

SOCIAL EUROPE

SEPTEMBER 1985 — No 3/85



COMMISSION OF THE EUROPEAN COMMUNITIES

DIRECTORATE-GENERAL FOR EMPLOYMENT,
SOCIAL AFFAIRS AND EDUCATION

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Editorial

Young people, International Youth Year and the European Community.

International Youth Year 1985 was designated by the United Nations six years ago. With its themes 'Participation, development and peace', it was in the words of a subsequent UN resolution, to:

'offer a useful and significant opportunity for drawing attention to the situation and specific needs and aspirations of youth, for increasing cooperation at all levels in dealing with youth issues, for undertaking concerted action programmes in favour of youth and for involving young people in the study and resolution of major national, regional and international problems'.

These are fine words. But where do they take the Community and the Commission as the Community's executive body? It is specifically because International Youth Year is now three-quarters spent that this issue of *Social Europe* starts with a 'dossier' on the Community's activities *vis-à-vis* young people — a chance to take stock of the many and varied activities of the Commission which bear directly on the Community's younger citizens.

As a general rule, IYY activities in the Member States of the Community are locally or (at the most) nationally based. This is as it should be. The lives of young people — as of all of us — are led within what is essentially a local context; and it is here that the impact of IYY must be felt.

But this does not mean that the Community has no interest, or no role to play. On the other hand, the role of the Community may well be different from that of local or national IYY Committees. This difference was pointed out by Gaston Thorn, then President of the Commission, when he spoke on 26 January 1984 to the European Parliament's Youth Committee on IYY.

Gaston Thorn said that the Commission's role, and by extension that of the Community, must be essentially political:

'To tell the truth, I believe that given mass unemployment, major social inequalities, and racial and sexual discrimination, the young citizens of the Community today do not have much to celebrate. And so I hold that what we can offer to young people in 1985 must find its place in the context of new policies and new programmes'.

No celebrations, then; but a look at the Community's policies and practices as they affect young people; and a desire to develop them in a way that brings them more into line with the needs of young people as they really are.

The fruits of this reflection can be seen in this issue of *Social Europe*. The 'dossier' on young people which starts this issue covers a wide range of activities, from the working guidelines of the European Social Fund, at least 75% of whose approximately 2000 million ECU will in 1985 be committed to young people through the Community's innovative and far-reaching programme on the transition of young people from school, with all the protective structure that implies, to the adult and unsheltered world of self-responsibility, of



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work, training or unemployment; from promoting cooperation between universities and student mobility, to young people and the new information technologies.

But the really new element in this reflection lies in the memorandum produced by the Commission under the title: 'Towards integrated youth policies in the European Communities'. This document is summarized in the youth 'dossier'. It sets out ways in which the Commission considers that Community youth policies generally should develop. But it also deals with three significant barriers to the active involvement of young people in the decisions which affect their lives, be they at local, national or Community levels. These barriers are: the lack of information about opportunities open to young people, and the lack of coordination in the information that there is; the complexity and apparent remoteness of many programmes developed for young people; and the difficult question of what should be the incomes of young people, be they in work or out.

Other articles take up other proposals for International Youth Year — such as the youth exchange programme that the Commission has put forward in response to the European Parliament's declared interest in the subject. Some initiatives are not mentioned there — such as the conference

the Commission will be holding with the Luxembourg Presidency in November this year on information and the participation of young people.

But in essence, I believe that the Community's interest in International Youth Year should come down to one principle. I believe that we should use the occasion provided by IYY to ensure that we can in future place far more emphasis than hitherto on involving young people directly in managing their own lives, and in becoming aware of their European identity.

Given the opportunity, most young people are eager and able to develop personally and to participate more in economic and social life. They have the energy, enthusiasm and creativity which is so valuable to society and the economy. They also aspire to greater autonomy as young adults who, having completed their stint in full time compulsory educa-

tion, want to show they are capable of making their own decisions about life. There is, nevertheless, disappointingly little evidence that the gamut of youth measures being developed in Member States is actually designed to help young people take charge of their own lives. There has, of course, been some progress in helping some of the more disadvantaged youngsters develop more self-confidence and self-reliance. This we have seen and have actively encouraged within the context of the pilot projects on the transition from school to adult working life. But overall, it is clear that the capacities and abilities of young people in Europe are still substantially underestimated.

Redressing the balance is a proper task in the International Youth Year.

Peter Sutherland

Youth dossier

The 'Youth memorandum'

The Commission has recently undertaken a review of youth policies in the European Community, with particular emphasis on employment, education and training. The results have been published in a discussion document — 'International Youth Year' (1). This article describes the background to the document, and the main ideas it puts forward.

Background to the Commission's review

The Community has taken increasing interest in the employment, education and training of young people in recent years. The last 2—3 years have seen, to give only examples:

- (i) the reinforcement of the capacity of the European Social Fund to assist young people. Since last year, at least 75% of the Fund's resources must be spent on young people under 25;
- (ii) a series of major policy pronouncements, setting out the Community's strategy on a range of key issues involving the employment, education and training of young people.

The Community has some solid achievements to its credit. The number of young people assisted by the European Social Fund — already substantial, at 900 000 in 1981 — has risen to a massive 1.6 million in 1984: the first year of application of the new regulations noted above. In June 1983, in the context of its discussions about the vocational training strategy appropriate to the Community in the 1980s, the Council of Ministers agreed that Member States should make every effort to offer school-leavers a minimum of six months' training and/or work experience. January 1984 saw agreement on a Council Resolution 'on the promotion of employment for young people', setting out both a new framework for action within Member States and a programme of supporting activities by the Commission.

Major problems remain, however. Youth unemployment — at over 5 million — remains intolerably high. The distribution of opportunity within the Community is very uneven. In comparison with the performance of many of the Community's competitors, education and youth training need to be further developed. For example, in the USA nearly 60% of 20—24 year-olds are in higher education, compared with an average of 26% in the Community. The continuing pressures of technological change and international competition mean that much needs to be done to maximize the

potential of the Community's human resources.

It was against this rather sombre background, therefore, that the Commission decided to profit from the heightened interest in youth issues resulting from the designation of 1985 as International Youth Year, by publishing a discussion document reviewing the key issues affecting today's young Europeans.

Principles for action

The Commission suggests that a more integrated approach to youth policies in the Community should rest on seven key principles.

First, urgent action is needed to ensure that all young people acquire certain basic skills and knowledge before entering working life — literacy, numeracy, an understanding of the new technologies, and social skills. In particular, says the Commission, no young people should be expected to compete for employment without a basic understanding of the new information and communication technologies. Whether acquired within the period of compulsory schooling or immediately afterwards, this represents the 'new literacy' of the information society. This does not mean that young people have to specialize at an early age: on the contrary, work on the new technologies needs to be integrated into the whole of the curriculum. To succeed and prosper, young people will need lively, informed and adaptable intellects, and capacities of creativity and entrepreneurship, not second-rate skills in computer programming.

Second, as they begin to seek employment, young people should be encouraged and enabled to move to a clear contractual relationship with an employer as soon as they wish. Given the current employment crisis, full-time permanent jobs are not available for all who seek them. But, in the Commission's view, jobs with reduced working hours, or job-sharing arrangements, particularly when they are combined

(1) COM (85) 247 final of 1. 7. 1985.

with education or training, are preferable to prolonged dependence on State schemes or to remaining totally passive. The potential of all such innovative approaches to redistributing work, learning and leisure should be maximized. Fur-

thermore, efforts to make available more jobs and training places for young people should be continued and reinforced. In particular, special attention should be given to training which leads to stable and durable employment.

Third, the Commission has called for major efforts, especially at the local level, to improve the working of the labour market, generate more and better jobs and education and training opportunities for young people, and improve equality of opportunity. Action is necessary, for example, to stimulate local employment initiatives, develop better forward planning, and increase co-operation between all the agencies involved.

Fourth, the Commission believes that higher education institutions need to work more closely with industry and with the public authorities to identify and meet demands for technically specialized staff. This requires both sensitivity to short-term local needs, and a framework of longer-term strategic planning.

Fifth, there needs to be an increase in mobility, both geographical and occupational. This means

- (i) greater ease of movement between different branches of the education and training systems;
- (ii) more flexible approaches combining employment with learning in various ways;
- (iii) greater mobility within and between Member States;
- (iv) new styles of course design, assessment, and certification, which build on trainees' previous experience and maximize their future options;
- (v) a greater sense of European identity.

The Commission also argues that specific action is needed to assist disadvantaged young people to gain access to employment, education and training opportunities. Special advice and counselling, intensive pre-training courses, and so on, will help them gain access to jobs and courses which are available to all. This is preferable to maintaining separate provision for such young people, which will tend to perpetuate and reinforce their sense of disadvantage. It is particularly important that no young people should be left unem-



Today's young Europeans are opposed by many key issues

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Action is needed to ensure that all young people acquire basic skills and knowledge

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ployed for more than 12 months without direct action on offer them at least work experience, education, or training.

Finally, the Commission emphasizes that the cultural diversity of the Community, which contrasts with the relative homogeneity of the USA and Japan, should be recognized and exploited as a major asset, rather than viewed as a problem. Employment, education and training policies must take specific account of the needs of the 3.5 million young people of foreign origin within the Community. Without such action, taken in the context of an all-out assault on ra-

cism, these young Europeans will be unable to bring to the Community the economic, social and cultural enrichment which earlier generations of migrants took to the USA.

Conclusion: the Commission's role

To implement such a wide-ranging approach will require the full and active commitment of young people and youth organizations, the public authorities — at every level, employers and trade unions, and the employment, education

and training services. However, the Commission will do all it can to strengthen and deepen cooperation within the Community in this vital area, on the basis of the overall strategy set out in the series of key recent Council resolutions on employment, education and training for young people. As the Commission's discussion paper points out, 'the Community cannot... neglect the current generation and simply hope that future generations will fare better. Today's young people are the European Community of tomorrow'.

Clive Norris

The Youth Forum of the European Communities

It took 10 years for the Youth Forum to be created. Between 1968 and 1978, a long process of discussion and debate went on between the Community institutions and the international non-governmental youth organizations, to define just how the voice of the young people should be expressed and heard within the Community context. And in June 1978, at a plenary assembly in Rome, the creation of the Forum was agreed.

Its members include:

- (a) the national youth Committees of the Community's Member States, (although the Greek national committee has only requested observer status);
- (b) 26 international non-governmental youth organizations.

There are also national youth committees from non-Member States of the Community (e.g. Spain, Norway, Switzerland) who hold observer status, and two other coordinating bodies for youth

organizations (CENYC and ECB) have consultative status.

But why should the Community have a forum at all? Roy Jenkins, then President of the Commission, set it out in a letter he wrote on 19 June 1978 defining the relations that he proposed between the Commission and the newly created Forum:

'I believe it is right for the Commission to be ready to have a dialogue with the Youth Forum on matters of concern to young people and youth organizations. This would not imply a right of consultation, and individual members of the Commission will seek the views of the Forum on a case by case basis. In this way, over time, it will be possible to build a special relationship between the Commission and the Forum appropriate to the common points of concern which are identified through experience.'

The Forum, then, represents the active voice of youth organizations within the Community framework. It is accepted as such both by the Commis-

sion and by the European Parliament's Committee dealing with youth matters.

What are the priorities of the Forum? At its last General Assembly, in March 1985, the Forum adopted an action-programme concentrating on three main areas:

- (i) Economic and social policy (training and the European Fund, the status of young people and of women, development cooperation, etc.);
- (ii) Increasing the participation of young people in the building of Europe (information and training on Europe for young people, support for international non-governmental youth organizations, youth exchanges, education);
- (iii) Coordination of Community policies affecting young people.

Further information about the Youth Forum and its policies is available from:

The Youth Forum of the European Communities, 66, Avenue de Cortenberg, 1040 Brussels (Belgium).

Towards a new form of secondary education for all

Education systems, like the supertanker, change course slowly — and perhaps rightly so. But the number of new educational measures and initiatives taken in Member States in the last few years largely in response to the youth unemployment crisis, is truly remarkable and little recognized. At the half-way point of the European Community's own second programme of pilot projects on the transition of young people from education to adult and working life, it is a good moment for a survey of some of the recent changes in secondary education and training which provide the setting for the programme. Each of the pilot projects, by virtue of being included in the Community programme, is itself a window on what is happening in other countries, by its contact with other projects and its access to their work and ideas. In this article we try to look at the picture as a whole.

By virtue of its programme focusing on the period of transition out of secondary education, the Commission is mainly concerned with initiatives which affect young people between the ages of 14 and 18. It is nevertheless helpful to distinguish between changes introduced in compulsory education and those affecting post-compulsory provisions. For ease of generalization, the end of compulsory education is taken to occur at the age of 15–16 even though there are of course variations in Belgium, Ireland and Italy as well as in the Federal Republic where the 'dual system' provides for a period of compulsory part-time education after the age of 16.

With the age range 14–18, moreover, the main focus of attention has been on what is often called the 'risk group', i.e. the more disadvantaged young people most likely to drop out of education and further reduce their prospects of employment. It is particularly interesting however to note the extent to which broader reforms are being introduced in secondary education and vocational training, applicable to the whole age group, all of which can now be considered vulnerable to unemployment.

The risk group

It is striking how many initiatives have been taken on behalf of young people in the risk group. In France, 'la lutte contre les situations d'échec scolaire' is one of the priority fields of the ninth National Plan. The Irish Government's Education Action Plan 1984–87 has a special section on the needs of the low-achievers. 'Les jeunes en difficulté', the 'school-weary', 'Les échecs scolaires blessés', the 'low-achievers' — these terms occur frequently, formally and informally, in discussing what initiatives countries have taken recently in secondary education. They are, in a sense, the point of reference.

The actual nature of the reforms and special provisions made for these risk groups has depended largely on which part of the education system is responsible for them between the ages of 14

and 16 (and 16 and 18). So in Belgium and Italy, where young people at risk tend to be found in vocational education schools ('enseignement professionnel'), the emphasis is on overhauling the whole approach to 'enseignement professionnel', whilst the two other types of secondary education (general, and technical) are relatively less affected. What this means is that reforms aimed at the drop-out, or the less-able pupil in these countries will be much less likely to affect the philosophy, style and content of the rest of provision for the 14 to 16 year olds.

In Denmark, France, the United Kingdom and Greece, on the other hand, where all 14–16 year olds are generally in the same schools (even if taught separately) the rethinking of educational objectives for some can easily have a direct impact, in some way or another, on the education of all other pupils.

'More of the same'?

Whatever the education system, the problem is being perceived in similar terms in most Community countries. The need is to re-think from the beginning the purposes of education for young people of this age who are considered at risk, rather than being a question of 'more of the same'. Many hard questions are being asked about what education should do for such young people. How to retain, or regain, or re-awake, their interest in learning; and what education should provide them with by the time they leave it, and whether in fact they should be able to quit education and training before the age of 18. In nearly every country many young people leave education prematurely: or otherwise, they 'fail'. Some countries have as many as 40% of pupils unable to obtain any formal qualification from secondary education. Many of these are young immigrants. It is not simply a matter of strengthening the vocational elements in secondary education. In France, for instance, the reform of the 'collèges' (taking pupils generally up to 16) is conceived in quite broad curriculum terms: more language and

communication skills; improving the teaching of science and technological subjects; using the new technologies as an aid to teaching; increasing teaching aimed at social skills and independence; preparing young people from an early age toward both vocational and continuing education.

Describing the new curriculum

There are many labels for the various new initiatives to redesign the secondary curriculum: most countries favour a term like 'pre-vocational' or 'vocational preparation'. More significant is the way in which the curriculum is redefined, in terms of subjects, skills, choices and so on.

In Scotland, for instance, 'balance' is seen in terms of 'areas of study'. Eight areas are to be required in the new curricula for 14–15 year olds. They are: linguistic and literacy study; mathematical studies; scientific study; social studies; creative and aesthetic activities; physical activity; religion education; and morality. Many of the courses built up around and within these areas will, naturally, bring subject-teachers together.

There will be choice for pupils within the areas of study together with an overall 'pre-vocational' slant.

Assessment

The idea of 'modes of study', or 'study areas', rather than subject disciplines, has some interesting implications for the handling of assessment. Traditional evaluation techniques based on testing of pupil's cognitive mastery on a required corpus of knowledge, are clearly no longer possible if the subject has been abandoned as the unit of curriculum design. There has as a result been much basic rethinking of the way testing can, and should be, used; to clarify curriculum objectives, to strengthen pupil motivation, and to assess pupil's performance regarding skills as well as knowledge and understanding.

There are developments on these lines in countries where external examinations are taken by pupils at 16 (Ireland and United Kingdom) and where their shortcomings for pupils in the risk group has long been apparent. In France, vocational qualifications and their grouping are under review: the 100 schools offering the new 'classes pré-

paratoires expérimentales' (CPE) have been given a large degree of independence about their teaching approach and complete timetable freedom to provide a two-year course for the less able and to contribute from their experience to the review.

A coherent assessment system is also important for another quite different reason which is linked to the aim of enabling these young people to find their way, eventually, into vocational training. Where they receive their secondary education in a vocational school (as in Belgium, the Netherlands, Luxembourg, Italy and Germany) governments' concern is concentrated on helping them to take a three year rather than a two year course ('cycle long'), or to move onto higher-level courses in technical, instead of vocational education. The 'bridges' between these different schools, and their courses, thus become more important and new pathways are established to make progression easier.

The problem then is to ensure that credit is given for what has been achieved at each stage, so that the transition is smooth and de-motivated students are not discouraged. Where vocational training courses are provided under ministries other than education, these recognition and assessment questions can be particularly awkward. But they arise, and raise important issues, in all countries where progression from one course or school to another is required.

Modules

Here the value of the module, as a learning unit, becomes apparent. Not only are they interesting and manageable for the student: they also make for easier assessment and credit transfer.

Belgium has tried out modules ('unités capitalisables') on a wide scale in technical education. France and the Netherlands are interested in using them, especially for the assessment of the less able, and to help progression through the education and training system. In Scotland the whole technical and



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vocational course (post-16) provision is being rapidly reorganized into about 700 modules. 400 already exist. Even in the first year of the scheme, over half the secondary schools are also using them, some as many as 30 or 40.

Balance: general and vocation elements

The question how much of the content of a pre-vocational (or vocational education) course for 15- and 16-year olds should be general education, and how much vocational, has become rather theoretical and is overtaken by broader questions of curriculum design referred to above. It is however still under debate in Italy. There discussion of a new law for secondary education continues, without agreement being reached. One of the unresolved issues is whether there should be a more vocational variant in the basic provision for 14–16 year olds. This basic provision would itself contain options or variants of a more vocational nature. But the proposed variants would be a special vocational 'cycle court' course for the less able which would require three years to complete and so keep them in full-time education up to 17.

In the French 'classes préparatoires expérimentales', practical activities are defined as 'providing support for general education'. In Belgium vocational education ('enseignement professionnel') is seen as being for those 'for whom practical activities are needed to help cognitive learning'.

Work experience

Experience of work is clearly relevant here — or it may be, provided the right connections can be made between experience and learning. Work experience now appears in many compulsory education systems: in Denmark, France, Ireland, the United Kingdom. It has always been a central part of the German 'dual-system'. It is coming into wider use in all countries, and is increasingly offered for teachers (France, Ireland, Greece, United Kingdom).

Education, the economy and the Community

Providing young people with work experience, and trying to help them learn from it, is part of the process of opening up of the school to the Community. This is one of the fundamental themes of the Community's second pilot project programme on the transition of young people from education to adult and working life: it is also part of government policy now in almost every country.

Perhaps, it has been most visible recently in the Netherlands. This is not a country with a tradition of strong partnership between school and industry. But last year, after an open debate between representatives of government, industry, the trade unions and the education sector, agreement was reached on several points: first, that vocational education and training was a shared responsibility between them all; and second, that each sector would take specific steps towards a joint programme of development, e.g. creating more work experience places; carrying out studies of its value; collecting examples of good practice of work experience; and developing model agreements between schools and firms.

Similar initiatives can be seen in France: the twinning of schools and firms; cooperation to support the introduction of new technologies into schools; firms undertaking responsibility to initiate, and be responsible for, training courses specially designed for the risk group ('stages d'initiation'; 'contrats de qualification'; 'contrats d'adaptation à l'emploi'). On the education side, responsibility is placed on the Recteurs d'Académie to involve all the partners (professional, trade union, elected members, parents, schools and colleges) in efforts to build bridges between education and the economy. One aim is to stimulate the creation of more training places; another is to stimulate the updating of courses.

Anxiety about the status and adequacy of technical courses is by no means confined to France. At opposite

ends of the Community but for quite similar reasons, Greece and the United Kingdom are also developing new policies in this area. In Greece a 1983 law aims to raise the status, quality and (though this lies outside education) the rewards, attaching to technical education and careers: classical studies, in other words, still enjoy too pre-eminent a position. Hence a big push to update and expand the Technological Education Institute (TEI) and to make them regional in character, to serve the needs and welfare of local communities. Industry and the social partners are invited to participate in national and regional committees on curriculum.

How far this partnership extends to collaboration between education and the manpower sector at government level is a less easy question (and not only in Greece). The Greek Manpower Services Department (DAED) has set up 30 new training centres in the last two years and plans further expansion. It draws heavily on the German 'dual-system', that employers are responsible for on-the-job training while DAED provides the off-the-job courses. (Vocational schools, which provided some two-year full-time courses as an alternative, are being closed, though a few specialized ones will remain, e.g. for the merchant marine.)

