAPPEYNE DE COPPELLO State Secretary,
Ministry of Employment and
Social Security

Portugal:

Mr Luis MIRA AMARAL Minister for Labour and
Social Security

United Kingdom:

Mr Kenneth CLARKE Minister for Employment

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Commission:

Mr Manuel MARIN Vice-President

5.VI.86

DISABLED PEOPLE

The Council approved a Recommendation on the employment of disabled people in the Community in which it recommended that Member States:

- take all appropriate measures to promote fair opportunities for disabled people in the field of employment and vocational training;
- continue and, if necessary, intensify and re-examine their policies to help disabled people; these policies should provide in particular for
 - = the elimination of negative discrimination,
 - = positive action for disabled people.

The measures recommended include the setting, subject to several conditions, of realistic percentage targets for the employment of disabled people in enterprises having a minimum number of employees and the provision of a guide or code of good practice for the employment of the disabled; the Annex to the Recommendation comprises a guideline framework setting out examples of positive action.

In addition, the Council invited the Commission:

- to co-ordinate the exchange of information and experience on the rehabilitation and employment of disabled people between national authorities;
- to maintain appropriate aid from the European Social Fund to assist disabled people of whatever age.

EQUAL OPPORTUNITIES FOR WOMEN

The Council gave its agreement to a second Resolution on the promotion of equal opportunities for women.

This Resolution follows up the Council Resolution of 12 July 1982 concerning a first action programme on the promotion of equal opportunities for women (1982-1985).

The Council confirmed the need to intensify action at Community and national level through a systematic and wide-ranging policy designed to eliminate de facto inequalities, and supported the broad outlines of the Commission communication concerning a new medium-term programme on equal opportunities for women (1986-1990).

It called on the Member States to take appropriate action, and in particular to:

- develop co-ordinated action in the fields of education and training designed
 - = to create a better balance between men and women in the various types of teaching establishment and
 - = to widen career choices to include sectors and trades of the future;
- increase the number of women in jobs linked to the introduction of new technologies;
- intensify specific action promoting the employment of women and, in particular,
 - = support local initiatives;
 - = ensure that women have opportunities to set up businesses;
 - = support self-employed women;
- adopt a more systematic policy to promote the presence of both sexes in employment at all levels.

- review social-protection and social security provisions;
- encourage the sharing of family and career responsibilities;
- launch information and awareness campaigns;
- encourage both sides of industry to take steps to secure effective equality of opportunity and efficacy of positive measures at the workplace;
- promote greater participation by women in posts of responsibility.

The Council also agreed to develop more systematic co-operation on Member States' policies and actions on equal treatment; it instructed the Commission to organize such co-operation with all bodies concerned.

It requested the Commission to submit an assessment of the implementation of this programme by 1 January 1991.

EQUAL TREATMENT IN OCCUPATIONAL SOCIAL SECURITY SCHEMES

The Council approved the Directive on the implementation of the principle of equal treatment for men and women in occupational social security schemes.

The Directive seeks to eliminate all discrimination based on sex, either directly or indirectly, in particular by reference to marital or family status, particularly as regards:

- the scope of the schemes and the conditions of access to them;
- the obligation to contribute and the calculation of contributions;
- the calculation of benefits and the conditions governing the duration and retention of entitlement to benefits.

It lists the types of discrimination to be eliminated, e.g.:

- setting different conditions for the granting of benefits or restricting such benefits to workers of one of the sexes;
- fixing different retirement ages;
- suspending the retention or acquisition of rights during periods of maternity leave or leave for family reasons;
- setting different levels of benefit, except insofar as may be necessary to take account of actuarial calculation factors which differ according to sex in the case of benefits designated as contribution-defined;
- setting different levels of worker contribution;
- setting different levels of employer contribution in the case of benefits designated as contribution-defined except with a view to making the amount of those benefits more nearly equal.

The Directive also stipulates that Member States must take the necessary measures to eliminate provisions contrary to the principle of equal treatment in collective agreements, staff rules of undertakings or any other arrangements relating to occupational schemes.

In addition, it requires Member States to ensure that the provisions of occupational schemes contrary to the principle of equal treatment are revised at the latest by 1 January 1993.

EQUAL TREATMENT IN SELF-EMPLOYED ACTIVITIES

The Council held a detailed discussion on 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 women during pregnancy and motherhood.

At the end of its discussions the Council instructed the Permanent Representatives Committee to continue examining this proposal.

LONG-TERM UNEMPLOYMENT

The Council held an exchange of views on a note from the Presidency concerning long-term unemployment.

The Presidency took the view that the extent of the problem called for additional measures to combat long-term unemployment. One, at least partial, solution might be to subsidize jobs for the long-term unemployed, possibly in combination with a guidance and training programme. The lack of comparability between Member States' statistics on the duration of unemployment was, however, an obstacle to using the European Social Fund. It was therefore essential that comparable national statistics be available in the near future.