Developments in the United Kingdom are not so dissimilar. The biggest school innovation programme ever launched by central government has been sponsored, not by education, but by the Manpower Services Commission. It reflects government anxiety that school-based courses for 14 to 18 year olds are weak in technical content and not sufficiently vocational.

In a number of countries (France, Greece, Ireland, Italy and the United Kingdom) closer links are being sought between education provisions at the local level and local economic development. Ireland and Italy would both like to see school-level courses take more account of the economic needs and opportunities of the areas in which young people live (e.g. in agriculture, and tour-

ism). In Greece, one of the Community pilot projects is adapting a vocational training course to meet the needs of agricultural cooperatives for better-trained managers.

In the United Kingdom and Ireland there is a similar concern to orient young people towards opportunities in industry and business and partly explains the upsurge of interest in school-based businesses (such as 'mini-companies') and other courses and projects; generally labelled 'enterprises education'. In education terms the aims are a good deal wider: to learn not just about business and management skills but more particularly about working together, planning and problem-solving, using initiative and creativeness, and applying, in so doing, a lot of basic social and life skills. In other words, 'enter-

prise' activities are pre-vocational in a wide sense, combining practical work with thematical learning, in a motivating setting.

After compulsory education: initiatives for the 16—18 year olds

A lot of what has first been described, on opening up schools to the economy and the local community, affects what schools do for all their pupils, of whatever age. Work experience, particularly is offered as much to pupils in the post-compulsory stage, as in the earlier years. But some schemes and initiatives are designed to meet the specific needs of the 16 to 18 year olds: to these we now turn.

First, however, it needs to be recognized that hitherto many of these young people have not been (indeed, still are not) in full-time or part-time schooling or training. In the Community, few Member States can show a retention rate after age 16 which compares with Japan's and Sweden's. In most countries between 30% and 40% have left the world of education and training by that age, most of them probably for ever. So here the task is really a matter of revising new courses, rather than revising old ones. The existence of a new clientele is a basic starting point.

Many new programmes reflect this. In the Netherlands the recently-introduced KBMO (short senior vocational training) is conceived as 'safety-net' courses for 16 year olds who have no success behind them educationally



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speaking, have failed to find an apprenticeship, do not have the qualification to enter regular education for 16 year olds, but want to be in a full-time course. The continuance of KMBO has been at issue in the recent open debate in the Netherlands: some wanted it abolished and absorbed into apprenticeships. But it has survived.

Similar measures in France are specially designed for 'les jeunes en difficulté'. 200 vocational secondary schools ('lycées d'enseignement professionnel; LEP'), out of the 1 350, are involved in a new programme aimed at drop-outs, i.e. rescuing those who fail, or drop out of, a CAP course (basic vocational training) by offering them modular course units with credit accumulation. 'Classes supplémentaires' are being set up with similar aims — to retain the potential drop-out. 'Classes d'adaptation' are to encourage the slightly stronger pupil to aim higher, and transfer to longer course. These are a range of other 'contrats' and schemes.

In Denmark, the training/production Schools are regarded as one of the most successful measures. They take young people over 16 and under 25 and give them courses, based on production, lasting up to one year, aimed at motivating them to re-enter vocational education. There are now 50 such schools, with 1 300 places.

In Belgium, the new clientele is being more formally recognized in the sense that, under the 1983 law extending compulsory education, all those who are not in full-time education up to age 18 will soon have to complete two or three years of part-time education and training — the weaker staying in full-time education a year longer, to 16, and then taking two years part-time courses: the others, three years part-time. A big expansion and diversification of vocational training to meet their needs is under way.

Similar developments can be seen in Ireland — new senior cycle courses and certificates, and community-based education centres aimed at 'recruiting' young people back into education. Also in the United Kingdom — the new certifi-

cate for pre-vocational education (CPVE) and the youth training scheme. And in Luxembourg — the 'stages d'initiation' and COIP courses which combine education and vocational guidance. And in Germany, there is special emphasis on the young immigrant population as a new clientele to provide for.

Apprenticeships

At the same time there is a re-emphasis in some countries on the traditional, in the sense of updating and expanding apprenticeships systems. In the Netherlands, the recent agreement on vocational education provision includes a commitment to double the number of apprenticeship places. The Danish Government is also encouraging expansion — whereas the trade unions and employers organizations (though not the small firms) tend to favour the broader, less specific, training provided under EFG (basic vocational education courses). In Luxembourg, the system is being modernized to reflect the more theoretical and less manual needs of the country's growth industries in the banking and services sectors.

Guidance

Information and guidance, have become even more important as the courses, and the clientele for them, become more diverse. Two of the key themes for guidance services today have been touched on already. First, the need to find out how to 'recruit' the new clientele. This means keeping in touch with those who drop out: perhaps helping provide a 'way back' into the learning process for them; and seeing that the relevant information, presented in the right way is available so that they can handle it. Much of this is new terrain for guidance staff.

Second, there is the linking of the work of the school to the life of its community or communities. Schools are generally competent to advise students about education choices — which courses are required for entry to others later on. Inevitably, however, they are less good at advice about careers and

employment opportunities. Most countries have counsellors or guidance workers outside schools, in various agencies such as employment/services, chambers of commerce, specialist careers offices, and so on. What is called for here is greater cooperation of the important resources these people represent: and greater coherence and initiative on their part in providing what the student needs. Some interesting work is going on in this area (for example in Denmark, and Scotland). Space permits only one example:

In France, there are now 100 'Missions locales' (local task-force) with a remit to tackle training and unemployment problems for the benefit of 'les jeunes en difficulté'. Among their main types of activity has been group counselling and guidance, and the use of 'decentralized' facilities to contact young people. Then guidance has the advantage that it is based on active working knowledge of local conditions and may lead to a job: production, training and guidance are locally linked, an important step forward.

There are other important development, in guidance arrangements to be seen in other countries. Perhaps, in conclusion, special mention should be made, in International Youth Year, with its emphasis on participation and action, of an approach to providing young people with the information they need, by means of their own involvement in researching, editing and processing it. This is a new field of action to be opened up at Community level during 1985, offering as it does promising opportunities for the closer involvement of young people in the development of our societies.

Hywel Jones and John Banks

Hywel Jones is the Commission's Director for Education, Vocational Training and Youth Policy. John Banks is a consultant working on the Commission's programme of projects in the field of transition from school to adult and working life.

Higher education cooperation and student mobility

Community objectives

As 1985 draws to a close, the European Community can look back upon the first decade of EC measures to promote greater higher education cooperation between Member States. From the very start, efforts to stimulate enhanced mobility of students within the Community and to dismantle barriers obstructing the freedom of movement of students between Community countries have been a cornerstone of Commission action in this regard.

What makes the mobility of students a matter of such urgent concern for the Community? The answer is not difficult to find. If the Europe of the Ten — and in future the Twelve — is to meet long-term challenge of an increasingly competitive world, its entire intellectual potential must be harnessed. Furthermore,

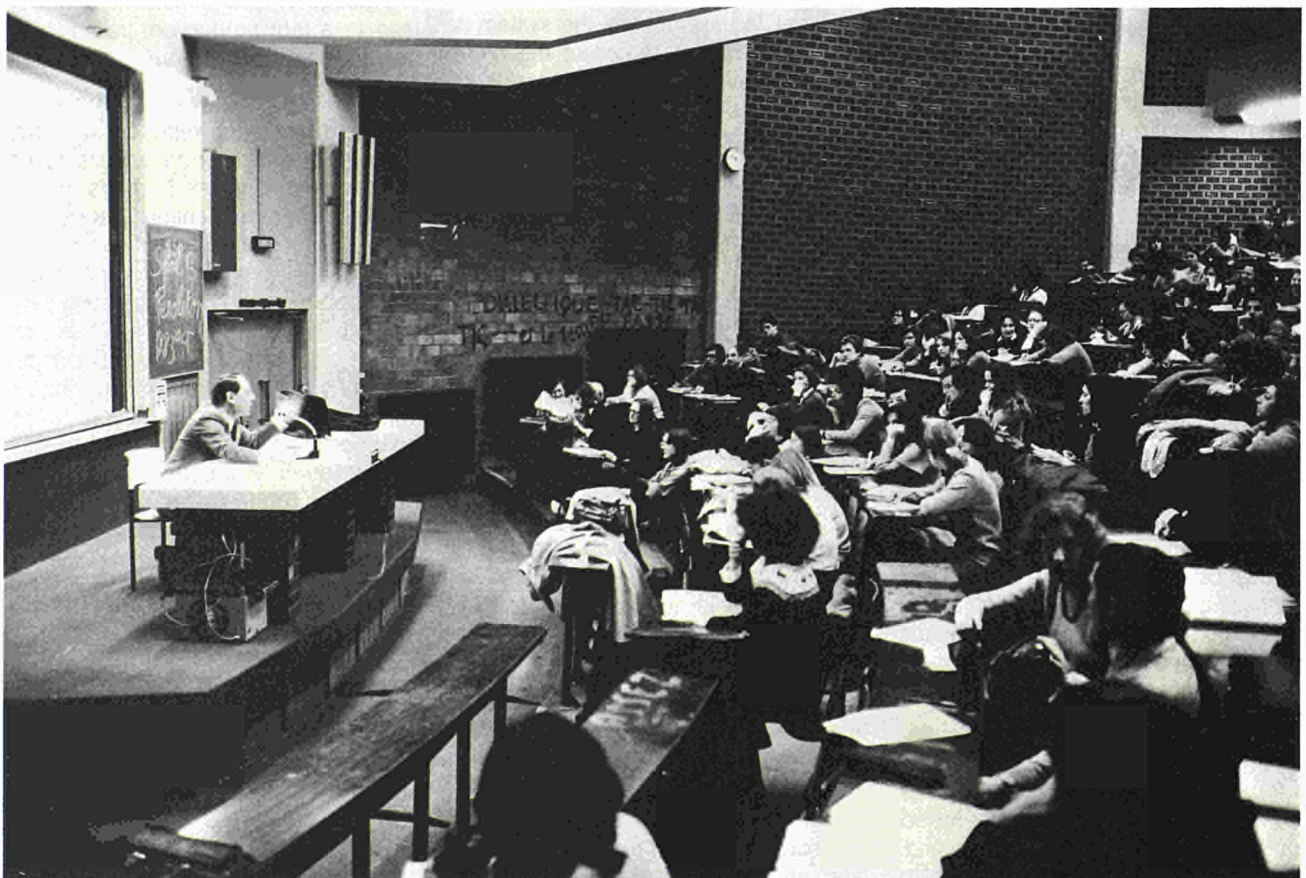
it is crucial that those of its citizens who will have a particular role to play in guiding the fortunes of the societies of which the Community is composed, appreciate that the Community itself is an interdependent whole.

Both these considerations make the 6 000 000 young people who form the student population of the Community's 3 500 higher education institutions a key group for the Community's future development. From this point of view, the freedom of movement for students throughout the Community is as central a concern for the political, economic and social well-being of the Community as the freedom of movement of goods, capital and workers.

In order for students to become aware of the crucial need to regard the Community, in all its diversity, as an in-

tegral whole, they must be given the opportunity — and actively encouraged — to gain first-hand experience of other Community countries while they are still at a formative stage in their personal and intellectual development. The increasingly complex interdependence of Member States in all major sectors of social and economic activity means that such foreign experience must not be limited to select groups of students in particular disciplines. On the contrary, it is the Commission's view that it should become normal practice for students in a wide range of academic subjects to spend an integrated study period and/or acquire industrial experience in another Community country as part of their overall course of study.

The need for Community action to achieve this aim could scarcely be clearer. Even today, only one student in



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a hundred actually embarks on such study abroad in another EC State. The Commission intends to boost this figure substantially in the years ahead, with a view to reaching a threshold level of 10% mobility by 1992.

In order to meet this policy objective, the Commission has adopted a three-pronged approach, consisting of:

- (i) Community programmes designed to stimulate mobility;
- (ii) policy measures designed to facilitate freedom of movement;
- (iii) information provision to enhance awareness of opportunities for study abroad in other Member States.

This approach, based initially on the education action programme of February 1976 and subsequently developed in close and ongoing collaboration with the Member States through the medium of the Council and Ministers of Education, reflects the Commission's conviction that Community action in the higher education field must respect both the diversity of educational systems from one country to another — a diversity which constitutes a rich resource for the Community in its own right — and the autonomy traditionally and rightly enjoyed by higher education institutions in the management of many aspects of their affairs, including international cooperation.

Programmes

The main component in the Community's programmes for the support of cooperation in the higher education sector has been the Commission's scheme of grants for the support of 'Joint study programmes' between higher education institutions in the Member States. With the help of this scheme, the Commission provides assistance to universities and other tertiary level institutions seeking to establish arrangements for the exchange of students and academic staff with partner institutions in other Member States. In 1984 a record 193 projects

were selected for Commission support from the 268 applications submitted, and since the grants scheme began in 1976, some 413 joint study programmes involving over 500 higher education institutions in all 10 Member States have been supported. Approximately half are based predominantly on an exchange of students (the other half on an exchange of teaching staff or the joint production of course modules), and while in many cases the period spent abroad is of fairly limited duration, for example two or three months, in others students may take half of a four-year course in each of two Member States and receive a full degree award from both countries — potentially a considerable enhancement of their career prospects in a Community context. And indeed, for many students enrolled in programmes of this kind, the period spent abroad already comprises not only academic study but also a practical placement in industry, commerce or public administration, in order to learn more closely about real-life working and living conditions in another Community country. This is an important aspect of study abroad within the Community and one to which the Commission intends to give particular emphasis in the period ahead.

A major innovation in the joint study programme scheme in 1984 has been the introduction for the first time of student support scholarships which may be provided by the higher education institutions participating in joint study programmes to students in particular need. For this purpose, a separate line has been created in the Community budget on the initiative of the European Parliament, and already in the first year of operation of the new scholarship scheme, almost 2 000 students have been able to benefit from Community support. The further development of this scheme which has been strongly recommended by participating institutions for several years, is regarded by the Commission as a matter of high priority.

Additional support for student mobility is also provided by two other Commission grant schemes in the higher education sector. One of these, introduced in 1983, is designed to enable

higher education staff members to establish the initial contacts necessary for the eventual launching of exchange programmes by making brief visits to identify partner institutions in other Member States. 428 applications for such grants were received in 1984 (an increase of 13% over 1983), and 123 grants were awarded (an almost identical figure to that awarded in 1983). The other, entitled the 'Short study visit' scheme, provides support for teaching, research or administrative staff at higher education institutions who wish to visit other Member States for the purpose of improving their knowledge of the higher education system in the countries visited, thereby improving the basis for Community-wide cooperation in the higher education sector in the longer term. In 1984, some 500 applications for grants of this type were received, and 136 grants awarded, bringing the total of awards made since the inception of the scheme to over 800. Over 1 000 higher education staff members have now participated in the visits which have been carried out. Staff members with a particular responsibility for matters relating to study abroad and incoming foreign students are one of the priority groups covered by the scheme.

Policies

Alongside the provision of direct financial and advisory support for the stimulation of increased student mobility within the Community as outlined above, the Commission is also active in the initiation and monitoring of policy measures designed to improve the conditions for freedom of movement of students between Community countries.

In this regard, attention has been focused on three main questions:

- (i) improving arrangements for the 'academic recognition' of study undertaken in other Community countries;
- (ii) ensuring that students from other Member States are admitted to higher education institutions on terms not less favourable than these which apply to host country nationals;

- (iii) facilitating the utilization of home country grants and scholarships for the purpose of study in other Member States.

Following the proposals contained in the Commission's communication to the Council of 29 April 1981, the Council and Ministers of Education decided at their meeting on 2 June 1983 to establish a network of nationally designated centres responsible for the provision of information on academic recognition matters. The centres concerned have now been designated by all Member States. The main function of the centres is to provide authoritative information on the recognition of qualifications obtained and study periods carried out abroad. Thus, the main users will be national and regional authorities responsible for higher education, the individual higher education institutions, student advisers, employers, parents and — last but not least — the students themselves.

Several meetings have already been organized by the Commission with the heads of these centres and, even at this early stage, the advantages of a regular procedure for consultation with and between the nationally designated centres responsible for this key aspect of student mobility within the Community have become clearly apparent. The Commission is also providing direct support by earmarking a number of short study visits each year for the purpose of facilitating close working links between the officials working in the centres.

The newly established network of recognition centres is, however, only one element in the actions currently being introduced within the Community for the improvement of academic recognition arrangements. Of great significance in this context was the call made by the Heads of State at the meeting of the European Council held in Fontainebleau on 25 and 26 June 1984 for urgent measures to be adopted in this regard. Furthermore, a European Parliament resolution of 14 March 1984 has again underlined the importance which the citizens of the Community rightly attach

to the adoption of appropriate and flexible recognition arrangements as a matter of practical concern.

Meanwhile, the Council and Ministers of Education have once again stressed the importance of bilateral agreements to improve the present situation, and the Commission has been invited to continue to do its utmost to facilitate the adoption of agreements of this kind, both between Member States and between individual institutions of higher education, notably within the framework of the joint study programmes which it is supporting. Finally, the Commission also continues to keep under close scrutiny the many legal aspects of the recognition issue, in the context of the interpretation and further development of Community jurisprudence established by the European Court of Justice, in view of the significance of academic recognition as a factor in ensuring the freedom of movement provided for in the Treaty of Rome.

As regards the establishment and maintenance of equal rights for students from other Member States in respect of higher education access, the Council and Ministers had already in 1980 accepted in principle (and have in many cases subsequently implemented) a package of measures relating to such matters as tuition fees, admission quotas and access to services. In particular the tuition fee problem — i.e. the imposition of higher fees for students from other EC countries than for host country nationals — has been the subject of much negotiation and debate, and this has been further kindled by a recent ruling (case 293/83) of the Court of Justice of the European Communities to the effect that such discrimination was illegal in the case in question.

Finally, the Commission has undertaken a detailed review of the situation concerning the availability of financial support for students wishing to pursue a course of study in another Community country and has pressed for Member State action to ensure that where students are awarded a grant or scholarship in their home country, such awards

are also tenable at higher education institutions elsewhere in the Community.

Information

The third element in the Commission's approach to stimulating greater flows of students throughout the Community is based on the assumption that many students are insufficiently informed as to the opportunities for and conditions of study in other Member States. To counteract this situation, the Commission has produced the *Student Handbook*, now in its fourth edition, which contains information on higher education systems, admission regulations and courses available throughout the Community. In addition, the *Directory of Higher Education Institutions* comprises a compendium of all recognized higher education institutions in Member States in order to facilitate students' choice, and the higher education newsletter *Delta* informs readers on a twice-yearly basis of all important developments in higher education cooperation at Community level, notably in the context of the Commission-financed joint study programmes scheme.

A glance ahead

Effective though progress has been, however, in introducing measures for stimulating greater movement of students throughout the Community, the fact remains that such mobility is still at a level which both Commission and Member State governments consider thoroughly inadequate. New initiatives are therefore needed to make a truly significant impact on the present unsatisfactory situation.

The Commission is responding to this challenge with vigour. At the 3 June 1985 meeting of the Council and Ministers of Education, ideas put forward by the Italian Presidency of the Council to step up support for cooperation at higher education level were positively received, and the Commission is al-

ready at work on formulating detailed proposals for their implementation. Plans for a considerable expansion of the student scholarship scheme and the introduction of a European Community credit transfer system will figure prominently.

In November 1985 a conference devoted to higher education cooperation in the European Community, will be held in Brussels, to be attended by some 400 people representing Commission-supported joint programmes, the Community institutions, Member State govern-

ments and the media. The conference will facilitate a thorough consultation on the Commission's proposals, and it is hoped that in this way the conference will be the launching pad for a new era in student mobility in the countries of the European Community.

Whither youth exchanges?

Youth exchanges in the Community seem consistently to invoke enthusiasm. At the highest level, the European Council has explicitly given support for the 'intensified exchanges of experience, particularly among young people' in its Solemn Declaration on European Union in June 1983, and reiterated this view in June 1985 in the context of its conclusions concerning the creation of a People's Europe following the work of the *Ad hoc* Committee chaired by Mr Adoninno. In so doing, the European Council has taken up views long held both by the European Parliament and by the Economic and Social Committee.

This interest in youth exchanges derives essentially from a concern to develop a greater sense of Community awareness and solidarity. The line of argument might run as follows: if young people are to play a role as Community citizens, imbued, as perhaps their elders have not been, with a positive image of the Community as a union of people working on the basis of mutual understanding towards a common good, then it is essential that young people are also given the opportunity to participate in the Community experience during their formative years, to learn about other parts of the Community from first hand and gain an insight into the social, cultural and economic context within which other Community citizens live.

Apart from the idea that young people should be actors in a wider political design to promote the peaceful development of Western Europe — the idea which lay behind the setting up of the Franco-German Youth Office over two decades ago and has led to an unparalleled number of youth exchanges between the two countries involved since then — there is also the idea that young people themselves can draw direct personal benefit from youth exchanges by broadening their horizons and fostering an awareness of their own abilities and responsibilities as well as enriching their practical experience and sometimes their vocational qualifications as such.

In this sense, youth exchanges can and should provide a structured learning experience contributing directly to the preparation of young people for adult and working life, and thus form part of Community action in the field of education and vocational training.

These different concerns have, in one way or another, been present in various areas of Community policy for many years, despite the fact that there has not until now been an explicit overall Community strategy for the development of youth exchanges. The young worker exchanges for instance which the Community has been active in promoting since 1963 on the basis of Article 50 of the EEC Treaty, were initially associated with efforts to promote the

freedom of movement of workers, and to reduce the natural reluctance of young people to move out of their own neighbourhood. Other policy objectives — focusing on the vocational experience and particularly the personal development of each individual person participating in such exchanges — have since become predominant as the programme has evolved over the years. Changing economic circumstances have led to increasing reliance on exchanges of short duration, given the scarcity of fully-fledged traineeships, and also to the Council decision in December 1984 to open the programme to unemployed young people.

Exchanges between young people in education and training have also been promoted by the Community over the years. Through the European Social Fund, for instance, the Commission has given priority to those applications — few in number as it happens — which concern vocational training schemes carried out jointly by more than one Member State and which can therefore include a youth exchange element. In the context of the Community level action programme in the field of education, there has long been a special emphasis on student mobility and exchanges in higher education. Here, pump-priming finance is available to support the setting up of 'Joint study programmes', which are cooperative projects between universities or other higher education institutions in different Member States designed to increase opportunities for students to spend a recognized part of their studies abroad and to contribute in this way to the academic recognition of diplomas.

The importance of exchanges between pupils in primary and secondary schools is also recognized: as the Council and Ministers of Education confirmed very recently, such exchanges should be part and parcel of efforts to develop a European dimension in the school curriculum and to encourage young people to take greater interest in foreign languages.

Youth exchanges are also part of the Commission's work to promote the social integration of disabled people. Each

year since 1981 support has been given to a small programme of innovatory exchanges involving young people with a wide variety of disabilities including the most severe, and sometimes bringing together young people with and without disabilities as equal partners.

Innovation in youth exchanges and improved information about opportunities have been the two main themes which have inspired the Commission in allocating grants from the small Community fund specifically designed for promoting youth exchanges which was created on the initiative of the European Parliament in 1984.

Though interesting examples of action abound, the total Community effort in support of youth exchanges has, until now, been a mere drop in the ocean when measured against the potential demand particularly from young people themselves. The Community could clearly play a much more dynamic role in stimulating and facilitating action by all kinds of bodies, both public and private within Member States and at Community level, including youth organizations and youth clubs and even by *ad hoc* groups of young people wanting to organize an exchange.

The Community could take more responsibility to ensure that opportunities for youth exchange should be available for young people from all its regions and thus begin to redress the current imbalance with France, the Federal Republic of Germany and the United Kingdom playing a dominant role both in receiving and sending young people on exchanges. Young people of differing backgrounds and abilities need access to exchanges. The quality of many exchanges could also be improved through careful preparation and better advice so that there is maximum benefit for the young people involved.

An obvious way forward for the Community is to build on what already exists. The young worker exchange programme, for a start, has to expand considerably if it is to begin to give proper

access to unemployed young people as planned. Greater support for student mobility is clearly desirable, together with support for preparing cooperative projects in those areas of vocational training not covered by existing Community schemes focusing on higher education.

Other new kinds of support for infrastructure, information and advice on exchanges would also prove particularly valuable. There needs to be a specialized central agency within each Member State responsible for keeping an up to date data base and acting as a liaison point both for youth information centres at local level and for agencies in other Member States. Information, training and guidance about preparing exchanges needs to be vastly improved in order to develop greater expertise and initiative and increase the number of potential organizers of exchanges, not least amongst young people themselves. At Community level also, there are several non-governmental organizations and professional associations which are capable, with some pump-priming support, of developing their own specialized programmes of youth exchanges.

There remain many other barriers to the development of youth exchanges. The Commission can draw attention to legal and administrative barriers, particularly those connected with the loss of entitlement to income support which discourage young people in some Member States from going abroad for long. These problems have in general to be resolved by the individual Member States concerned.

The biggest barrier, of course, is finance, particularly to cover the travel costs of exchanges. More could clearly be done to mobilize potential sources of financial support from public and private bodies and to encourage Member States to strengthen their political and financial commitment to developing youth exchanges. There is nevertheless a distinct need for complementary fund-

ing from the Community on a much greater scale than has hitherto been the case.

Priority should continue to be given to innovatory exchange schemes with more and more emphasis being placed on exchanges which are actually initiated and prepared by groups of young people and which can lead on to cooperative projects between young people from different Member States. There could be special support also for groups made up of young people from differing backgrounds: first as disabled and able-bodied youngsters should be able to meet and travel together, so can young people from differing religions, or social, linguistic or cultural backgrounds. Criteria for topping up funding from the Community could also make allowance for the additional costs involved in travelling from the more remote and poorer areas of the Community.

Apart from bilateral exchanges, which may or not be organized on a reciprocal basis, the Community could envisage giving special encouragement to the setting up of certain kinds of voluntary work schemes which enable teams of young people from at least six Member States — half of the enlarged Community — to work together for a good six months on a project of social, environmental or cultural value. Very few opportunities of this kind exist at present, despite the growing demand from young people to channel their idealism and energy into this kind of activity.

There are some of the ideas which have inspired the Commission in preparing its new communication to Council and its budget proposals for the development of youth exchanges in the Community. International Youth Year provides the right opportunity and also a responsibility for the Community to show what it has to offer young people today. A new impetus for youth exchange could prove to be the most suitable and practical contribution it can make.

Turning policy into practice

A mid-way look at the European Community's second transition programme

It is now nearly two years since the 30 pilot projects which form the Community's second programme on the transition of young people from education to adult and working life, were set up. It is too early yet to be looking for 'results', but this short article illustrates some of the approaches being used, to show how the projects are trying to turn 'policy' into 'practice'.

The 'policy', i.e. the general objectives of the programme

The programme was set up, in 1982, to help Member States tackle some urgent questions about improving secondary education and vocational training. They can be summed as:

- (i) how to introduce the 'real world' into the secondary school, and open up the school to the realities of the world outside;
- (ii) in doing so, how to design and provide courses for young people in the final years of compulsory education which will retain or regain their interest in learning;
- (iii) how to provide better progression, or build better 'bridges', between different types of education, and between education and training;
- (iv) how to enable more girls to find their way into traditionally-male training courses and careers;
- (v) how to develop new working partnerships between educators, their communities and other services at the local/regional level.

Most of these questions, or policy objectives, are seen as valid and urgent in all the 10 countries. But there are some variations of emphasis: the German projects, for instance, are all slanted towards applying them to improve the situation of young migrants. The purpose of the pilot projects is to find effective ways of putting them into practice, and to study what factors are important for success in doing so.

The projects in their national context

The pilot projects which member countries proposed to work on these questions were carefully chosen. In nearly every country, as well as being part of the Community-level and Community-financed programme, they form part of the national government's own development plans for education and

training. The projects are therefore not 'one-off', experiments, but on a significant issue of importance for national policy.

- (i) In the Netherlands, for instance, the projects are experimenting with setting up 'Contact Centrum Onderwijs en Arbeid' (COAs or contact-centres for schools and industry), finding out how centres can help meet the needs of schools who want to find work placements for their young people in local firms. Since these centres are being set up in every region in the Netherlands, the results of the two projects will be of significance for all Dutch secondary schools;
- (ii) two of the five UK projects form part of a national programme for the development of alternative curricula for 14–16 year olds, and new styles and systems of assessment of their achievements;
- (iii) in Greece, the three projects are the first stage of the implementation of government policies on the training of guidance teachers; developing better vocational training for cooperatives' management staff; and restructuring upper secondary education;
- (iv) in France, one project forms part of the national programme for the 'rénovation des collèges' and another is an exploration, in over 50 settings, of how to improve the quality of guidance and counselling at school level.

The size of the individual projects varies, according to its purpose. The French project just mentioned, which includes the 'Permanences d'Accueil Information et Orientation' (PAIO), affects no less than 20 000 pupils. In Denmark, some 6 000–7 000 students are involved, and 350 teachers, in the two national projects, focused on guidance and counselling. In the United Kingdom, the Northern Irish project will ultimately affect all the secondary schools in the area: so will the other United Kingdom projects in Manchester and Northamptonshire.

These then are not isolated, or marginal, experiments. They are in the mainstream of national and local policy development and implementation. They are test-beds to find out how to put into practice the new objectives or policies which governments increasingly see as necessary for the 14—19 age group.

The projects in action

The projects still have one more year to run, and Ministers may well decide to extend the programme by a further year. So it would be premature to draw up a list of recommendations for the future just yet. But it is possible to see what sort of developments they have set going, building on the experience of the first transition programme and national/local expertise.



How to introduce the 'real world' in school?

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Objective: to introduce the 'real world' into the secondary school, and vice versa.

Nearly all the teachers reported that they had learned something new about their subject, as well as learning about new developments in industry. A third thought that, as a result, they

(iii) providing all pupils with opportunities for a closer relationship with a group 'tutor';

(iv) building on the interests, and achievements of students;

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Closing the gap between schools and parents — (Northamptonshire, United Kingdom)

Increasing parents' interest in, and support for, what their children do in secondary schools has been a major achievement in some Northamptonshire project schools.

By the time their child is in the fourth year of secondary school, some parents have given up whatever interest and hope they had in 'school', having heard, perhaps, too often a negative report on their child's attainment and behaviour. Teachers in this project wanted to alter that, at the same time as they were altering the kind of courses they were offering pu-

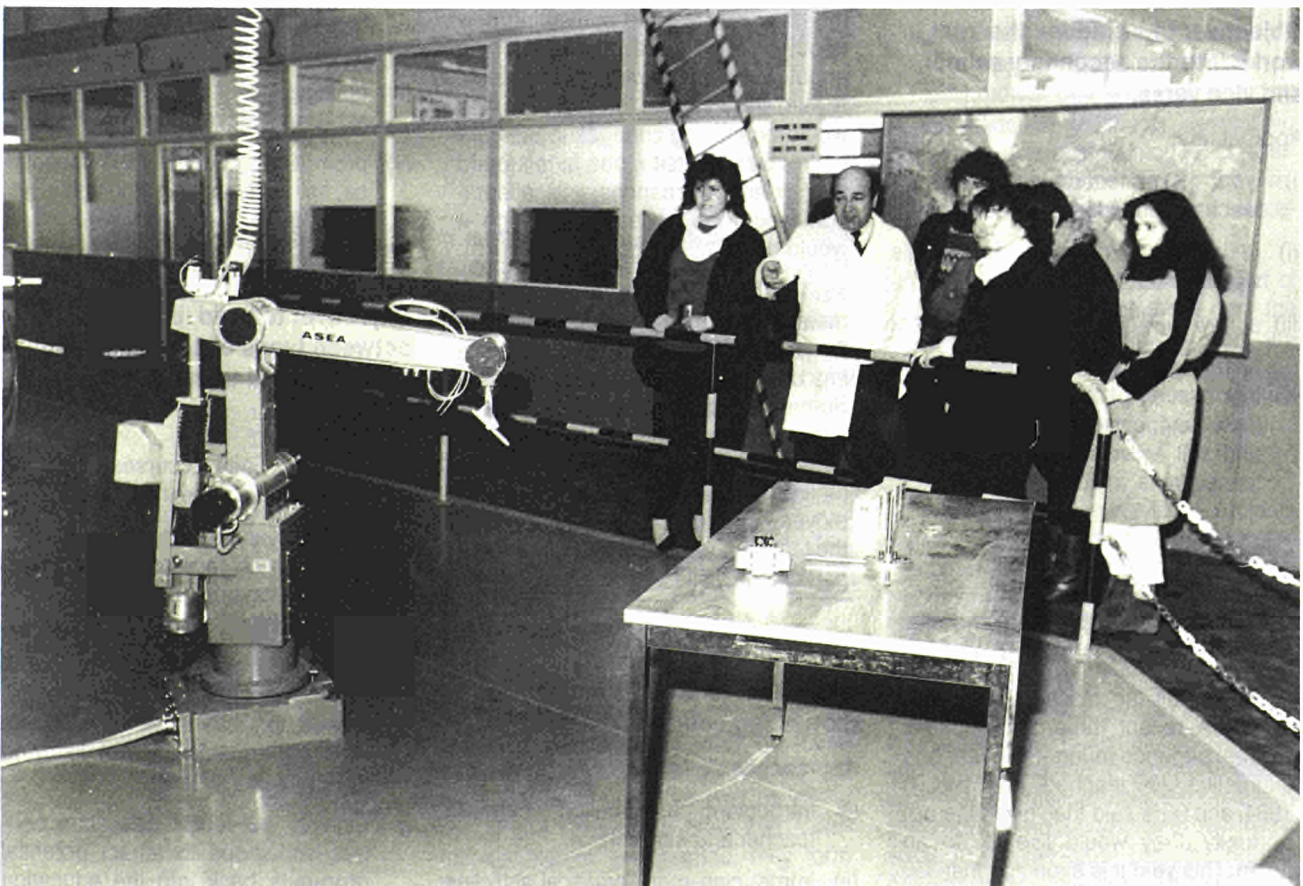
pils who had had, up to that time little positive success or satisfaction from school.

Among the unusual steps taken by the teachers were:

- (i) they visited the parents at home, some more than once;
- (ii) they increased the 'parents' evenings' to one, or even two, a term, instead of once a year;
- (iii) they arranged informal, social evenings for the parents at the school to encourage them to participate;
- (iv) they helped the parents to get to know each other, and take more of an interest as a group in the new course which their children were being given;

- (v) they arranged lifts to help parents, many of whom are unemployed, to reach the school for parents evenings and to go home afterwards — either by using their own cars, or by asking other parents to help.

'At last someone at school has found the good in my Kevin', was one parent's reaction. In the beginning, some parents had not even got up from their television when called on by a teacher, to discuss their child. At the parents' evenings, the children were keen to show their parents what they had done on the video, and the computer. Parents' attitudes changed quite dramatically.



Working with firms

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The youth teams: in the Hvidovre project (Denmark)

'Youth Teams' are a new coordinating structure in Denmark. They bring together youth counsellors (in the school, and also working in the local area); youth employment services; the State employment office; and the social security office.

How the youth team underpins and reinforces their separate roles can be seen in this case-study.

'Eve was 17 when she left school (grade 10) in June 1984 and applied for a business course (EFG) but failed to find a place.

Eve asked her guidance teacher, in the school, to help her find a job as an apprentice, or any job even without an apprenticeship. She was sent to the State employment office, but no-one could promise her anything.

October came, and she was still without a job or any training opening.

The guidance teacher contacted the social security office, to make sure that Eve would have social security, since she was by then 18. Eve had some family troubles at home.

In November, Eve was taken onto a course for unemployed girls, which ran for five weeks. During the course, the instructors encouraged Eve and 10 other girls to try traditionally male jobs, for instance in the metal indus-

try. They suggested a course which involved a week at technical school and on-the-job training at local firms.

Eve agreed, and was found a place in a metal factory. As a result of what she has seen and learned there, and talking with the course instructor and other girls, Eve is developing self-confidence, and an ability to widen her own experience.

The youth team service intervened with the factory, and Eve was offered six months work, partly in production and partly in the office.

The local employment service will pay Eve's salary during this period, on condition that the firm guarantees to train Eve, and to give her a formal job as an apprentice, after a period'.

Objective: to provide more equal opportunities for girls and boys.

Approaches:

- (i) develop training or experiences to raise awareness of the issues of gender equality: encourage debate; stimulate discussion;
- (ii) ensure projects consider why girls participate less (where they do), and find ways to correct it.

Objective: to develop new partnerships between schools, their communities, and other services.

Approaches:

- (i) extension of traditional ways of securing parental interest and support for their children's education (see Box 2);
- (ii) finding, and working with, firms/businesses: obtaining industrial advice on content in technical fields of the curriculum;
- (iii) using other community facilities as learning situations: boys, as well as girls, spending time as helpers in nursery schools; sending pupils to work in conservation areas, homes for the elderly, and schools for the handicapped;
- (iv) combined planning, and action, between education, manpower, youth services, and social workers, at the local level (see Box 3).

These are just a small selection of the activities which the projects have been developing. In the final years of the programme the Commission's central team based in Cologne and Brussels, will be preparing reports on these main themes, and providing them, in all Community languages, to the Commission for publication and distribution. A selection will also appear in *Social Europe* from time to time.

John Banks

Experiences in the field of the transition of young people to adult and working life

Introduction

A stocktaking of the most interesting⁽¹⁾ measures and programmes introduced in recent years by the Member States of the European Community in the field of the transition of young people to adult and working life reveals a number of common threads including:

- a significant lengthening of the transition period;
- development and reform of secondary education;
- a growth in the number of training/work experience schemes for school-leavers;
- the appearance of new forms of certification and assessment (profiles, modules, credits, etc.) giving a 'snapshot' of the young person's abilities and placing him/her in an ongoing process of continuous education and training;
- the multiplication of temporary training programmes increasing the vagueness and precariousness of the young person's social and material status during the transition period;
- a proliferation of the contacts and interaction between the various government departments concerned with youth issues: education, employment, vocational training, etc.;
- the strengthening and expansion of links at *local level* between the school, both sides of industry, business, associations, local authorities, manpower services etc. to secure an improved adjustment to the local labour market and community life.

The selection of programmes which follows is summarized from Eurydice *Bulletin*, No 12,⁽²⁾ which contains further information on each programme mentioned.

BELGIUM

The Law of 29 June 1983 concerning the extension of compulsory education by part-time studies for young people between 15 and 18 is being phased in

from September 1984, with the first affected being those whose 15th birthday occurred during the year.

The 15 to 18-year-olds can complete their compulsory education requirement by opting at 15 for one of the following: full-time secondary education; reduced timetable schooling organized by the Ministry of Education and coordinated by 90 centres (the CEHRs) attached to secondary education institutions; apprenticeships (craft industries, small- and medium-sized businesses) organized by the 'Ministère des classes moyennes' (Ministry for Small Firms and Traders) falling under the aegis of the linguistic community concerned; industrial apprenticeships organized by the Ministry of Employment and Labour; sandwich courses incorporating a work experience component: training organized by associations recognized by the Ministry for the Community; or training offered by courses in education for social advancement (evening and weekend courses).

Outside the school system itself, the training organized by ONEM (National manpower services office) for the under-25s also merits attention. The training is dispensed by 'Centres d'orientation et d'initiation professionnelle' (vocational and pre-vocational guidance and training centres) to unemployed young people under 25 whose lack of basic training excludes them from the conventional vocational training system.

DENMARK

- (i) Pre-vocational and vocational guidance and training courses⁽³⁾ are organized in Denmark by the 'pre-vocational training centres'.⁽⁴⁾ The primary goal of these programmes is to provide the country's 15 to 24-year-olds with sufficient basic knowledge to enable them to make an informed choice between work and training.
- (ii) Guidance and counselling: In June 1983, the government extended the duty of local authorities to ensure that every young school-leaver had access to guidance and counselling

services for further education, training and employment on a regular basis over the two years between the end of compulsory education and the age of 19.

- (iii) Production schools: A combined education-production programme aimed at the unqualified, poorly educationally-motivated 15 to 25 year-old and consisting of learning projects including a work experience element with the ultimate aim of integrating the trainee into the productive life of the country.

The government has also stepped-up its efforts to expand the country's vocational training capacity.

FEDERAL REPUBLIC OF GERMANY

In recent years the FRG has experienced a significant rise in the volume of demand for in-service training (sandwich courses organized under the DUAL system).

Most of the emphasis in the training efforts undertaken by the Federal and *Länder* governments has been centred on improving the lot of the disadvantaged young; industrial and technical training for young girls, vocational advancement and integration into society; pre-vocational training; interplant training and the training opportunities offered by small- and medium-sized companies.

(1) Sources:

— EC Commission: 'Report of the Member States concerning youth vocational training — 1984'.

— Iaplan: 'Recent developments in education and vocational training policies and practice in each Member State, prepared for the Commission of the EC — 1984 (Action programme: Transition of young people from education to adult and working life)'.

— Eurydice: *Bulletin*, Central Unit documentation on 'Transition from school to adult and working life', 1984—85.

(2) Available from the Eurydice Central Unit, 17 rue Archimède, 1040 Brussels.

(3) Danish abbreviation: EIFU courses.

(4) Danish abbreviation: EI centres.

The entire package of measures sets out to increase the supply of training in job requirements subject to the principle that the companies dispensing the training pay for it themselves.

(i) In June 1984, the Federal Government published a clear statement of its education policy in a report entitled: 'Report on safeguarding the future prospects of young people in the fields of training and work'. The proposed new guidelines emphasize the need to strengthen educational components and qualitative guidance, the challenge to and encouragement of personal effort, attuning education to labour market requirements, and renewed emphasis on the value of vocational education.

(ii) The Federal Government has also been concerning itself with new information technologies in education, with industry and the education authorities setting up a joint forum entitled 'Computers and education'.

An action programme has also been set up on 'New technology and vocational training'.

FRANCE

Steps taken in France since 1977 to help young people adjust to the world of work were initially left largely to the initiative of individual companies (under the pacts for employment). Later, the State took a major hand, notably through the training agencies set up under the Order of March 1982. Mass public information campaigns and regulations are currently being introduced as a means of orchestrating the parts played by the State and the two sides of industry.

Another aspect which probably exerts an even more immediate influence on the problem of integrating young people into life at work is that of the development of and adjustments made to the country's educational machinery.