The note from the Presidency, amended in the light of the discussion, will be forwarded to the Commission for its future discussions on this matter.

ACTION PROGRAMME FOR EMPLOYMENT GROWTH

The Council welcomed the initiative taken by the Ministers of the United Kingdom, Ireland and Italy of submitting an action programme for employment growth.

The Council will discuss this communication in depth at its informal meeting scheduled for 22 and 23 September.

The programme comprises an overall approach incorporating suggestions on the following headings:

- promoting enterprise and employment;
- flexible employment patterns and conditions of work;
- vocational training;
- long-term unemployment.

CARCINOGENS

The Council examined the points still unresolved in connection with the proposal for a Directive on the protection of workers by the proscription of certain specific agents and/or certain work activities (carcinogens). It instructed the Permanent Representatives Committee to continue discussing the matter.

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INFORMATION AND CONSULTATION OF THE EMPLOYEES OF UNDERTAKINGS WITH
COMPLEX STRUCTURES

The Council approved conclusions concerning the information and consultation of the employees of undertakings with complex structures, on the basis of a draft submitted by the Presidency.

The Council referred to the political and economic importance of the problem of informing and consulting employees and emphasized the importance of a social area in the context of the completion of the Community internal market.

It invited the Commission to:

- continue its work on the problem and to monitor closely developments in national legislation and agreements concluded between management and labour;
- continue its close contacts with management and labour.

It also invited management and labour to continue their dialogue at all levels.

It agreed to resume at the beginning of 1989 the discussion either of the amended proposal for a Directive ("Vredeling" Directive) or of any other proposal which the Commission might submit to it on this subject.

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SAFETY IN THE USE OF ASBESTOS

The Council decided on the position to be adopted by the Community at the 72nd meeting of the International Labour Conference (Geneva, 4-26 June 1986) on this item.

OTHER DECISION

Research

The Council adopted in the official languages of the Communities the Decision concerning the conclusion of an Agreement between the European Economic Community and the Swiss Confederation on a concerted action project in the field of automated and analytical cytology.

Bruxelles, le 4 juin 1986

NOTE BIO(86)152 aux bureaux nationaux
cc aux membres du Service du Porte-Parole

RENDEZ-VOUS DE MIDI

Preparation Conseil des Ministres des Affaires Sociales (C. LIEBANA).

Le Conseil debutera a 10 h. avec un projet de recommandation du Conseil sur l'emploi des handicapes dans la Communauté, qui vise a permettre a cette categorie de travailleurs l'acces a un emploi et a la formation professionnelle. Dans le domaine de l'egalite hommes-femmes trois documents differents sont presentes: un projet de deuxieme resolution du Conseil concernant la promotion de l'egalite des chances pour les femmes, qui comporte un plan d'action dans ce domaine pour les annees 1986-1990; et deux propositions de directive pour l'egalite de traitement dans les regimes professionnels de securite sociale et entre hommes et femmes exerçant une activite independante, y compris une activite agricole, ainsi que sur la protection de la maternite.

La presidence neerlandaise presentera une note sur le chomage de longue duree et les ministres de l'irlande, de l'Italie et du Royaume-Uni presenteront un programme d'action pour la croissance de l'emploi.

Une proposition de directive concernant la protection des travailleurs par l'interdiction de certains agents specifiques et/ou de certaines activites, plus connue sous le nom de "directive cancerigenes" sera aussi presentee ainsi qu'un projet de resolution du Conseil relative a l'information et la consultation des travailleurs dans les entreprises a structure complexe. Finalement, le Vice-President Marin presentera un rapport oral sur l'etat des travaux du dialogue social.

MATERIEL DISTRIBUE:

IP 251.- Liberalisation des mouvements de capitaux

IP 263.- Declaration Mosar sur l'accord sur le controle de securite a la centrale de Sellafield.

IP 265.- Arrrets de la Cour sur la libre circulation de travailleurs.

IP 267.- Resume du discours de M. Varfis a la deuxieme conference sur la securite des produits de consommation.

IP 268.- Resume du discours de M. Narjes a l'ouverture de la journee de l'industrie electronique allemande a Bonn.

IP 269.- Systeme de compensation des pertes derecettes d'exportation en faveur des pays les moins avances non signataires de la Convention de Lome.

amities. H. Paemen. f° GA
COMEUR

PRIERE DE FAIRE LA DIFFUSION HABITUELLE A PARTIR DE BRUXELLES

Luxembourg, le 5 juin 1986.