The keynote of changes in the education system is the renewed emphasis

on the value of technical education, and more generally:

- to introduce an awareness of technological culture within general education. A task force for school/business relations has been set up to broaden the impact of experiments conducted in this field;
- to reconsider guidance towards technical education as a positive option in terms of training future agents of production rather than as a siding into which to shunt the misfits from mainstream education.

One of the features of the youth programme launched in 1982 is the creation of an information and guidance network, the PAIOs (Permanences d'accueil, d'information et d'orientation — Induction, information and guidance services) and the local task forces (Missions locales). In autumn 1983 an inter-Ministerial commission for the occupational and social integration of young people in difficulty was set up to act as a central coordinating body for the various public authorities responsible for the occupational and social integration of the most disadvantaged groups of the 16 to 25-year-olds. One of its principal tasks is to coordinate the work of and provide leadership for the local task forces.

The measures relating to the transition to adult and working life with a training component taken outside the school system relate to:

- the maintenance and extension to the 18 to 25-year-olds of programmes initially aimed at the 16—18 age group;
- the creation of 'Initiation into working life' periods lasting from three to six months;
- the development of training/employment contracts and adjustment-contracts towards two new formulae worked out in agreements between the social partners: the adjustment contract for 18 to 25-year-olds capable of taking on a job with a minimum delay; and the qualification contract for 18 to 25-year-olds with either no qualifications, or skills unsuited to the jobs on offer.

GREECE

The government's priorities in education and training for the period 1982—87 are set out in its five year plan:

- priority for the use of, and education in, the new technologies;
- renewed emphasis on technical education through extending and giving a broader base to vocational training courses in higher secondary education;
- reform of higher technical and vocational education dispensed through the new 'Institutes of Technology';
- development of accelerated vocational training courses organized by the OAED (Manpower services office);
- paying particular attention to the problem group of the 25% of young people who leave school at compulsory school-leaving age;
- development of a youth policy.

The principal steps taken to adjust the educational system are the reform of the higher secondary education system to create a polyvalent State secondary school placing general and technical education on an equal footing.

Institutes of Technology: The old 'Technical and vocational education centres' (KATEE) were reformed in 1983 to become post-secondary school 'Institutes of Technology'.

The revamping of the system involved bringing the teaching programmes up to date to reduce the existing mismatch with the social and economic needs of the local community, strengthening contacts and links with industry and universities, and including a six-months' work experience period in the courses of study.

Vocational training outside the education system is essentially dispensed by OAED training centres which have also been expanded and modernized in recent years.

IRELAND

Changes in the education system:

Plan of action 1984—87: In January 1984, the Minister for Education, Mrs Hussey, put forward an action plan for the period 1984—87.

Among the key provisions for getting young people ready for life at work are:

- the reform of training programmes and the development of more flexible systems capable of meeting the specific needs of disadvantaged young people. The reforms were to a great extent based on the results of pilot projects which have been running in recent years;
- the setting up of a Curriculum Examination Board to evaluate curricula and set public examinations for the award of the National Certificate at the end of compulsory education;
- reorganization of post-compulsory education (from 16 to 18) to improve the training given to young people not going on to higher education (vocational preparation courses);
- upgrading the guidance and counselling services;
- the development of programmes to foster non-sexist education with special emphasis on career guidance for young girls.

Vocational preparation courses

Vocational preparation courses, which are held in comprehensive schools and community centres, are aimed at young people of school-leaving age not going on to further study.

The courses include an introduction to the world of work and work experience.

Middle level technician programme

This programme has been developed in technical colleges to reduce the mismatch between training and the real needs of the labour market.

Measures outside the education system

Sandwich courses, which are developed outside the education system proper, are run by the National Manpower Services (NMS) under the aegis of the Ministry of Employment, the Youth Employment Agency and AnCO (the Industrial Training Authority), which organizes industrial training courses for young people and adults.

- (i) Comtec: Community Training and Employment Consortia: In 1983, the Youth Employment Agency introduced its new 'Community-managed integrated programme', put into operation at the beginning of 1985. The plan provides for the establishment of locally-based Community Training and Employment Consortia (Comtec) which will offer unemployed youngsters an array of training, education and work experience opportunities tailored to match the needs of the local labour market.
- (ii) Miscellaneous training schemes organized by AnCO: AnCO organized a variety of training schemes aimed principally at young people. The programmes are regularly adapted to shifts in the needs of the labour market. Places are available for any young person who has left school more than six months previously or is registered as unemployed.
- (iii) *Social Guarantee*. A 'Social guarantee programme' offering young school-leavers either training, work experience or a job will be set up by the Youth Employment Agency from mid—1985.

ITALY

The reform of secondary education, which has been a live issue for a number of years, is currently under discussion in the Senate.

Some reforms which have been welcomed on all sides are nevertheless be-

ing phased in gradually as trial projects. The most radical innovation in the new-look secondary school system lies in its 'unitary structure (common core curriculum) articulated in different sections classed by occupational activity'.

The Italian parliament has also extended the period of compulsory education from 8 to 10 years, to take effect two years following the introduction of the reformed second cycle of secondary education.

- (i) Technical education: a number of trial projects have been running in the field of technical education in recent years, principally aimed at updating training programmes and tailoring them more closely to the needs of industry; training young people in the new technologies; developing new forms of cooperation between schools and business; and the introduction of new groupings of technical training parallel with the development of new qualifications.
- (ii) Vocational training and guidance. In 1971 the responsibility for post-school vocational training and guidance was devolved to the regions. Its organization varies from region to region. Proposals have now been put forward for a reorganization of vocational training to help it keep pace with the rapid pace of changes in job requirements.

- (iii) In February 1984, the government signed an agreement with the two sides of industry to develop a series of actions in favour of youth employment. The main concrete outcome of this so far has been the experimental introduction of a training/employment contract for all young people from 15 to 19, and the schemes for the registered recruitment of young people between the ages of 15 and 29 by companies and State-owned enterprises with non-renewable training/employment contracts for a maximum period of 24 months.

LUXEMBOURG

Measures within the education system

The reform of secondary education in Luxembourg since 1979 has produced measures particularly affecting technical and vocational education and apprenticeships.

- A three-year period of complementary education has been introduced by way of remedial teaching for young people unable to sit the secondary education entrance examination;
- An observation and guidance period was introduced into lower secondary education in 1979 to act as a transition period in which young people can make the choice between general and technical subjects.

Measures outside the education system

In 1978 the government commission on vocational training launched a series of measures targeted specifically at:

- The introduction of a 3 to 9-month pre-vocational guidance and training course aimed at the under-16 school-leaver;
- Pre-vocational training contracts enabling young people under 25 to acquire on-the-job training of six months to one year and familiarize themselves with a specific occupation;
- Pre-vocational sandwich courses offering young people under 25 alternating periods of theoretical and on-the-job training.

THE NETHERLANDS

Discussion in the Netherlands has been dominated to a great extent by the reactions from all sides (government departments, both sides of industry, educational circles, etc.) to the Wagner Committee's proposals concerning the relations between vocational education and industry.

The conclusions of the various debates, approved and accepted by the government cover:

- the recognition and strengthening of shared responsibilities and cooperation between the government, industry and the education sector for vocational training and education;
- the systematic involvement of employers in vocational education, more particularly in determining the content and organization of sandwich courses;
- an increase in the number and quality of work training opportunities provided by companies;
- the development of a system of on-going, modular assessment.

One important development at regional level is the emergence of education/business contact centres (COAs — Contact Centres Onderwijs-Arbeid), providing a focus for coordination, consultation and the flow of information between schools, business, local authorities and other social groups concerned with the education, training and employment of young people.

UNITED KINGDOM

(i) *Technical and Vocational Education Initiative*

This programme, introduced in 1982, consists of a series of local education authority (LEA) pilot projects designed to stimulate technical and vocational education among the 14 to 18-year-olds and enrich teaching programmes to prepare young people more adequately for adult life by equipping them with the social and technical skills needed to enable them to play a real part in community life and adjust to a constantly-developing labour market.

(ii) *General Certificate of Secondary Education (GCSE)*

This reform of the secondary school examination system is of major sig-

nificance to the measures aimed at aiding the young to negotiate the transition to adult and working life since it offers a different way of looking at the basic skills and qualifications of the young person standing on the threshold of entry into working life, further or higher education.

The Secretary of State for Education, Sir Keith Joseph, announced in June 1984 that the new system of public school-leaving examinations and certificates would be introduced from autumn 1986, with the first crop of new holders coming out of the system in 1988.

(iii) *Certificate of pre-vocational education*

In September 1985, a new one-year course will be introduced aimed at smoothing the transition of 17 plus school-leavers to working life. The course will comprise units on mathematics, communication, science and technology, and social and practical skills.

Those completing the course will receive a 'Certificate of pre-vocational education'.

(iv) *Youth Training Scheme*

Offers work training opportunities for young unemployed people and young workers.

(The 'Employment section of this issue provides a comprehensive review of these schemes, which are mentioned here in outline only.) The YTS is a one-year integrated training, work experience and further education programme which includes at least 13 weeks classroom-based theoretical training.

YTS schemes are principally aimed at the 16—17 age group, including the registered unemployed.

At the end of the course, students receive a certificate detailing their experience and achievements.

Fifty-five local agencies have been developed to ensure that training matches local labour market requirements and to negotiate offers of 'on the job training' with prospective employers.

(v) *Government White Paper: Education and Training for Young People.*

The White Paper on 'Education and Training for Young People' was put before parliament in April 1985.

It argues for stronger coordination between the education and employment services to make available to young people a well-balanced, broad-based education which will prepare them for further training, employment and adult life.

The White Paper announces the government's intention to turn the YTS into a firm, permanent training/work experience programme, and to extend it to two years.

With regard to new qualifications, the MSC has been requested to set up a working party of representatives from both sides of industry, the schools inspectorate and LEAs to analyse the structures of occupational qualifications and come up with a flexible integrated system for the recognition of qualifications. The working party was expected to publish its report in June of this year.

European Social Fund operations in favour of young people

The European Social Fund (ESF) was set up by the Treaty of Rome (Article 123 et seq.) with 'the task of rendering the employment of workers easier and of increasing their geographical and occupational mobility within the Community'. Today, the lion's share of financial assistance accorded by the ESF goes into vocational training schemes, mainly for the under-25s. Since the end of the 1970s, and more emphatically since 1982, Fund appropriations have been directed towards preparing young people for life at work. This offers a response to the very keen concern which has been felt over the past three years by national authorities and Community institutions together about the rising tide of youth unemployment, and those with inadequate or inappropriate qualifications.

The last reform of the ESF, resulting in the new regulations adopted on 17 October 1983⁽¹⁾, was a concrete expression of the general desire to help young people, providing as it did that the appropriations for Fund assistance to 'projects of all kinds in favour of young people . . . must not be lower in any one year than 75% of all appropriations available'⁽²⁾. In cash terms, that means that for 1984 1 442 million ECU of commitment appropriations were available for vocational training schemes and the promotion of employment for the under-25s in all Member States.

Recent developments in ESF operations

The table on page 35 sets out the figures for ESF spending on schemes for young people from 1979 to 1985. Not only does it illustrate the considerable increase in the financial efforts made, it also reveals that never before has the gap between the amounts applied for by the public or private agencies directly responsible for youth-oriented projects and the appropriations accorded been so wide. This year, the Fund would have needed more than double its available resources to satisfy the 'demand' for financing. That is partly due to the persistence of youth unemployment. But it also reflects the results of the concerted efforts being made in the different Member States to deepen and broaden vocational training for the young. The development of this impetus is not unrelated to the need so frequently stressed by the Community authorities.

In 1982, for example, the year during which the Commission transmitted to the Council a series of milestone communications on combatting unemployment, and one document in particular on vocational training policies in the 1980s⁽³⁾, applications for financial assistance forwarded by the Member States by way of aid for training leapt by more than 50% over their prior-year levels. This increase was the largest single rise recorded to that date⁽⁴⁾. The Community sought to follow through the thrust of its actions for the young by expanding the ESF budget for that year by 33% — making some 633 million ECU available. While this may seem a modest sum in regard to the size of the real need, it should nevertheless be borne in mind that 792 000 young people did benefit from ESF aid in 1982 even so (by way of training and help in finding jobs).

Over recent years too, some of the Member States have designed and progressively introduced sweeping training programmes affecting tens, if not hundreds, of thousands of young people. One of the best-known of these is the United Kingdom's 'Youth Training Scheme' set up in 1983. During its first

year of operation, applications were made for ESF assistance for schemes covering almost 320 000 young people.

Prior to its most recent reform, ESF assistance for young people fell into two sharply-divided categories: training (preparation, qualifications or re-skilling) and assistance with employment. The latter was almost exclusively concerned with aid for recruitment to additional jobs in companies, and aid for job-creation in socially useful projects fulfilling a public need⁽⁵⁾.

Altogether the financial aid given which, of course, merely 'tops up' the contribution of the national agencies, provided vocational training for 486 000 young people in 1983, and employment opportunities for 259 000 under-25s⁽⁵⁾.

The European Social Fund today

The restructured ESF makes young people a leading priority, with three quarters of all available appropriations going to youth-oriented operations. While the bulk of assistance still goes to vocational training schemes, numerous opportunities still exist for aid for recruitment to additional, permanent jobs and in operations to create additional jobs in projects which fulfil a public need (essentially aimed at the creation of additional jobs of at least 6 months' duration in regions which have priority status for financing⁽⁶⁾).

⁽¹⁾ cf. Social Europe No 0 p. 31 and OJ L 289 of 22. 10. 1983, pp. 1 and 38.

⁽²⁾ Article 7(1) of the Council Decision of 17. 10. 1983 concerning the tasks of the ESF.

⁽³⁾ COM(82) 637 22. 10. 1982. In this communication, the Commission proposed, *inter alia*, that a training guarantee should be set up for young school-leavers.

⁽⁴⁾ COM(83) 434 30. 6. 1983; 11th report on the activities of the ESF (financial year 1982).

⁽⁵⁾ COM(84) 396 26. 7. 1984; 12th report on the activities of the ESF (financial year 1983).

⁽⁶⁾ Greece, the French Overseas Departments, Ireland, the Mezzogiorno and Northern Ireland.

Young school-leavers

The guidelines laid down by the Commission for the management of the ESF for financial years 1984-86⁽¹⁾ gave priority to 'actions to promote the employment of young people under 25 put into effect immediately after the end of compulsory full-time education, consisting of basic vocational training leading to real prospects of stable employment and including work experience under a programme lasting a total of at least six months'. A sizeable majority of the applications received under this head in 1984, particularly those under the United Kingdom's Youth Training Scheme or the French 'training/employment contract' programme, were approved.

In the guidelines adopted by the Commission on 30 April 1985 for the management of the ESF in financial

years 1986-88⁽²⁾, the priority will be given to the same kind of operations for the under-18s in programmes where the basic training lasts at least 800 hours, includes between 200 and 400 hours work experience and offers substantial prospects of employment.

Young people with inadequate or inappropriate qualifications

One final, major category of operations supported by the ESF are those affecting young people who have received training or been employed, but are now unemployed or under threat of unemployment because their qualifications are inadequate or their occupational skills inappropriate to labour market requirements. Tens of thousands of young

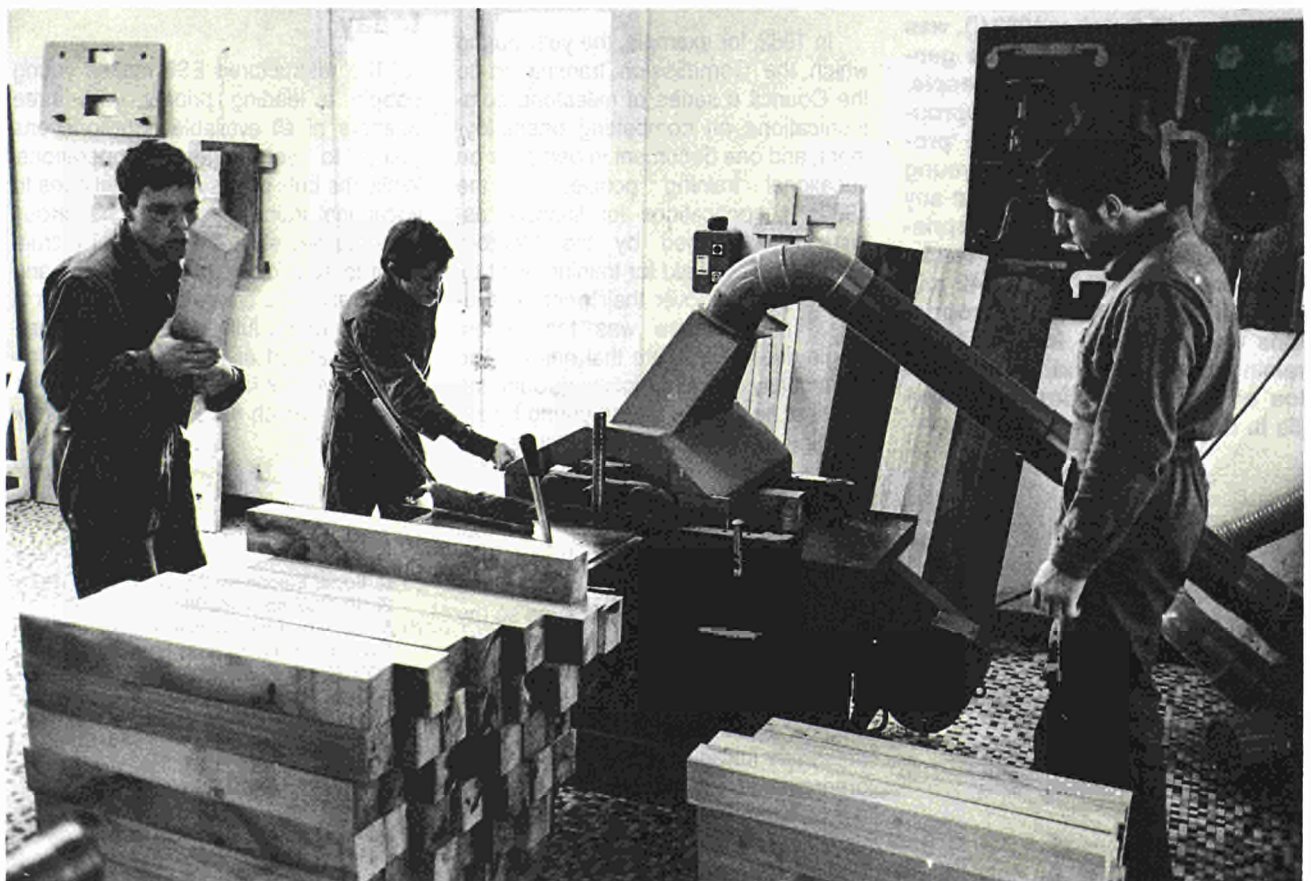
people between the ages of 19 and 25 benefited in 1984 from ESF funding for schemes of this nature, particularly in the United Kingdom, Ireland, France and Italy.

It is an express aim of the guidelines for the management of the ESF that such actions should also help with the introduction of new technologies and/or lead to the creation of genuine employment opportunities.

Where the necessary introduction of new production technology in companies — particularly in smaller firms with under 500 employees — demands substantial reorganization affecting both manpower levels and qualifications, that is another factor taken into account

⁽¹⁾ COM(83) 711, 22. 12. 1983.

⁽²⁾ This issue of *Social Europe*, p. 9.



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EUROPEAN SOCIAL FUND OPERATIONS IN FAVOUR OF YOUNG PEOPLE

when according ESF assistance. Even where no age conditions are attached, it still affects a great number of young people.

To sum up, there exists a wide variety of situations other than those outlined here in which young people can benefit from ESF aid under the existing financing criteria. The ESF can be re-

garded as having a dual role: both as a support for national employment policies and as a tool of Community solidarity with those bearing the brunt of unemployment. More particularly, in the fight for jobs for Europe's young people, the ESF is a major factor for translating objectives selected as the result of a Community consensus into concrete reali-

ties. Over and above its purely financial impact, then, the ESF stands as a pointer to Community action. But it also demands that national authorities and the agencies directly responsible for actions financed by the ESF ensure that those who might be eligible to benefit from Community assistance know that it exists.

	ESF		Young people				ECU in millions		Estimated number of recipients
	Commitment appropriations available (budget appropriations + refunds)		Amounts applied for		% excess		Appropriations committed		
	Training	Emp. aid	Train.	Emp. aid	Train.	Emp. aid	Train.	Emp. aid	
1979	244.86	72	393	113	59.2	56.6	230.99	70.56	450 000
1980	281.12	111.65	465.71	132.43	65.7	18.6	281.9	111.64	655 000
1981	300.28	118.23	524.98	167.31	74.8	41.5	269.79	104	436 760
1982	475.51	154.91	1 107.64	258.07	132.94	66.59	453.02	146.96	792 410
1983	714.10	210.29	1 137.98	285.96	59.36	35.98	694.08	202.11	745 000
1984 ⁽¹⁾	1 442		2 359.06		63.59		1 410.47		1 568 000
1985	1 507.50 ⁽²⁾		3 487.78		131.39				

⁽¹⁾ Under the newly reformed ESF (adoption of new guidelines) no reliable distinction can be made between training and employment aids.

⁽²⁾ Provisional figures: the 1985 budget has not yet been voted through and refunds are in progress.

Youth employment and unemployment

The upheavals which are currently putting European society to the test — with, primarily, the reorganization of traditional manufacturing industry, advancing technology, and a chronic lack of jobs — are hitting young people hardest of all. The proof is that the youth unemployment rate now stands at three times that of the adult population.

Unstable jobs for the young

With Europe's economies still rocked by the recession, and manufacturing industry in the throes of restructuring, getting a job no longer necessarily implies keeping it. And the general principle is still 'first come, first served' — with the last in line being the young newcomers to the labour market. The period of transition from school to work is therefore gradually getting longer, and now extends to a significant proportion of Europe's 15 to 30 year-olds.

In addition to this extended transition period, young people also face a tightening up of selection procedures and fiercer competition, brought about by a number of factors including: a fall in the aggregate number of jobs available (the Community has lost over three million jobs over the past three years), an appreciable rise in the size of the population of working age (from 106 million in 1975, to 110 million in 1980 and 116 million in 1985), due principally to a higher labour force participation rate among women in all Member States (from an average 29% in 1975 to 32.5% in 1983 — SOEC), concentration of the 30—50 age group across a number of sectors of the economy (particularly the declining traditional industries); less voluntary

adult occupational mobility (in the sense of changing jobs); an increase in the proportion of non-permanent jobs (fixed-term contracts, temporary work) to total jobs; and finally the existence of a pool of youth labour which greatly exceeds the number of school-leavers in volume.

The increased competition is set against a backcloth of increased segmentation, from both the demand and supply sides. While there may still be no grounds for differentiating the 'youth labour market' from the general adult one, there is no denying that young people are increasingly to be found in the lowest-level, least secure jobs, and that young girls continue to suffer from *de facto* inequality with regard to access to employment.

From an industrial to a service economy

Many of these factors are tied to the shift of emphasis from manufacturing to services (58% of all jobs are to be found in the service sector), characterized by four major developments: firstly, a very marked decline in jobs in a number of labour-intensive industries traditionally



Young unemployed

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offering employment opportunities for the young (construction, textiles, leather, timber); the technological displacement of a vast number of 'marginal' jobs where unskilled youngsters were given on-the-job training, usually by experienced adults; the up-skilling of jobs and, as a result of spreading office automation, a decline in 'production' jobs in the service sector, a traditional bulwark of employment for the un- or poorly-qualified young person; and finally, the concentration of employment in urban areas, particularly those jobs open to women (two-thirds of all young girls work in the service sector; the opportunities for working in country areas are therefore particularly limited).

The great fear is that all these trends will be thrown into sharper relief in the future.

The great majority of young people are looking for an 'ordinary', wage-earning job, but have the misfortune to be thrown onto a labour market where methods of labour force management have not developed to their advantage: in periods of economic stagnation, the tendency when filling a vacant job is to look for a 'carbon copy' of the previous holder (someone with the same profile and experience). Large and medium-sized companies are taking on fewer and fewer early school-leavers, except where hiring is tied to incentives which will appreciably reduce the company's wage bill or training costs. There still exists a certain demand for unqualified employees in small companies and craft industries, but it is not easy to define or meet (legal obstacles, lack of time, the difficulty in finding young people perceived by employers as 'work-minded' or sufficiently versatile outside apprenticeship schemes).

And some new opportunities

But the picture for young people is not wholly one of vanishing job opportunities and unstable employment. Past experience also points up a number of emerging employment opportunities for the Community's youth, including:

(i) A wide array of private sector business initiatives (with or without government backing) to find new ways of recruiting more young people; these initiatives range from those aimed at protecting training investments (through part-time jobs for newly-qualified apprentices in the German chemicals industry, for example), to those designed to preserve the balance in the demographic structure of the company's workforce (early retirement accompanied by the compensatory setting-on of young workers), or work-sharing (management-labour agreements in the Netherlands, job-splitting schemes in the United Kingdom).

(ii) *Jobs with a future*: difficult though it may be to quantify with any degree of accuracy, there can be no doubt that job growth will be tied to the rate of technological progress on the one hand, and linked to the economy's ability to develop new services to industry and the individual, on the other.

Young people are well-placed to cope with the introduction of new technology⁽¹⁾, but recent developments have highlighted the danger of segmentation among the emerging jobs, with the more skilled jobs going to young men rather than young women, even in the traditional bastions of women's employment in the service sector.

The rapid changes which have come about in the structure and patterns of consumption have led to a high rate of growth in some job categories in which the young are very well represented, particularly health care, social action, and catering (fast food) — none of which as yet require high entry-level skills.

(iii) *The burgeoning spirit of enterprise*: The surveys⁽²⁾ conducted by the Commission have identified three classes of young entrepreneur: firstly, there is the young, highly-qualified technician with an innovative idea or new product to market;

then, there are the young unemployed with no particular qualifications, but who are dynamic and aware enough to realize that, in areas of high unemployment, there is no hope outside local, on-the-ground initiatives; and finally, there is the special case of the rural areas where dying farms and craft businesses on the verge of disappearing from the effects of an aging population and migration towards the towns are taken over and revived by individuals or as a collective effort (such as the cooperatives in Italy). These classes of young people have now grown to such numbers in certain areas that a number of Member States (such as Ireland, the Netherlands and France) have been spurred on to establishing specific aid schemes for young entrepreneurs. There remain, however, many obstacles in their path, the majority of which have already been signalled by the Commission⁽³⁾. Two problems which raise the hurdles faced by the young entrepreneur are his lack of business experience and the difficulty in establishing credibility with public authorities and sources of finance.

The very rapid developments in the labour market have led to a situation, already emphasized by the Commission⁽⁴⁾, in which:

(i) The spread of unemployment masks its selectivity, which today spills over onto the length of time between jobs; the most disadvantaged groups — the poor, young immigrants, and 'coloureds' — are now virtually permanently unemployed with no work experience behind them at all; these young peo-

⁽¹⁾ See COM(84) 6, 26. 1. 1984: 'Technological change and social adjustment', also published as a supplement to *Social Europe*.

⁽²⁾ See particularly: 'Caractéristiques et conditions de succès des entreprises créées par les jeunes' (France, UK, Belgique) Study N° 83/14.

⁽³⁾ COM(83) 662, 21. 11. 1983: 'The contribution of local employment initiatives', OJ C 70, 12. 3. 1984.

⁽⁴⁾ COM(83) 211, 22. 4. 1983: 'Promotion of employment for young people'.

ple are in a complete no-go situation (from the educational, family and social viewpoints), with many of them being structurally isolated, living outside the traditional environments which promote integration (school — workplace — family). The under-18s, moreover (with no training or experience, but at too high a wage level, etc.) find themselves to all intents and purposes shut out of the labour market altogether or forced into 'dead-end' jobs with no possibilities for training or promotion. The handicaps are even greater when the young person in question happens to be a girl.

- (ii) Side by side with the 'unemployable' youngsters is a large band of perfectly employable, even well-qualified, young people who experience the greatest difficulty in getting and keeping a job: the simple fact is there are too few jobs to go around. The proposals put forward by the Commission in 1983 to promote employment for this class of young people have not been followed up by sufficiently strenuous efforts from the Member States, even if the trend

has recently been reversed in some of them (Belgium, Netherlands, Denmark, the FR of Germany).

Extended youth

The problems with finding a job do not recede with advancing age, however, as they did even as recently as five years ago. Young people over 20 — and even over 25 — are not finding themselves with a higher calibre of work experience. They are in danger of becoming a 'high risk generation' and a waste of the education and training investment. Their difficulties in breaking into a market where jobs are getting scarcer almost by the day, combined with the extension of compulsory full-time education, have produced a time-lag and extension of the transition between school and working life. Young people under 30 are, in many cases, forced to accept short-term employment punctuated by repeated periods of often long-term unemployment.

As a result, the transitional period between childhood and adulthood is increasingly turning into a social con-

tinuum: adolescence is turning from a short period of fads and fashions into a long-term life-style, the core of which is no longer a difference in 'tastes', but a social and occupational *recasting of a lack of direction*. The outcome is that millions of today's young people find themselves in a 'no-man's land' in which they are neither totally dependent on their parents, nor financially independent, sufficiently educated or in a secure labour market position. Their increased difficulties in assuming their socio-economic role, holding them back from standing financially on their own two feet, extends the period of their 'youth' by making youth a time of heightened risks of marginalization.

A variety of surveys⁽¹⁾ clearly show that what young people are seeking is long-term stability, even if the continuing social and economic crisis has led to a lowering of their expectations.

What today's young person principally wants is a job: that is, something to make him or her financially independ-

⁽¹⁾ cf., particularly OECD — 'Education and Work — the views of the young', CERJ 1983.



New ways of organizing work to include more young people

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ent from his family and give him access to social status both as a consumer of goods and services and by involvement in a productive activity generating human relationships.

Community action

In the extension to the Council resolution concerning the promotion of employment for young people⁽¹⁾, the Commission is tackling the problem on three fronts, in which new developments are appearing in 1985.

Enhanced growth

Firstly, the solution to the problem of youth unemployment must be sought primarily in more ambitious strategies to stimulate renewed economic growth; since so long as the economic situation, and in consequence, aggregate employment, shows no signs of improving, economic activity and jobs will increasingly become the preserve of the 25 to 50 age group.

The Commission's first priority, then⁽²⁾, consists in taking resolute action to reverse the trend towards increased unemployment through job-creating growth.

Labour market intervention

But economic pump-priming alone will not be sufficient to stimulate youth employment; the operation of the labour market must be made to favour the growth of employment rather than simply boosting the replacement of labour by capital. The creation of modern labour markets is an essential component of the Commission's task, aimed at fostering equality of opportunity and giving special assistance to the subcategories of young people finding particular difficulty in breaking into, or staying in, the labour market.

To this end, the Commission has made a start on a series of exploratory consultations at local level on the functioning of the labour market in different areas of the Community, with a view to transmitting a communication on the subject to Council before the end of the year.

At the same time, the Commission is continuing to give very active support to local job-creating initiatives offering new and substantial opportunities to young people attracted by deeper involvement in business life.

The programme implemented under the Council resolution⁽¹⁾ is being continued during 1985 with Commission representatives holding and leading a series of local consultations, the setting up of a clearing-house system for information exchange and support for business fairs, seminars and research and action activities.

Finally, the Commission will be putting together a package of proposals, before the end of the year, aimed at improving the adjustment of the labour market, through more flexible working time amongst other measures, and by ensuring that measures are proposed which will contribute to improving the position of young people with regard to the world of work.

Specific measures in favour of young people

The Council's adoption in 1984 of a resolution concerning the promotion of employment for young people should lead to a strengthening of the policies and measures relating to young people, whether through a reduction in working time, leading to more recruitment of young people, employment subsidies to companies, assistance to young people to start up businesses or jobs, encouraging young people to undertake community services, or finally, by developing employment opportunities in public services, particularly for the young, long-term unemployed. The goal set by the Commission in 1983 of a substantial reduction in youth unemployment can only be achieved if national measures are more precisely targeted and given a broader scope.

For its part, the Commission will continue to work for the reinforcement of actions undertaken, and in favour of innovative approaches, with the assistance of MISEP (the mutual information system on employment policies). The

European Social Fund will also be supporting these developments, within its own terms of reference, and a network of innovative projects concerned with introducing young people to working life is also in the pipeline. The Commission will also be formulating fresh proposals for ways in which the Fund can intervene in the light of the seminar on young entrepreneurs to be held during 1985.

Action by companies

The Commission will be encouraging the two sides of industry to negotiate agreements on new ways of organizing work to include more young people, and will be supporting company innovations in this field.

In this context, the Commission is currently launching the first phase of a series of regional consultations with innovative businesses on the question of youth employment with a view to identifying, disseminating and promoting the most easily copied and valuable innovations (new methods of organizing work tailored to the entry-level abilities of beginners, job-splitting, the coupling of employment and training, link between phased induction and phased retirement, etc.).

Finally, given the particular problems and lack of experience of first-time workers, the Commission has been funding for the past two years a body of research into the problems of young peoples' wage levels and their impact on corporate recruitment policies. A major seminar will be taking stock of the findings later this year. On the basis of these, the Commission will be looking to produce appropriate detailed guidelines and 'codes of conduct' both for national governments and the two sides of industry.

Michel Laine

⁽¹⁾ Council Resolution of 23. 1. 1984 on the promotion of employment for young people: OJ C 29, 29. 1. 1984.

⁽²⁾ *Programme of the Commission for 1985.*

Young people and the new information technologies

Young people, all young people, must be familiarized with new information technology (NIT). These words, which stand out in sharp relief in the Council Resolution relating to the introduction of new information technology in education⁽¹⁾, together with those concerning vocational training measures relating to NIT⁽²⁾, are one of the keystones of Community action in this field⁽³⁾, the urgency of which is re-emphasized by the studies conducted over the past two years for the Commission⁽⁴⁾.

Certain aspects still require closer definition, however. That is the broad thrust of the following article, which reviews the overall conclusions reached by the studies in this field, particularly those conducted for the Commission by the Centre for Work and Society during 1983 and 1984.



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The time may not be far off when young people will be able to solve complex problems in their own living rooms using constantly updated information processed through microcomputers or other electronic data handlers. Nor the day when all workers freed from unrewarding, repetitious and hazardous tasks can take advantage of flexible work methods through the use of interactive systems. But onto that viable and rosy vision impinges another, darker, scenario: that of a select elite in control of massive, costly but restricted equipment; lines of workers sat before monitoring screens pending the day when they, too, join the serried ranks of the unemployed.

Merely raising the issue of the new technologies necessarily means admitting the possibility of such alternative futures, even if the probability of their occurring cannot be predicted with any great reliability. Two things, however, can already be regarded as certainties at this stage:

- (i) The process of technological advance is an established fact; and it matters little whether the changes wrought by it will prove more or less significant than those of the previous industrial revolutions, whether we are in the early downturn of a

new Kondratiev cycle, or whether the new technologies by themselves will be capable of leading us out of the recession. It is one thing to acknowledge the existence today of new materials, new sources of energy and new products which will lead to the immediate or progressive obsolescence of those which are currently dominant; but whether they have the inherent power to pull us out of the slump unaided is another question altogether.

⁽¹⁾ Resolution of the Council and the Ministers for Education meeting within the Council of 19. 9. 1983 on measures relating to the introduction of new information technology in education (OJ C 256, 24. 9. 1983).

⁽²⁾ Council Resolution of 2. 6. 1983 concerning vocational training measures relating to new information technologies (OJ C 166, 25. 6. 1983).

⁽³⁾ 'The introduction of NIT into educational systems — Programme of work, 1985—87' (COM(84) 722 final). 'NIT and vocational training — Programme of work, 1985—88' (COM(85) 167 final).

⁽⁴⁾ Particularly the studies carried out on this topic by ADEP (Agency for the development of continuing education) in France, Italy and Greece, ACEPE (Association of collective actions for continuing education in Europe) in Benelux, Ireland, Denmark and the United Kingdom, and the Forschungsinstitut für Arbeit und Bildung (FAB) in the Federal Republic of Germany, respectively.

(ii) Training systems cannot afford to close their eyes either to the core issues or the effects of these changes. In one sense, the problem is not new: technological change has always been with us, and the vocational effectiveness of the education and training system is regularly held up to scrutiny. And yet in a different sense, the problem is entirely new. Given that as information is a core element of training, the central nucleus of the new technology — the new information technologies — puts a question mark over our training systems down the line. And the entire production function of education and training is changed by it; capital is beginning to take over from labour, and from being the principal mediator of information, the work factor is turning into mere machine-minding.

Upheavals, adjustments, changes and setbacks may be just around the corner, but one thing is certain: while neither of the pictures painted above can be predicted with assurance, society is certainly in for a bumpy ride. On the labour market to begin with, since it has never been established that the new technologies will create more jobs than they displace. But also in the training systems themselves: tomorrow may well see the advent of the classroom in the company; but might it not equally greet the company in the classroom as the provider of educational technologies and teaching programmes, and no longer as the simple consumer of labour. We can well imagine the problems that could arise here from the clash of two ethics founded on social forces which almost certainly are unlikely to see completely eye to eye.



But how, then, can we go forward if we refuse to give ourselves over to black-and-white scenarios or the hazards of social strife? Perhaps by looking more closely at the four underlying problems involved in training young people in the new information technologies: employment, the curriculum, train-

ing methods and the physical training environment.

With regard to *employment*, the problem is starkly simple: what is the point in helping young people adjust to technologies which, the further they infiltrate into the productive infrastructure, will destroy the very jobs which those young people might have filled, or worse still, jobs associated with those new technologies themselves? The answer to those for whom the waves of technological advance bring with them only opportunities for economic recovery and employment growth, is provided by those for whom new technology equals capital investment, rationalization rather than expansion, and a rise in the capital-to-labour ratio throughout the economy as a whole — as much in the industries producing the new technology as in those using it. That does not mean that new skills and trades will not emerge — although with the universally-agreed caveat that they will lead to a polarization of skills. But it does mean, on the other hand, that there is no point in talking about the transformation of the training sector as if everything depended on that alone: there are no grounds for thinking that that will offer a complete solution to the 'down-the-line problem'.

The second problem is that of curricula, where occupations and their entire industrial context will need to be redefined, with all that implies in terms of the radical rethinking of the content of training. The most important feature of the new technologies in this context is that they tend to arboresce, throwing out branches to all parts of the productive apparatus: not every existing trade will disappear, but all will feel the effects. Because the new technologies affect energy, materials, information and decision-taking processes, no part of the productive machinery will remain unscathed for long, and the same applies to jobs. But because there also exist whole blocks of core skills, we can also identify where new disciplines will tend to split off. Training curricula are the interface of new skills, and new disciplines therefore need to be defined in the most relevant terms: those which

will validate the skills learned by their relevance to a specific job, but which will also give the individual the necessary flexibility to cope with subsequent change. It would be a fruitless task to look for one single solution here valid for all countries, since the way education and training are organized nationally is peculiar to each country, and curricula are more or less rigidly defined. The interplay of results is interesting, therefore and reflects a variety of overall strategies: the desire to preserve the technical culture inherent in the training system, when the problem is experienced less harshly than in other countries (FRG); a fairly general adoption of data processing technology in Ireland, which intends to exploit to the hilt its traditional technological lag and the presence of high-powered businesses to make a dramatic leap forward; the British determination to develop a more dual training system; Belgium's more modest ambition to provide new training structures for the new technologies; France's preference for the short-course, and in some cases crash-course, solution. An examination of a handful of conventional, representative occupations (skilled factory workers, engineering technicians, office workers, book-keepers/accountants) would confirm the generalized growing awareness and its specificity.

The third problem concerns the *teaching innovations* borne in by the new technologies. If we consider the quintessential nature of current technological changes, they can arguably be reduced to changes wrought by information technology. That will turn out to be a major source of the transformations to come in the productive function, manifested in the use of microcomputers, videotext and videodiscs, not forgetting the now-conventional technologies such as pocket calculators, tape recorders and photocopiers. The ripples will spread out to all levels, from the training of children of all ages as they play with their electronic toys, via formal primary, secondary, tertiary and vocational education to the in-home training of adults.

In this context, changes in the production function, traditionally more la-

bour than capital-intensive, will throw up three essential dimensions:

- (i) The ambiguous effects of mediatized knowledge. The challenge here emerges from the fact that there are as many information structures as types of equipment, and no single entity with the responsibility for synthesizing or 'mediatizing' them. The value of the 'talk-and-chalk' type system is clear here, since the student is no longer faced with a one-to-one situation, but a number of media where the initiative for interaction must originate with him.
- (ii) The strategic role of educators: from teachers and instructors they will, at the very worst, be reduced to machine minders, and at the best will become advisers stripped of all pedagogic authority. It is a radical — if, indeed, desirable — transformation. The opposition voiced by certain sections of the teaching body to the coming shake-out is understandable — and probably very valid — particularly in their condemnation of the poor educational content of programs, which probably results from the fact that so few teachers are involved in designing them.
- (iii) An expected or . . . unexpected social selectivity. The idea of training becoming 'simpler' and more accessible as computer equipment infiltrates all spheres of social life is a far from certain outcome. The very different motivations which draw children and young persons to the new technologies, the use of a structured — generally mathematical — language from a certain stage of development, the vastly differing amounts of money which schools and training establishments have to spend on new technology, are all factors which make the development of a 'techno-elite' as plausible a development as an information-mediated democracy.

The fourth problem relates to the collapse of traditional *boundaries within the training sector*. Because the new technologies cut right through societal

barriers, the boundaries of training are thrown open to question and the answers are far from clear:

- (i) Standard forms of training are thrown open to question by the proliferation of crash-courses, the educational value of which remains very much a moot point; some courses stress their closeness to 'industrial-reality', while others lay emphasis on the initial training system; the problems, therefore, are clearly distinct. But there are also common problems: the need for a good grounding in the languages of initial training from the very outset, the inadequate length of work placement periods, polarization of levels of training, etc.
- (ii) The traditional gap between general training and vocational training (class distinction, education on the cheap) should be closed up as the new technologies infiltrate the entire system. But that will call for tight management of the link between business and the classroom, and its organizational side, dualism, which is not always the case.
- (iii) The relations between initial training and continuous education are no longer merely those between the first and second levels of a two-tier equality of opportunity. It is a link which is fast becoming essential to deal with the structural changes in technology, and must come about as much through a system of progressive validation of acquired skills (credits) as by the establishment of the right to continuous access to the training system throughout working life.
- (iv) Most important of all, we are seeing education develop beyond its institutional frontiers; home-based training through educational television is fast yielding to a free-for-all in the programme market, where selectivity is reinforced by the end-user's difficulty in finding exactly what he is looking for. We therefore need to ask ourselves whether the training system of the future may need not

an entirely different framework of theories and concepts, such as that offered by the ITECs in the UK⁽¹⁾. An introduction to the new technologies will benefit the entire population, which does not, of course, rule out the possibility of training tailored to young peoples' needs within the same framework.