Note Bio(86) 152 suite 1 aux Bureaux Nationaux
cc. aux membres du Service du Porte-Parole

CONSEIL AFFAIRES SOCIALES (C. LIEBANA)

Au début de la réunion, la Commission a fait une déclaration d'après laquelle la Communauté en tant que telle devrait participer à la Conférence Internationale du Travail, à Genève, sur la sécurité dans l'utilisation de l'amiante, car la Commission estime que telle matière relève complètement de la compétence communautaire. Cette déclaration a eu pour effet d'éliminer de la liste des points à la position à prendre par la Communauté lors de cette conférence internationale où les Etats membres étaient unanimes pour maintenir sa participation individuelle. Ce problème sera donc soulevé lors d'un prochain Conseil.

Le Conseil a adopté une recommandation sur l'emploi des handicapés dans la Communauté. Celle-ci propose aux Etats membres de prendre des mesures appropriées en vue d'assurer aux handicapés un traitement équitable en matière d'emploi et de formation professionnelle notamment. La recommandation fixe des objectifs d'emploi pour les handicapés dans les entreprises publiques ou privées, employant un minimum de 15 à 50 personnes. Le Conseil n'a pas retenu un chiffre minimum commun à tous les Etats membres pour tenir compte des différentes réalités nationales.

Le Conseil a également adopté une directive relative à la mise en oeuvre du principe de l'égalité des traitements entre hommes et femmes dans les régimes professionnels de sécurité sociale. La proposition de la Commission visait essentiellement l'interdiction de prévoir des prestations ou cotisations différentes pour les femmes par rapport aux hommes en tenant compte d'éléments de calculs différents concernant la morbidité et l'espérance de vie, mais le Conseil a retenu un texte qui permet dans certains cas de fixer des niveaux différents pour les prestations et les cotisations. La Commission a donc tenu à inscrire au procès verbal du Conseil une déclaration qui exprime ses doutes sérieux quant à la fixation de ces niveaux différents selon le sexe mais retire sa réserve afin de ne pas retarder l'adoption de cette directive par le Conseil.

Amitiés
C. LIEBANA.



luxembourg le 5 juin 1986

n o t e b r i o 152 suite 2

aux bureaux nationaux
cc aux membres du service du porte parole

conseil affaires sociales (c. liebana)

apres une longue discussion, le conseil a adopte une 2eme resolution concernant la promotion de l'egalite de chances pour les femmes. le debat s'est prolonge principalement a cause du refus de la delegation allemande a accepter le texte qui charge la commission de stimuler les actions positives en faveur des femmes, ce refus etant du a des raisons de disponibilites financieres. finalement la r f a a accepte une suggestion de la presidence neerlandaise visant a preciser que cette stimulation serait faite dans le cadre des moyens dont la commission dispose.

quant au 3eme point de l'ordre du jour concernant l'egalite hommes/femmes, c'est a dire une proposition de directive sur le principe de cette egalite pour ceux qui exercent une activite independante, y compris une activite agricole, ainsi que sur la protection de la maternite, le conseil n'est pas parvenu a un accord sur les termes, pourtant attenués, de la reconnaissance du travail fourni par les conjoints des independants et sur la protection de la maternite des epouses des independants non-salariees, ni associees a eux. cette proposition de directive a donc ete renvoyee au coreper pour des debats approfondis. pour l'irlande notamment des implications financieres de cette directive sont importantes, d'apres ce qu'a affirme son representant.

a l'issue de ce chapitre consacre a l'egalite hommes/femmes, la commission a declare qu'elle regrette que le conseil n'ai pas adopte la directive relative aux conges parentaux et conges pour raison familiales proposee en novembre 1983 et modifiee en novembre 1984. la commission a constate qu'entretiens la plupart des etats membres ont adopte une legislation sur le conge parental fonde sur la meme approche que celle de la directive qui prévoit la promotion de l'egalite des traitements et du partage des responsabilites familiales et professionnelles, de l'emploi et de l'education. la commission s'engage a presenter au conseil des propositions d'actions visant a favoriser le partage des responsabilites familiales et professionnelles y compris la garde d'enfants.

le conseil a approuve une note de la presidence qui notamment invite la commission a mettre au point des propositions concretes et d'aboutir a une politique europeenne convergentes en ce qui concerne des mesures supplementaires a l'intention des chomeurs de longue duree. m. marin a declare que la commission n'a pas les moyens de presenter ces mesures supplementaires. il ne peut pas avoir une politique si on ne dispose pas de moyens a-t-il dit. les representants de l'irlande, de l'italie et du portugal ainsi que la presidence neerlandaise ont temoigne leur sympathie a la position adoptee par m. marin.

une directive visant a interdire la fabrication et consommation de 4 substances cancerigenes n'a pas pu etre adoptee par le conseil en raison des positions divergentes de certains pays membres.

le conseil n'a pas non plus ete en mesure d'adopter une resolution sur la formation et la consultation des travailleurs dans les entreprises a structure complexe (ancienne directive vredeling), car la delegation britannique s'est opposee a une resolution indiquant qu'elle accepterait une conclusion du conseil. face a cela, la commission a declare que la directive vredeling est maintenue dans son integralite

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