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What, then, are the prospects ahead?

We must tread very carefully here, since the subject has virtually been settled in theory, and the real problem remains how to turn recommendations into on-the-ground practicalities. Rather than attempting to put up further recommendations here, one valid contribution might be to bring some, rather than others, to the foreground.

An initial series of themes relates to the rethinking of training content, which still tends to be a far-too drawn out procedure, taking little or no account of perceptible and foreseeable developments. This can be put down as much to a lack of perception as to a reluctance for change, both from teachers and trainers, but also on the part of business, who see it as a harbinger of more costly collective agreements on pay and working conditions. This latter point clearly points up the dangers in allowing the design of new curricula to be reduced to the probable future requirements of technology; the features of work organization need also to be taken into account. To put it another way, the management of technology is not just a technical concern, it is also a social matter. New types of curriculum therefore should be a matter for negotiation between both sides of industry and the government; something which is often a natural corollary of decentralization. Cur-

⁽¹⁾ ITEC = Information technology centres; i.e. community-based training centres in the new technologies, catering essentially for the 17–18 year-olds — generally from 'disadvantaged' backgrounds — and offering them genuine opportunities for integration into society and the world of work.

ricula should also be drawn up with, as their core, the acquisition of skills and abilities which will undergo only gradual change — failing which, they will need to be continuously revamped.

A second series of themes relates to the preparation and dissemination of new programmes on the basis of which the new equipment will be operated. There are two priorities here:

- (i) It is absolutely essential that teachers and trainers be closely involved in the development of programs (course ware and software). Many of the faults and disappointments stem from the failure of the programs to live up their promises and the poverty of the underlying educational content. Involving educators in program development would have two benefits: it would improve the educational content and promote the necessary degree of mediation between programs running on equipment with different functions,

but which nevertheless needs to operate in conjunction.

- (ii) It is also vital to improve the program distribution network, with program libraries, even 'program exchanges', along the lines of those created within the ITEC network.

A third series of themes is concerned with control of the process.

More attention needs to be paid to familiarizing users with a certain number of alphabetic and numeric languages as a prerequisite for using NIT, for two main reasons:

- (i) firstly, for them to make effective use of equipment which simply will not tolerate errors or sloppiness in the development and implementation of programs;
- (ii) and secondly, for the broad social impact of the process. As things stand, nothing could be further from the truth than to believe that NIT will 'level-up' equality of opportunity, on

the basis that programming languages are accessible to all, and not the exclusive preserve of any particular social class. This line of reasoning will only give rise to social illusions and a waste of economic resources;

The theme of a 'well-managed' dualism, or the link between business and the classroom needs reconsidering since the new technologies, which initially at least are most frequently in the hands of business, will in future be influencing education and training both upstream and downstream. The links need to be forged more tightly, therefore; but to avoid the traditional risks, it would be preferable to think in terms of associations bringing together a number of educational establishments or training centres and several businesses.

Two major upsets also place a question mark over the institution of training itself: the radical change taking place in the traditional production function, and the emergence of a vast number of other training environments in the rest of society using the same technologies and programmes.

The answer to these challenges is not for those responsible to bury their heads in the sand and hope it goes away, nor to throw all public training policies out of the window. It is to open up education and training systems to differently organized courses, training places, methods and budgets. Teachers and trainers have unquestionably more to gain than to lose from such a development, since beyond the redeployment of the profession itself, it will lead them to recover a function from which they have, to a great extent, become dispossessed: that of taking an active part in the control of technological, social and economic change.

André Kirchberger



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Part One

Actions and guidelines

Guidelines for the management of the European Social Fund for financial years 1986-88

Each year before 1 May, the Commission lays down guidelines for the management of the Fund during the three financial years following. The purpose of these guidelines is to set out the operations corresponding to the objectives of the Community financing priorities. The guidelines laid down on 30 April 1985 are of particular significance, coming as they do after a two-year trial period following the adoption by the Council of new regulations on the tasks and operating rules of the Fund in October 1983, and in the context of the enlargement of the Community by two new Member States.

Granting all applications for Fund assistance in 1984 would have required 166% of the financial resources available. A choice has to be made therefore — but which? Particularly since the regulations adopted by the Council require at least 75% of all available appropriations to be accorded to operations in favour of young people under 25, 40% to actions to promote employment in Greece, the French Overseas Departments, Ireland, the Mezzogiorno and Northern Ireland, and 5% at most to actions of an innovative nature.

1. General

- 1.1. Fund assistance will be concentrated on operations to further employment in:
 - 1.1.1. the absolute priority regions as defined in Council Decision 83/516/EEC — Greece, the French overseas departments, Ireland, the Mezzogiorno, Northern Ireland;
 - 1.1.2. areas of industrial and sectoral restructuring made up of zones assisted or proposed by the Commission to be assisted from the non-quota section of the European Regional Development Fund or assisted under Article 56 of the ECSC Treaty⁽¹⁾;
 - 1.1.3. areas of high and long-term unemployment drawn up by reference to unemployment rates and gross domestic product⁽¹⁾.
- 1.2. Priority operations limited to the absolute priority regions are indicated by the letters 'AR'; those limited to these regions and the regions listed in the Appendix⁽¹⁾ are marked 'R'; priority operations without regional limitation are marked 'N'.
- 1.3. Persons unemployed for more than 12 months are considered to be long-term unemployed.
- 1.4. Priority will be given to vocational training operations which:
 - 1.4.1. equip trainees with the skills required for one or more specific types of job;
 - 1.4.2. have a minimum duration of 200 hours apart from whatever preparatory training which may be included;
 - 1.4.3. include 40 hours devoted to training broadly related to new technologies, which are counted in the calculation of the minimum duration of training; this will not apply to operations for the mentally disabled;
 - 1.4.4. in the case of operations which further employment in Greece, the minimum duration in 1.4.2 will be reduced to 100 hours and the requirement related to new technologies in 1.4.3 will not apply.

- 1.5. Priority will be given to theoretical instruction forming part of apprenticeship training only in the absolute priority regions or elsewhere where it concerns the disabled and the members of the families of migrant workers.
 - 1.6. Priority will not be given to assist the salary costs of public agents in the case of operations for instructors, vocational guidance or placement experts or development agents.
 - 1.7. Applications will be approved by budget item. Where appropriations are insufficient to cover priority operations, a linear reduction will be applied, calculated in proportion to the financial volume of remaining applications by each Member State. This system will also apply to a surplus of non-priority operations. In the application of the reduction preference will be given to:
 - 1.7.1. operations forming part of an integrated programme involving assistance from two or more Community financial instruments, in particular integrated Mediterranean programmes (N);
 - 1.7.2. operations of vocational training leading directly to specific jobs in enterprises employing less than 500 persons and linked with the application of new technology which is the subject of Community programmes of research and development (N);
 - 1.7.3. operations particularly dependent on Fund assistance for their implementation (N).
 - 1.8. Decisions on applications for assistance will be consistent with Community policies and will take account of compliance with Community rules.
- ## 2. Priority operations for young people under 25
- 2.1. Vocational training for persons under 18 years of at least 800 hours duration including work experience of at least 200 hours but not exceeding 400 hours and offering substantial prospects of employment (R); for operations to further employment in Greece the minimum work experience required will be 100 hours.

- 2.2. Vocational training for persons whose qualifications have through experience proved to be inadequate or inappropriate preparing them for skilled jobs requiring the use of new technology (N) or in occupations offering substantial prospects of employment (AR).
- 2.3. Recruitment to additional jobs of indeterminate duration (R) or to additional jobs of at least six months duration which fulfil a public need (AR).
- 3. *Priority operations for persons over 25*
- 3.1. Vocational training of the long-term unemployed geared to their needs and including motivation and guidance (R).
- 3.2. Vocational training for staff of undertakings with fewer than 500 employees requiring retraining with a view to the introduction of new technology or improvement of management techniques (R); by derogation of 1.4.2 a minimum duration of 100 hours will be required.
- 3.3. Recruitment of the long-term unemployed to additional jobs of indeterminate duration or to additional jobs of at least six months duration which fulfil a public need (AR).
- 4. *Priority operations which have no age requirements*
- 4.1. Operations forming part of an integrated programme involving assistance from two or more Community financial instruments (N).
- 4.2. Operations carried out jointly by bodies in two or more Member States (N).
- 4.3. Vocational training linked to operations to restructure undertakings because of technological modernization or fundamental changes in demand in the sector concerned; the restructuring must substantially affect the numbers and skills requirements of the workforce. The training may relate to workers being retrained for continued employment in the undertaking, or those becoming redundant and needing jobs elsewhere (R). Priority will be given outside the priority regions where the restructuring is of an exceptional scale and is located in an area of particularly high unemployment or where the public authorities have introduced exceptional measures to support vocational training or job creation (N).
- 4.4. Operations of vocational training leading directly to specific jobs in enterprises employing less than 500 persons and linked with the application of new technology which is the subject of Community programmes of research and development (N).
- 4.5. Recruitment to additional full-time or part-time jobs linked to the reorganization or redistribution of work, as agreed between the social partners (N).
- 4.6. Vocational training or recruitment to additional jobs through employment initiatives taken by local groups, with the assistance, as appropriate, of local or regional authorities, and in the context of a local expansion of employment opportunities (R).
- 4.7. Vocational training or recruitment to additional jobs for women in occupations in which they are under-represented (N).
- 4.8. Operations for migrant workers and members of their families:
 - 4.8.1. to assist their integration into the host country with vocational training combined with language training (N);
 - 4.8.2. to maintain knowledge of the mother tongue and provide vocational training combined, if necessary, with refresher language courses when they wish to return to the labour market of their country of origin, this applying solely to nationals of Member States (N).
- 4.9. Operations for disabled people capable of working in the open labour market (R); vocational training for disabled people combined with a substantial degree of adaptation of work places (N).
- 4.10. Vocational training of at least 400 hours duration for persons with a minimum of three years work experience for employment as instructors, vocational guidance experts, placement experts or development agents (for the promotion of local initiatives):
 - 4.10.1. in the absolute priority regions (AR);
 - 4.10.2. elsewhere to further the employment and integration of migrant workers, the employment of women and the employment of the disabled (N).
- 5. *Priorities for specific innovatory operations*
- Innovatory operations for not more than 100 persons which represent a potential basis for future Fund assistance. These should test new approaches to content, methods or organization of operations eligible for Fund assistance (N). The limitation of 100 persons will not apply to operations coming within the integrated Mediterranean programmes.

(¹) OJ L 133, 22. 5. 1985.

The Education Council

The Council and Ministers of Education meeting within the Council met in Luxembourg on 3 June 1985, with an agenda accented towards European cooperation in higher education. However, before coming to this, they looked back to two of the themes in the education action programme agreed in 1976, by passing a resolution on equal opportunities for girls and boys in education, and by discussing how best to improve the treatment of the European dimension in education.

Equal opportunities for girls and boys in education

The resolution on equal opportunities sets out an action programme which aims to ensure equal opportunities for girls and boys for access to all forms of education and all types of training. It forms a complement to the existing range of Community activities to promote equal opportunity at work, which is based on Article 119 of the Treaty of Rome.

The resolution selects vocational guidance and the question of diversifying career choice as the keys to the creation of genuine equality, as only with proper guidance and information from school personnel trained and equipped for this specific task, can both girls and boys be encouraged to make career choices more appropriate to their personal desires and capacities, and less the results of social pressures. The action programme also includes work on teacher training, on removing sexist stereotypes from text-books, and on encouraging specific measures at the level of the school. The Commission will be coordinating these activities at Community level, as well as taking action on its own account in promoting positive action in schools, for example through a handbook for teachers. It will also be helping the exchange of information between guidance staff, inspectors and others involved, through a programme of study visits and through Eurydice, the Education information network in the European Community.

Improving the European dimension in education

The Council and Ministers of Education adopted a series of conclusions about how to improve the treatment of the European dimension in education. The conclusions see the European dimension as having three facets: teaching foreign languages in schools, on which the Council adopted measures at its meeting on 4 June 1983⁽¹⁾; the encouragement of contacts between pupils in different Member States, particularly through school exchanges and trips; and some teaching about the process of European integration.

The Commission will be looking again at the support it currently gives to teachers and others to help with teaching about Europe. It will be looking at ways of improving teacher-training in this area, both initial and in-service, and at the whole question of providing good teaching materials for use at different levels in schools.

Cooperation between higher education and industry

A major debate was held on cooperation between higher education and industry, in training to meet technological change, concentrating on problems which had been encountered, the approaches taken by the Member States and the main priorities for Community action.

The Ministers' exchange of views helped to pinpoint the main areas for a Community strategy:

- (i) the encouragement of high-level training with the cooperation of businesses to meet the manpower needs created by the development of industrial and R&D strategies;
- (ii) contributing to the increased effectiveness of training programmes run in cooperation between higher education and industry, by exchanging experience and supporting joint innovative action;
- (iii) gradually eliminating existing barriers to such cooperation by encouraging greater mobility within Europe for those involved;

- (iv) multiplying opportunities for contact and cooperation on training projects at national, regional, local and Community level.

The Commission will submit to the Council its proposals for a major programme in this field before the summer holidays.

European-level cooperation in higher education

The Ministers also held an exchange of views on how best to strengthen cooperation in higher education at Community level. They reviewed existing progress, particularly the continued growth in cooperative programmes between higher education establishments, and the work now carried out by the network of national information centres on the academic recognition of diplomas and periods of study abroad. The Commission will be holding a major conference on European cooperation in higher education during the autumn and expects to make proposals for further activities by the end of 1985. The Ministers also adopted a recommendation inviting Member States to recognize, or to encourage the competent authorities to recognize, the doctorate conferred by the European University Institute at Florence.

Continuity and planning

Lastly, the Ministers took up their discussions of earlier in 1985 about working methods — how best to ensure a degree of continuity in planning for the medium term, given that Presidents of the Council change every six months. They agreed that there should be increased cooperation, not just with the next Presidency, but with the next two or three Presidencies, to ensure that the goals set are common goals, but that the impulse to reach them does not falter. They also considered the possibility of meeting informally on occasions, or of holding more joint meetings, such as the meeting with the Social Affairs and Employment Ministers held on 4 June 1983.

⁽¹⁾ Bull. EC 6-1984, point 2. 1. 53.

Employment policy to create more jobs — European level discussions

During the two-week period from the end of May to mid-June two major discussions took place at Community level on the employment situation and on actions to be taken to combat unemployment — the first in the tripartite Standing Employment Committee on 30 May in Brussels, the second in the Employment and Social Affairs Council of Ministers on 13 June in Luxembourg. Both sessions were presided over by Mr Gianni de Michelis, Italian Minister of Labour, and the Commission was represented on both occasions by Mr Aloïs Pfeiffer, for the economic and employment side, and Mr Peter Sutherland, for the social affairs side.

The discussion in the Standing Employment Committee took place around a Commission working paper 'Employment, growth and the European social dimension', based on the Commission's work programme for 1985, and a note from the Italian Presidency on 'Proposed initiatives for the creation of new job opportunities'.

Following the discussion in the Committee, the Presidency drew the following conclusions.

The Committee held a wide-ranging and detailed discussion on the unemployment situation in the Community, giving particular attention to the positive measures which should be undertaken. Concern was expressed that, despite some increase in the rate of economic growth in the Community, this had yet to show itself in terms of employment growth.

The Committee took note of, and supported, the Commission's approach, as set out in its 1985 programme, in which the policy emphasis was placed on the efforts to be made by creating and exploiting the potential of the European market and by increasing economic growth.

In its discussions the Committee also took into account the European Parliament's resolutions on action to combat unemployment and the document of the latest European Council held in Brussels concerning the economic and social situation.

Policy principles

The Committee agreed to pursue a more employment-creating pattern of stable, non-inflationist growth by strengthening European-wide measures to combat unemployment and create more jobs.

It also recognized that the most serious problem facing the Community countries was that of unemployment, especially youth unemployment.

If steps were not taken and appropriate measures were not adopted, the phenomenon was highly likely to get worse in the near future.

The essential remedy for achieving lasting solutions is without any doubt to ensure stable and balanced rates of development for the economies of the Member States. But at the same time it is necessary to tackle the imbalances between supply and demand on the labour market resulting from the present structural changes and linked in particu-

lar to the introduction of new technologies. The measures to be taken should furthermore ensure that women are given equal chances on the labour market.

The Committee stressed that no policy, measure or initiative could be effective without a genuine social dialogue.

Features of a special plan for employment

One of the main suggestions was to draw up an experimental plan providing for Community measures and aid for measures taken by the Member States, which would be coordinated with one another and aimed at encouraging firms to create new jobs for the unemployed, especially the young, and also at creating conditions in which businesses could more easily and more freely be set up, as a complement to the measures already undertaken by the Commission.

In defining this plan, account should be taken of the opportunities afforded by joint use of the aids provided by Community financial instruments for non-inflationist investments (productive investments, infrastructures and energy) and the aids designed to facilitate the geographical and occupational mobility of workers, as well as recruitment aids. In addition to these ordinary means of action, the exceptional nature of the problem calls for consideration of the possibility of also deploying *ad hoc* measures.

When defining these steps, it seems necessary to bear a number of points in mind:

- (a) Firstly it is necessary to determine which categories of workers should have priority for Community and/or national aid: in the Presidency's view, these categories should, in the first stage, include the long-term young unemployed or young people seeking a first job or workers made redundant following industrial restructuring, conversion or rehabilitation, and mothers raising families single-handed.

- (b) It is also necessary to direct the measures to be taken towards sectors which, directly or indirectly, promote the development of employment, particularly the creation of large-scale infrastructures of the whole country, making the most of the cultural heritage and rehabilitating the urban environment.
- (c) Consideration should also be given to the possibility of promoting and supporting measures to develop a spirit of enterprise.

Specific initiatives

The parties asked the Commission to examine the following initiatives and propose, where appropriate, concrete Community measures:

1. Creation of a modern labour market which meets the needs of all the parties concerned while ensuring, in particular, equal opportunities between men and women; to do this, it will be necessary to:
 - (i) review the effects of legal and contractual arrangements on labour market adaptability in order to evaluate the desired employment and social protection objectives, while avoiding discouraging effects on job creation;
 - (ii) develop the reorganization of working time (by a better distribution of working time, including a reduction in working time, the form and financing of which are to be negotiated between the social partners) and of working conditions, especially at the level of the firm, in order to improve efficiency, defend existing jobs and create new jobs;

The employers' representatives made a point of confirming their reservations about the advisability of resorting to a reduction in working time.
 - (iii) provide solidly-based training and education as a foundation for vocational training and retraining which will lead to a real

chance of finding a job. To combat long-term unemployment in particular, it will be necessary to ensure that workers can receive adequate training in the event of technological change in production and services, while other workers continue to benefit from jobs.

2. The encouragement of a more rapid and durable economic growth through increased private and public investment. In particular, investment projects should be identified and promoted where there is common European interest (whether the location is national or transnational) and where there is high economic and social return, notably in areas of transport, energy, telecommunications, environmental protection and public services, and possibilities for making the most of the cultural heritage.
3. New technologies, if they are properly controlled socially, can provide an important means of combating unemployment and creating jobs, provided that the Community can take on a leading position in the fields of the future and develop new products and services.

To that end it is essential, bearing in mind Community policies on the matter, to step up the research effort, to organize close collaboration between firms above and beyond national frontiers, and to see that all the social partners are closely associated.

It was stressed that a Community framework involving the appropriate legal, financial, and other features would have to be created to this end.

In this context the Committee confirmed the points contained in the Presidency's conclusions on new technologies (27th meeting on 10 May 1984), approved by the Council in its conclusions of 4 June 1984. It invited the Commission to pursue its work of evolving, at Community level, the principles common to the particular legislative and contractual instruments of the Member States con-

cerning information, consultation and negotiations on the introduction of new technologies.

In this respect the employers' representatives referred to the usefulness of informing and, where appropriate, consulting employees in accordance with the practices in force in the Member States, at the appropriate level.

4. The preparation of further initiatives to encourage the development and regeneration of the economy and employment, especially in areas suffering from underdevelopment, undergoing major structural change or experiencing particularly high levels of unemployment. The emphasis in such initiatives should be on:
 - (i) collaboration at local and sectoral level, and at the level of the undertaking, between the social partners and the other bodies or agencies concerned in order to develop forward-looking labour-market management in line with existing Community guidelines;
 - (ii) strengthened support for local measures to develop new employment prospects and to encourage and aid economically viable initiatives taken in this sector at local level;
 - (iii) the development of more integrated policy approaches to meet the needs of such areas in order to strengthen the employment impact of various measures carried out in the framework of other policies (environment, regional, industrial, agricultural and artisanal).
5. The creation of a large and barrier-free market which will bring greater dynamism to the European economy and provide new employment opportunities. The creation of a European market must go hand in hand with the creation and organization of a European social dimension based on a genuine social dialogue and assuring continuing adjustment of the social standards proper to a modern

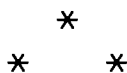
economy. The Commission was invited to draw up concrete proposals for Community instruments in this field.

The employers' representatives stressed in this connection that any action on the matter should lead to the greater competitiveness of firms, taking account of different national situations.

Implementing arrangements

In view of the constraints imposed by the appropriations available in the Community budget, the Commission was asked to explore new methods of financing for the experimental projects, either by means of Community loan instruments or, if appropriate, by means of extraordinary financing out of the Community budget.

In particular, the 5% of the resources of the European Social Fund earmarked for innovatory measures should be more effectively directed towards these objectives.



Finally, the Committee requests all parties present to see to it, according to their own responsibilities, that all necessary efforts are made to meet these objectives. The Committee has decided to review periodically the results which have been achieved.

Specific action programme in favour of employment

In the Employment and Social Affairs Council, the same theme was picked up again when the Ministers discussed the degree of political commitment they would give to the conclusions drawn at the Standing Employment Committee. As a result of this discussion, the Ministers agreed the following text in the form of a Council resolution:

THE COUNCIL,

- (i) convinced that the greatest problem facing the Community countries is that of unemployment, especially among the young;
- (ii) 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;
- (iii) 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;
- (iv) 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;
- (v) convinced that in addition to public intervention, greater emphasis should be given to the role of firms in job creation;
- (vi) 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;
- (vii) 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;

- (viii) considering the concurring views already expressed by the European Parliament, the Economic and Social Committee and, recently, the Standing Committee on Employment;
- (ix) 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;
- (x) whereas any Community measure must accompany and enhance national strategies to combat unemployment;

CALLS UPON THE COMMISSION TO EXAMINE THE POSSIBILITY OF:

- (I) (i) promoting coordinated action to develop experimental or exemplary Community and/or national projects, aimed in coordinated 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;
- (ii) 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;

- (iii) promoting, in the light in particular of the results and experiences acquired in the meantime and of specific sectoral analyses, a series of special employment initiatives at European level;
 - (iv) within this framework, directing the above-mentioned projects and plan towards sectors which promote growth in employment;
 - (v) 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) (i) examining, in cooperation 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;
- (ii) 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;

- (iii) encouraging training for stable jobs as a foundation for vocational training and retraining, depending on the opportunities available on the labour market.
- (III)(i) 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;
- (ii) 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.'

Other decisions at the Employment and Social Affairs Council

Other important issues discussed at the Employment and Social Affairs Council were:

- (i) the adoption of a resolution on Guidelines for a Community policy on migration;
- (ii) agreements in principle on:
 - the draft directive on noise;
 - the draft decision on the comparability of vocational training qualifications between the Member States of the European Community.

The agreements will enable these items to be finalized for ratification at a future Council meeting.

John Morley

Review of legal issues raised by the implementation of the Directive concerning equal treatment for men and women

Introduction

1. Article 119 of the EEC Treaty, Directives 75/117, 76/207 and 79/7⁽¹⁾ of the Council currently form the foundations of an area of law embracing equality of treatment for men and women at work in the widest sense of the term.

The three cornerstones of the Community principle of equality are equal pay, equal treatment and equality in matters of social security. The elements of this principle have been given legal effect within the domestic legal systems of the Member States, all of whom now possess legislation covering the principles of equal pay and equal treatment, although not all have yet carried it through to their social security systems. The Council is currently

discussing a series of proposals for Directives aimed at extending the Community's legal armoury of equality laws. Their adoption by the Council will further strengthen the principle of equal treatment for men and women workers⁽²⁾.

It may reasonably be asserted without fear of contradiction that, as far as models of equality go, the model established by the European Economic Community is more equal than others.

2. As guardian of the Treaties, the Commission is responsible for enforcing the rules of Community law and ensuring that various arguments, such as those based on economic factors, are not allowed to hinder the correct application of those rules.

⁽¹⁾ Council Directive of 10. 2. 1975 concerning the approximation of the laws of Member States relating to the application of the principle of equal pay for male and female workers (75/117/EEC): OJ, L 45, 19. 2. 1975; Council Directive of 9. 2. 1976 concerning the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and advancement, and working conditions (76/207/EEC): OJ, L 39, 14. 2. 1976; Council Directive of 19. 12. 1978 concerning the progressive implementation of the principle of equal treatment for men and women in matters of social security (79/7/EEC): OJ, L 6, 10. 1. 1979.

⁽²⁾ Proposal for a Council Directive concerning parental leave and leave for family reasons: OJ, C 333, 9. 12. 1983; proposal for a Council Directive on the application of the principle of equal treatment for men and women in self-employed occupations, including agriculture, and on protection during pregnancy and maternity — OJ, C 113, 27. 4. 1984; proposal for a Council Directive on the implementation of the principle of equal treatment for men and women in occupational social security schemes — OJ, C 134, 21. 5. 1983.



A comparison of the national legislation passed to give effect to the Directive in national law with the provisions of the Community instrument itself makes clear that there is a need for improvements in the majority of national laws.

3. The principle of equal treatment is a seemingly clear concept which has been raised by the Court of Justice to the status of a fundamental right which the Court has 'a duty to ensure the observance' of (*Defrenne*, Case 149/77, *Reports*, p. 1365; *Raz-zouk and Beydoun*, Cases 75 and 117/82, Judgment of 20 March 1984). It is in fact more difficult to comprehend than the parallel principle of equal pay when one attempts to delimit its boundaries and define its content.

4. Not much information can be found in either the Treaties or labour law texts on direct discrimination on the ground of sex, and even less exists on indirect discrimination.

New concepts have been developed, although they may not yet have been firmly established in law. Increased awareness, action by women, and the positions adopted by the European Parliament and Commission are factors which have helped to form the notions of parental leave, sexual harassment and indirect discrimination.

The Directive itself basically requires that men and women should enjoy equal working conditions. The clarification of the content of this requirement could pave the way to the elimination of a whole area of indirect discrimination which affects both men and women workers.

5. To this end, the Commission has agreed to the establishment of a panel of independent experts to monitor the practical application of the Directives within the Member States and, *inter alia*, to look closely at examples of indirect discrimination to see whether they can be grouped into broad categories⁽¹⁾.

6. The Commission also pledged itself in its three-year action programme for women to developing Community action to assist Member States to improve complaints procedures, including the reversal of the burden of proof. This has resulted in a comparative survey of national complaints and remedies procedures⁽²⁾, which is currently being examined by Commission experts.

7. The Court of Justice has frequently approved the Commission's interpretation of the Directives transmitted by it to the Council for adoption, notwithstanding a narrower interpretation by some Member States. In some instances it has been followed by the Advocate-General alone, and in a few rare cases, the Court has disapproved the Commission's arguments.

It does not come as any surprise to find that the interpretations put forward by national jurists — whether academics, lawyers or the courts — do not always reach the same conclusions, since the concepts which underly their legal analyses vary widely from country to country and even from region to region.

8. The Commission, aware of the thorny social issues raised by the quest for equal treatment — of which equal opportunities are one facet — was able to realise at an early stage that the desired changes can not simply be legislated into existence, but that laws and attitudes are inextricably linked. In such circumstances, any imbalance or loss of equilibrium between the two would deprive the rule of law of the solid foundations necessary for it to take full effect.

9. The Commission would like to be given the awareness of practising lawyers and the judiciary of the issues involved in the question of equality, and also to involve them in the debate on the underlying legal issues by making their own contributions to Community action and by undertaking a thorough going ex-

amination of the Community Directives on equal treatment, the national laws giving effect to them, and the loopholes in those provisions. The Commission is therefore helping to organize a European seminar aimed principally for law teachers, practising lawyers and members of the judiciary, at Louvain-la-Neuve (Belgium) from 22 to 24 May 1985.

In the meantime, the present author will briefly review the current state of application of Community and national law on equal treatment.

Scope of the Directive

10. The Council Directive of 9 February 1976 relating to the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, entered into force on 12 August 1980⁽³⁾.

The Commission interprets the Directive to apply to private sector employees, the self-employed and public servants, whether officials subject to staff regulations or employed under the normal private law rules of contract⁽⁴⁾.

The public sector is construed in its widest sense and extends to all public service posts in central and local government.

⁽¹⁾ A preliminary summary report will shortly be available in English and French.

⁽²⁾ A report on their findings will be published in English and French during 1985.

⁽³⁾ A useful analysis of Directive 76/207 and national implementing legislation can be found in the Report of the Commission to the Council on the state of application at 12 August 1980 of the principle of equal treatment for men and women concerning access to employment, vocational training and promotion, and working conditions (COM(80) 832 final).

⁽⁴⁾ Doc. COM(80) 832 final, p. 6.

The Directive covers three fields:

- (i) access to employment and advancement;
- (ii) access to vocational training and guidance;
- (iii) working conditions.

In these three areas, with the exception of the specific exemptions provided in the Directive itself, any discrimination based on sex 'whether directly or indirectly with reference in particular to marital or family status' is unlawful.

11. The only permitted exceptions to the principle of equal treatment are those specifically provided in Article 2.2. of the Directive itself.

This provision authorizes Member States to exempt certain occupational activities for which, due to their nature or the conditions in which they are performed, sex is a determining factor.

'The system of derogation is based on this factor alone, so that no derogation is possible unless, for objective reasons to do with its nature, the job can be carried out either only by a man or only by a woman'(¹).

Incorporation of the Directive into national law

12. At the date of adoption of the Directive, only the United Kingdom possessed legislation which broadly conformed with the objectives of the Directive.

The legislation concerned was the Sex Discrimination Act of 12 November 1975 and the Northern Ireland Act of 2 July 1976.

Comprehensive as it was, the Act did not escape the strict scrutiny of the Commission, and was challenged before the Court of Justice (*Commission v United Kingdom*, Case 165/82, decision of 8 November 1983). Firstly, the Directive requires that all provisions of any col-



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lective agreement which infringed the principle of equal treatment . . . 'are, or may be declared void'.

Secondly, the Act did not apply to employment in a private household or where no more than five persons were employed. Such exceptions

are contrary to the provisions of Article 2.2. of the Directive.

Both the Advocate-General and the Court followed the Commission's reasoning on both submissions. It

(¹) Doc. COM(80) 832 final, p. 39.

would appear, however, that the United Kingdom has yet to amend its legislation to give effect to the Court's decision of November 1983.

The Commission further claimed that the United Kingdom had limited access to midwifery training and restricted the exercise of the profession to women.

While Mrs Rozès, then Advocate-General of the Court, and presently President of the French Court of Cassation (Supreme Court of Appeal), also accepted the Commission's submission on this point, the Court held that

'It is undeniable that in the area in question, as the United Kingdom acknowledges, the Member States are under an obligation to implement the principle of equality of treatment. It must however be recognized that at the present time personal sensitivities may play an important role in relations between midwife and patient. In those circumstances, it may be stated that by failing fully to apply the principle laid down in the directive, the United Kingdom has not exceeded the limits of the power granted to the Member States by Articles 9 (2) and 2 (2) of the Directive. The Commission's complaint in that regard cannot therefore be upheld.'

It is open to question whether this construction does not in effect create a new principle which is not to be found in the Directive itself.

Two cases are currently pending before the Court of Justice, both references for rulings on the Sex Discrimination Act. One has been brought before by the Lord Chief Justice of Northern Ireland in respect of an action brought by a woman police constable against her superior. The issue at stake concerns the refusal of the Chief Constable of Ulster to give women police officers access to firearms training and the failure to renew their full-time employment contracts on the grounds of public order, public safety and national security.

The argument that women, even armed women, would be at greater risk than men would not seem to fall within Article 2.2. of the Directive, and to cover the case would be an abuse.

In the case of *Marshall v Southampton* (Case 152/84), the Court was asked to consider the case of a 62-year-old woman who was dismissed from her job for the sole reason that she was above the statutory retirement age of 60 for women. The employer pleaded section 6 (4) of the Sex Discrimination Act which permitted lawful discrimination arising out of any 'provision in relation to retirement'.

The Court has yet to deliver its verdict on whether or not this provision is in conformity with Article 5 (1) of Directive 76/207.

Leaving to one side all constitutional guarantees of equal treatment, we are left with only four countries who have incorporated the provisions of Directive 76/207 into their municipal law within the stated time.

13. Ireland incorporated the Directive with its Employment Equality Act 1977. It would appear, however, that section 12 (1) (b) (c) and (d) of the Irish act do not comply with Article 2.2. of Directive 76/207. A close study reveals that a number of occupations, including employment in the police force, prison service, private households and with close relatives, are specifically exempted.
14. The Court's first decision on the incorporation of Directive 76/207 came in its consideration of Italian Law No 903 of 9 December 1977 on equal treatment (*Commission v Italy*, Case 163/82, decision of 26 October 1983).

The Court rejected the Commission's entire statement of objections against the Italian authorities.

It is felt, however, that the Court was wrong to have rejected one of those objections.

The Commission challenged the Italian law for reserving the right to leave for adoption purposes to women workers only. The question was, therefore, whether the right to adoption leave constituted a working condition. If so, both sexes should be entitled to it. The Commission thought it was, a view supported by the Advocate-General. The Court found otherwise, however, considering that 'this decision is justified by the legitimate concern to assimilate during this very delicate period, as far as possible, the conditions under which a child arrives in an adoptive family to the arrival of a newly born child'.

It is a matter for regret that in this case the Court did not uphold the closely-argued reasoning of the Advocate-General, Mrs Rozès, on this point at least.

The Court therefore held that the Italian Law did comply with Directive 76/207.

15. In Denmark, the operative legislation is primarily Law No 161 of 12 April 1978 on the equal treatment of men and women in employment matters, together with Law No 162 of 12 April 1978 amending a number of other statutory provisions to bring them into line with the principle of equal treatment.

Article 3 of the Danish Law of 12 April 1978 gave rise to a dispute between the Commission and the Danish Government (Case 149/83, order for removal from the register 30 May 1984). The Danish law restricted the principle of equal treatment to men and women workers employed in the same workplace. The general duty imposed by Articles 4 and 5 of Directive 76/207 was thus prevented from taking full effect.

The Commission discontinued the proceedings following the Danish Government's passing of a Law, which entered into force on 1 April 1984, and amended the 1978 Law to comply with the Directive.

16. In Belgium, the Directive is incorporated into national law by Title V of the Law of 4 August 1978 — the 'new economic statute'.

The Commission likewise withdrew the proceedings in Case 164/82 — *Commission v Belgium*. Initially, the Commission had charged the Belgian Government with having failed to take all necessary steps to comply with Article 4 of the Directive; more specifically that Articles 124 and 125 of the Law of 4 August 1978 were inadequate to guarantee equal access to vocational guidance and training.

The enactment of the Royal Decree of 23 June 1983 enabled the Commission to discontinue the proceedings. The Court made the appropriate Order on 21 September 1983.

17. The Netherlands, the Federal Republic of Germany, Luxembourg and France fulfilled their Community obligations after the expiry of the time period set in the Directive.

The Dutch legislature, as in France, introduced the principle of equal treatment in two separate statutes, one of general application, the other applicable solely to public servants. The statutes in question were Law No 86 of 1 March 1980 amending Dutch legislation in line with Directive 76/207, and Law No 384 of 2 July 1980 amending Dutch legislation in line with Directives 75/117 and 76/207.

The Law of 1 March 1980 and the Report of the Commission to the

Council (p. 52) seem to construe the scope of Article 2.2. of the Directive in a different manner.

18. The *Arbeitsrechtliches EG-Anpassungsgesetz* (statute amending labour law in line with Community law) of 13 August 1980 amends the German Civil Code. Under German law, the Code applies neither to those in public office nor to self-employed workers.

Proceedings instituted by the Commission are currently pending against Germany (Case 248/83). The Court's decision in this case will probably condition the attitude the Commission might take to the Dutch statute, if it thought it desirable to take action under Article 169 of the EEC Treaty.



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The objections laid against the Federal Government, as they emerged at the hearing of 12 December 1984, can be summarized as follows: the statute giving effect to the Directive was not applicable either to public servants or the self-employed. Secondly, the statute did not specify which occupations were to be excluded from the scope of the equal treatment provisions⁽¹⁾.

Finally, it did not require that employment advertisement should be free from discrimination.

The Commission also contended that the German statute restricted parental leave to mothers only. It was forced to withdraw this objection following the Court's preliminary ruling in Hofmann (Case 184/83, decision of 12 July 1984) denying a German father the right to six months' paid parental leave.

In so doing, the Court upheld the German regulation entitling women, within eight weeks following birth, to apply for additional, paid leave until the child reaches the age of six months, the mother receiving an allowance equal to her wages (up to a maximum of DM 25 a day). The Court took the view that this period of leave was a form of social protection for the mother, and her alone, and that the 1976 EEC Directive on equal treatment for men and women in matters of employment and working conditions upon which Mr Hofmann had based his case did not oblige Member States to grant to the father an alternative right to such leave, even if both parents agree.

For such had, indeed, been the case here: the mother had agreed to assign her right to the leave to the child's father. The point at issue was the exact nature of the right to leave. The applicant's submission was that the purpose of this extended maternity leave was not to preserve the health of the mother, but was concerned with the care she could give to the child. The Commission supported the application, taking the view that the German

regulation did not fall within the exceptions provided in Article 2, paragraph 3 of the Directive. The Court did not accept its reasoning:

The Court adds that the object of the 1976 EEC Directive on equal treatment for men and women was not to regulate the organization of the family or to modify the allocation of tasks within a couple.

It is perhaps worth emphasizing that this divergence of views as to what does, or does not, fall within the scope of 'working conditions', as well as the need for legal certainty, may well move the Commission to study further this central concept of the Directive in order to give it a generally-accepted meaning throughout the Community.

In Cases 14/83 and 79/83 (decisions of 10 April 1984) the Court of Justice was asked to decide two cases from West German courts who had discerned discrimination on the grounds of sex in proceedings instituted before them.

The Law of 13 August 1980 giving effect to the Directive introduced an Article 611a (2) into the German Civil Code, awarding nominal damages to the victims of sex discrimination.

The referring courts were concerned whether such compensation, which in no way constituted a deterrent, was in conformity with Directive 76/207.

Following the Court's decision that 'if a Member State chooses to penalize breaches of that prohibition by the award of compensation, then in order to ensure that it is effective and that it has a deterrent effect, that compensation must in any event be adequate in relation to the damage sustained and must therefore amount to more than purely nominal compensation such as, for example, the reimbursement only of the expenses incurred in connection with the application'.

One of the courts concerned awarded the plaintiff damages equal to six months' wages.

It is reasonable to wonder whether, from a strictly legal point of view, the Commission should not invoke Article 169 of the Treaty, since as it stands, Article 611a (2) of the BGB still fails to comply with Directive 76/207.

19. Luxembourg gave effect to Directive 76/207 in its Law of 8 December 1981 concerning equal treatment for men and women in access to employment, vocational training and promotion and working conditions. Article 2 (2) of the Luxembourg statute provides that:

'As an interim measure, the following shall not be deemed contrary to the provisions of this Law:

- (i)
- (ii)
- (iii) Any legislation or regulation concerning . . . employment for women superior officer, subordinate officer or constable in an area police force, or any woman superior officer, subordinate officer or constable in the national police force;
- (iv) Any legislation, regulation or administrative provision concerning employment for any customs officer, postal official, officer in the prison service, countryside warden or process server . . .'

These provisions would appear to conflict with the terms of Article 2 (2) of the Directive. Exemptions of this nature, whose effect is to temporarily preserve different national norms organizing access to employment by applying conditions which discriminate on grounds of sex, would not seem to be objectively permissible under the Directive.

⁽¹⁾ Report, op. cit., p. 55.



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20. Prior to the Directive's entry into force, the position in France had been governed by two major statutes — the Law of 11 July 1975 and the Law of 10 July 1975, the latter concerning the public service.

Law No 75/625 of 11 July 1975 amended and extended the provisions of the Code du Travail (Labour Code) relating to work by women, together with Article L 298 of the Social Security Code and Articles 187-1 and 416 of the Penal Code.

However, not only was the new law limited in scope to a specific number of discriminations, such as those relating to employment and dismissal, it also restricted the principle laid down in Directive 76/207 in allowing the employer to discriminate where he could prove 'reasonable grounds' for doing so.

The situation is now governed, however, by Law No 83-635 of 13 July 1983, which amends both the Labour and Penal Code provisions to recognize the principle of equality between men and women.

Article 19 of this Law poses some problems, however⁽¹⁾. Paragraph one provides that:

'the provisions of Articles L 123 (1) (c) and L 123 (2) of the Labour Code⁽²⁾ shall not preclude the application of any custom or practice, provision of any employment contract, collective agreement or settlement in force when this law comes into effect, offering special rights for women.'

Paragraph two states that: 'employers, employers' associations and workers' organizations shall endeavour, through collective bargaining, to put such provisions into compliance with the provisions of the above-mentioned articles'.

Clearly, it is essential to define what is meant by the special rights referred to in paragraph 1. They must either refer to particular provisions relating to women covered by the Directive, or else refer to working conditions (e.g. time off for family reasons).

Assuming that it is the latter rights which are being referred to, then Article 19 (2) has to be read in the light of Article 5.2.b of the Directive, which provides that:

Member States shall take the measures necessary to ensure that any

provisions contrary to the principle of equal treatment which are included in collective agreements, individual contracts of employment, internal rules of undertakings or in rules governing the independent occupations and professions shall be, or may be declared, null and void or may be amended.

This in turn must be read subject to article 9.1 which provides that national law must be brought into conformity with the rules of the Directive 'within thirty months following notification'.

As it stands, therefore, and to the extent that it does not refer to the protection of women, Article 19 of the French Law would not seem to comply with Articles 5.2.b and 9.1. of Directive 76/207⁽³⁾.

The second of the statutes, Law No 75/599 of 10 July 1975, amended Administrative Order No 59/224 of 4 June 1959 concerning the employment conditions of civil servants. This statute, while introducing the principle of equal treatment into the public service, also provided for the possibility of recruiting only men or women for certain categories of post to be defined by decree, or for separate recruitment 'where justified by the nature of the post or the conditions of service'.

This provision conflicted with the limitative provisions of Article 2.2. of

⁽¹⁾ C. Sutter, 'L'égalité professionnelle dans les droits nouveaux', *Droit social*, 1983, p. 692.

⁽²⁾ Respectively: the employer shall not 'on the ground of sex take any measure, notably with regard to payment, training, allocation of work, qualification, grading, promotion or change of post'; it is unlawful to include in any contract a clause 'reserving the benefit of any measure whatsoever to any worker or workers on the grounds of sex', except in the case where the purpose of such clause is to give effect to any of the provisions of the Labour Code guaranteeing specific protection for women (in cases of pregnancy, childbirth and nursing mothers).

cf. decision of 8 November 1983, *Commission v United Kingdom*, and the submissions of the Advocate-General.

the directive. As a result of direct proceedings by the Commission, both the Law of 10 July 1975 and its statutory instrument were amended. French jurisprudential writers did not fail to emphasize that 'the French legislature was obliged to revert to the terms of the Law of 10 July 1975, since in the Commission's view, the exclusions were too subjective in nature and not sufficiently exceptional'⁽¹⁾.

To bring French law into line with Community requirements, the French Government once more amended the 1959 Order in its law of 7 May 1982⁽²⁾. Neither this law, nor its accompanying statutory instrument of 15 October 1982, enact fresh lists of posts for exclusive recruitment; and the 26 categories of post listed in the earlier decree have been whittled down to only 15 in the Decree of 15 October 1982.

While this represents undeniable progress, the criticisms of the earlier provisions still hold good.

The most recent amendment came in the form of Law No 84-16 of 11 January 1984 concerning statutory provisions relating to civil service posts. The wording, however, remains identical to that of the now-repealed Law of 7 May 1982. And pending a new instrument, recruitment, the Decree of 15 October 1982 continues to apply.

While no one can seriously question the undeniable progress which the Law of 7 May 1982 represented over that of 10 July 1975, it neverthe-

less remains desirable that both the new Law of 11 January 1984 and its future statutory instrument should comply with Directive 76/207 in all respects.

21. Directive 76/207 has been applicable in Greece since 1 January 1981, the date upon which Greece became a member of the Community, no particular date for compliance having been fixed in the Act of Accession.

The Greek family law system was reformed by Law No 1329 of 15 February 1983 'relative to the application of the principle of equal treatment for men and women in the constitution, in the Civil Code and its enacting law, in commercial legislation and the code of civil proceedings, together with the reform of parts of the provisions of the Civil Code concerned with family law'. This law affected a minor revolution in the contemporary Greek legal system and pre-dated the incorporation of Directive 76/207 by a year.

On 30 January 1984, the Greek legislature adopted Law No 1414/84 'concerning the application of the principle of equality between the sexes in the field of labour relations and other provisions', entering into effect on 2 February 1984.

Article 1 provides that the statute applies only 'to workers covered by a contract of employment under private law and to members of the professions'.

In other words, neither public service nor those in self-employed oc-

cupations fall within its scope. Unless other instruments exist implementing the principle of equal treatment in fields not within the scope of Law No 1414/84, it would appear that Greek law does not give effect to the provisions of Directive 76/207.

Conclusions

22. At the end of this necessarily brief overview, it may be concluded that the majority of national laws do not give full effect to the provisions of Directive 76/207. The decisions of the Court handed down so far provide answers in some cases but leave questions unsettled in others.

Lawyers find themselves on uncertain grounds in the field of equality of treatment. Knowing little or nothing of the problems they prefer to advance with caution, asking at each step the scope of the principle of equal treatment. But at present they receive no single reply. For this reason the question demands further study. Juggling with ideas is one thing. But getting general agreement on their content is something else entirely.

Gerassimos Zorbas

⁽¹⁾ P. Auvret, 'L'égalité des sexes dans la fonction publique', *Revue du droit public*, 1983, p. 1585.

⁽²⁾ The Goldet report from the Commission on Constitutional Laws . . . setting out the Commission's reasoned opinion, Senate proceedings, No 92, first ordinary session of 1981-82).

Towards a wider conception of social security based on Regulations (EEC) nos 1408/71 and 574/72 (OJ L 230, 22. 8. 1983)

It is by no means an easy task to find a definition of the notion of social security within which the Community regulations on social security for migrant workers might be placed so as to define their material scope, particularly when the use of this expression, virtually unheard-of a few short decades ago⁽¹⁾, has experienced proliferating growth, both as regards positive law and general principles⁽²⁾.

Article 4 (1) of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community lists the social security benefits to which the Regulation applies, although without, in most cases, providing any definitions⁽³⁾.

'This Regulation shall apply to all legislation concerning the following branches of social security:

- (a) sickness and maternity benefits;
- (b) invalidity benefits, including those intended for the maintenance or improvement of earning capacity;
- (c) old-age benefits;
- (d) survivor's benefits;
- (e) benefits in respect of accidents at work and occupational diseases;
- (f) death grants;
- (g) unemployment benefits;
- (h) family benefits.'

It has thereby kept rigidly to an analytical concept of social security, modelling itself on the ILO Convention No 102 of 1952, concerning minimum norms for social security⁽⁴⁾ in listing the contingencies, described as social risks, against which Member States are generally requested to assure the protection of the whole or any part of their populations⁽⁵⁾.

The identification of these contingencies would not have been sufficient to determine the material scope of the regulation without also defining the terms 'legislation' and 'benefits', also provided in Article 1 (j) and (t)⁽⁶⁾.

While Article 4 (1) of the regulation sets out the content of the protection to be provided, whichever type of scheme is employed, Article 4 (2) gives an idea of the existing variety in the arrangement of legal and financial structures through which that protection may be assured (general and special social security schemes, whether contributory or non-contributory, and schemes covering the liability of an employer or shipowner). To avoid all ambiguity, Article 4 (4) ex-

pressly excludes social and medical assistance, benefit schemes for war victims, and special schemes for civil servants or persons treated as such⁽⁷⁾.

On the basis of the contingencies listed in Article 4 (1) of the regulation, one might be tempted to define the ma-

⁽¹⁾ It was used for the first time in the US Social Security Act of 14 August 1935.

⁽²⁾ In Article 22 of the Universal Declaration of Human Rights of 10 December 1948.

⁽³⁾ cf. Article 1 (u) defining 'family benefits' and 'family allowances', and Article 1 (v) defining 'death grants'.

⁽⁴⁾ cf. also the European Council's European Code on Social Security, together with its additional protocol of 16. 4. 1964, and, at national level, Article 3 of the Belgian Law of 29. 6. 1981, known as the 'Dhoore Law', setting out the general principles of social security applicable to employed workers (Moniteur Belge [Official Gazette] 2. 7. 1981).

⁽⁵⁾ Whether a 'transferable' or occupational scheme, i.e., centred on protection for the worker (as in Belgium, France and the FRG), which will contain provision against the materialization of those risks which prevent an individual from earning such income as he would normally get from an occupational activity (sickness, invalidity, old-age, unemployment) as well as against those risks entailing a fall in living standards (health care, family expenses); or in contrast, a 'distributive' or universal scheme protecting the individual regardless of his occupational status (e.g. the United Kingdom, the Netherlands and Denmark) where the aim is generally to cover all contingencies likely to affect the health or living standards of the indigenous or resident population.

cf. P. Denis, *Droit de la sécurité social* (Social Security Law), Larcier, 1983, p. 20 et seq; J. J. Dupeyroux, *Droit de la sécurité sociale*, Dalloz, 1984, vol. 1; G. Perrin, *La sécurité sociale au passé et au présent* (Social security past and present), *Revue française des Affaires sociales*, 1979, pp. 88 to 97.

⁽⁶⁾ 'Benefits' and 'pensions' mean all benefits and pensions, including all elements thereof payable out of public funds, revalorization increases and supplementary allowances, subject to the provisions of Title III, as also 'lump-sum benefits which may be paid in lieu of pensions, and payments made by way of reimbursement of contributions' (Article 1 [t]). Note that in a line of cases decided since Case 100/63 (Van der Veen), the Court of Justice has consistently held that the declarations notified by Member States under Article 5 of Regulation No 1408/71 concerning the legislation and schemes referred to in Article 4 (1) and (2) have a merely declaratory value.

⁽⁷⁾ Other exceptions applicable to certain Member States are set out in Annex VI to the regulation, as provided in Article 89, and in Annex II, pursuant to Article 1 (j) and (u).

terial scope of the Community Regulation as consisting of all those national legislative provisions which, using either specific, direct or at the least⁽¹⁾ means and procedures, embody national efforts to compensate the financial consequences of those contingencies.

Thus in Case 33/65 (Dekker), Reports, 1965, p. 112, the Court of Justice of the European Communities expressly linked the concept of social security benefits, within the meaning of Regulation No 3, 'to the occurrence of a concrete risk'.

That determination, however, was to lose its quality as an entrenched principle in subsequent cases in favour of an extension of social security and the taking account of the fundamental objective of Article 51 of the EEC Treaty, so as to bring about the conditions most favourable to the free movement of workers.

While the intention to compensate can undoubtedly be said to be the 'nucleus' of social security, the material scope of application of Regulation No 1408/71 cannot be limited to that alone, without at the same time concealing the progressive, even 'attractive' in the words of Advocate-General Mayras⁽²⁾, content of this form of social protection which has developed beyond the improvement of living standards, being acknowledged as having the function of improving the quality of life, even to the extent of promoting a particular employment policy.

Thus, the eight traditional branches of social security listed in Article 4 (1) of the Regulation, while patently 'constitutive and finite', on the basis of a Community definition of 'benefit', have frequently, with the exception of the special provisions contained in the Annexes, allowed new national benefits to be brought within the material scope of application of the Regulations, often through the concentration of benefits due under a single branch — in other words more by an internal reorganization of the structure rather than its extension, though not without the attendant dangers of administrative complexity⁽³⁾. Thus recent developments have witnessed the extension of 'sickness' to in-

clude the prevention and rehabilitation⁽⁴⁾; 'unemployment' to encompass measures aimed at prevention, occupational rehabilitation and retraining; the apportionment of special aids granted to the handicapped or elderly between the 'sickness' and 'invalidity' or 'old-age' branches⁽⁵⁾; the considerable extension of 'family benefits' to accommodate its many objectives; the recognition, subject to certain conditions, of the right of workers and their families to all allowances arising out of health and social measures, in accordance with the principles of equality of treatment, whichever the branch of social security the allowance might fall into⁽⁶⁾.

In this context, social assistance, seen as being of a residual or complementary nature, is destined, at least in the short term, to make up for the inadequacies in the social security system⁽⁷⁾.

The extension of social security was, in theory, translated into Community law, to the detriment of a strictly analytical view, through the defence of a functional view linked to the concept of general economic protection, encompassing not only compensatory measures, but also preventive ones, and even more closely linked to the insufficiency of resources *per se* than the occurrence of a specific contingency giving rise to a condition of need. Such an approach should ensure virtually unlimited scope for the expansion of social security.

It is hardly surprising that the way in which conceptions of social security developed was mainly taken into account at Community level with regard to mixed-type non-contributory benefits, precisely those products of the progressive integration, evidenced in various national legal systems, of social assistance into social security⁽⁸⁾. Assistance, which is linked not to the occurrence of any specific contingency but rather to the existence of a general state of need or want, and by its nature based on a functional concept, is also destined to a greater development within the field of social security.

In a long series of cases⁽⁹⁾, the Court of Justice has attempted to formu-

(¹) Thus assistance, which is basically voluntary and thus discretionary, was not specially designed to deal with problems posed by social risks; the same applies to individual saving, personal liability and mutual benefit insurance. Insurance itself, an old and well-established institution, developed into a specific medium for social protection, essentially as a result of the social objectives attributed to it and by the characteristics of its administrative and financial structure, following a course of evolution admirably described by G. Perrin in his study '100 ans d'assurance sociale' (100 years of social insurance), RBSS 1981, p. 837. cf. also J. J. Depeyroux, *op. cit.* p. 21 et seq.; M. Delhuyenne, 'Quarante ans de sécurité sociale (1935—75) (40 years of social security, 1935—75), 'Une société en mutation' (a society in transition), RBSS 1979, p. 679.

(²) An expression borrowed from French administrative law with reference to the concept of 'public employment'. cf. the conclusions of the Advocate-General in Case 1/72 (Frilli), Reports, 1973, p. 476.

(³) cf. G. Perrin, 'Sécurité sociale passé et présent' *op. cit.* p. 119.

(⁴) Examples may be found in Case 14/72 (Heinze), 15/72 (Niedersachsen) (and 16/72 [Ortskrankenkasse — Hamburg]), Reports, 1972, pp. 1105, 1127 and 1141, in which the Court of Justice held, on the question of an allowance paid to TB sufferers categorized as a sickness benefit, that the concept of social security included preventive protection.

(⁵) See below — comments on the Court's decisions concerning non-contributory benefits of a mixed type, i.e., appertaining simultaneously to social security and assistance.

(⁶) cf. Case 7/75 (Spouses F.), Reports, 1976, p. 679. The Commission submitted that benefits for the disabled should be considered as family benefits, whereas the Advocate-General took the view that they were similar to invalidity benefits. The Court avoided these qualificatory difficulties by recognizing the nature of the benefit at issue as a legally-protected right.

(⁷) G. Perrin, '100 ans d'assurance sociale', *op. cit.* p. 864.

(⁸) Even though this trend has undergone something of a change due to the crisis; assistance is recovering in popularity with the development of government-funded aid schemes to the 'new assisted' (cf. Dupeyroux, *op. cit.*, p. 999); cf. generally on this, D. Simoens, 'Le droit de la sécurité sociale depuis la crise économique (1976—81)' (Social security law in the recession, 1976—81), RBSS, 1982, p. 303.

(⁹) cf. Case 1/72 (Frilli), Reports, p. 457; Case 187/73 (Callemeyn), Reports, p. 553; Case 24/74 (Biaison), Reports, 999; Case 39/74 (Costa), Reports, p. 1251; Case 7/75 (Fracas), Reports, p. 679; Case 63/76 (Inzirillo), Reports, p. 2057; Case 139/82 (Piscitello), Reports, p. 1427; Case 261/83 (Castelli), not yet published.

late Community criteria for distinguishing between social security benefits and assistance allowances, since the latter fall outside the material scope of the Regulations. In the Court's view, a benefit which confers upon the recipient a legally-defined position, completely independent of any individual and discretionary assessment of personal needs and situations and, as the case may be, grants the recipient of a social security benefit a supplementary income, does not fall within the scope of the exclusion provided in Article 4 (4) of Regulation 1408/71, but come, in principle, within social security covered by Article 51 of the Treaty⁽¹⁾.

This general trend towards the extension of the scope of social security in national legislation can, on occasion, only be satisfactorily expressed at a Community level by the introduction of new branches of social security into the Regulations.

This is precisely the case with a type of benefit which has only recently been added to the armoury of national measures constituting employment and social security policy as a result of the pressure of economic and social problems, i.e., early retirement benefits. If such allowances fall within the scope of application of the Regulation, as held by the Court in Case 171/82 (Valentini) Reports, 1983, p. 2157, concerning the French allowance known as the 'guaranteed retirement income', without further explanation⁽²⁾, it would be nevertheless a delicate, not to say impossible, task to assimilate them to any of the branches of social security referred to in Article 4 (1) of the regulation, given the untoward consequences which would arise from the application there to of certain provisions of Title III of the regulation. While certain forms of early retirement pension created by purely and simply lowering the retirement age for certain classes of worker (applying the principle of flexible pensionable ages) could, without too much difficulty be squeezed into the

'old-age benefits' branch⁽³⁾, other types of benefit seem, for historic and above all organizational reasons, to be regarded by national legislations as falling within the general scope of unemployment, although not fully assimilated to unemployment benefit because of the absence of a condition of availability for work; indeed, the early retirement scheme is aimed precisely at taking the beneficiaries of the labour market altogether.

Along these same lines, the Commission submitted a proposal to the Council in 1980 for a regulation which would have entitled an early retiree in one Member State to transfer his residence to another Member State while retaining the benefit of his early retirement pension (OJ C 169, 9.7. 1980). Failing unanimous agreement by Council members, as required by Article 51 of the Treaty, the proposal remains as yet unadopted.

In this situation, then, early retirement benefits should be made subject to existing Community provisions, although admittedly these are regarded by the Commission as ill-suited to the measures proposed, particularly those in the Chapter on unemployment which provides for the export of unemployment benefits only for a period not exceeding three months while the unemployed person is looking for work in another Member State!

The Commission has also recognized the need to include special coordinating provisions for mixed-type non-contributory benefits in the Regulation, and will very shortly be transmitting a proposal for a regulation to this effect to the Council.

To sum up, despite the finite character of Article 4 (1), Regulation No 1408/71 has been able to respond positively to developing views of social security in the Member States, although not without the dangers of administrative complexity or uncertainty in borderline

cases, which the Commission is currently seeking to remedy as far as mixed-type non-contributory benefits are concerned, through an amending regulation.

The regulation as it stands, however, does contain major loopholes with regard to early retirement benefits which can only be filled by the introduction of new social security legislation. A proposal for a Regulation to this effect has been before the Council since 1980.

Sean Van Raepenbusch

⁽¹⁾ That was the decision in respect of allowances for the disabled in France and Belgium, guaranteed incomes in Belgium, the supplementary allowance from the National Solidarity Fund in France, and the social pension in Italy. Proceedings are currently pending concerning the French special allowance (Case 157/84) [Frascoigna].

The recipient of benefit must also fall within the personal scope in relation to persons of Regulation No 1408/71, which in many cases will place appreciable constraints on the 'attractive' nature of social security. In other words, while its material scope may be particularly wide-ranging, the regulation applies only to one class of persons: employed and self-employed persons and members of their families (Article 2). This produces the result that a mixed-type non-contributory benefit could be classed as social security within the meaning of the Community Regulations with regard to those workers cited in Article 2, whereas they would not be so regarded for other categories of recipient.

⁽²⁾ At its very widest interpretation, the Court's decision can be regarded only as saying that the allowance could not be regarded as of the same nature as old-age benefits, principally on the grounds of the basis of its calculation, conditions for eligibility and its objective linked to employment policy.

⁽³⁾ cf. a decision of the Liège Labour Court of 6 June 1983 (JTT 1984, p. 431) favourably compared the legal early retirement pensions introduced by the Law of 22 December 1977 with the ordinary legal pension in order to remove residence conditions adversely affecting the unemployed worker who, in principle, is to be assimilated to an early retiree under Article 76 of the law in question.

The mobility needs of disabled people

I Introduction: the environmental 'Package'

The implementation of Community policy to promote the social integration of physically and mentally disabled people is strongly influenced by the perception that — uniquely and essentially for the disabled — economic integration depends on services and facilities which do not themselves directly arise in or from the working situation. Massive evidence from the Member States shows that for disabled people training and employment measures, however carefully prepared, do not work unless they are paralleled by measures which enable the disabled worker to overcome his environmental problems.

Following up, therefore, its policy initiative on the employment of disabled people the Commission is confronting, as its second policy activity within the action programme, the whole 'package' of environmental problems which disabled people have to face in order to achieve autonomy and a fully independent life. In DG V, we have identified four main components of this environmental domain: **mobility, access, housing and leisure.**

By 'access' is meant access to buildings and facilities which are public in the wide sense of that word: commercial establishments — banks, shops, cinemas, etc. — are therefore included as well as public sector offices and major cultural facilities. The Commission's own service has over the last year been collecting and analysing the ample existing European data concerning problems and solutions in this field, and is currently negotiating an analytical study which will provide the basis for a first set of Community recommendations.

At the same time, the Commission's service responsible for the programme of pilot projects to promote the housing of disabled people has entrusted to a research institute in Germany the task of establishing a network of bodies and centres engaged in *housing innovation* together with a set of case studies of successful developments. The data and



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ideas collected and analysed by means of this contract will also become available this year.

As to *leisure*, the Commission has invited the European Community secretariats of Rehabilitation International to organize a seminar on this theme in the

autumn of 1986. This invitation has been taken up by the Royal Association for Disability and Rehabilitation (Radar), the RI secretariat in the United Kingdom.

The seminar, which will take place in November, will cover both the cultural and sporting aspects of leisure.

II Mobility

No element in the 'environmental package' is more important than *mobility*. Mobility problems affect many classes of people; here at least the disabled are no longer isolated, since they share common problems with all the aged, all those in company with small children, with pregnant women, with those recovering from illness or accidents. It is a large group, far bigger than the 10% of the population who suffer from long-term disabilities. And the range of problems is complex and diverse.

To make it possible to organize our knowledge and understanding of this complicated topic, we have identified two distinct sets of problems, those that primarily concern day-to-day, local mobility and those which are involved by longer distance travel. Day-to-day mobility comprises the movement about the streets and other public places of those with motor and sensory handicaps, whether walking or in wheelchairs, as well as local transport facilities, public or private.

In 1982, the European Research Institute on Consumer Affairs (Erica) produced for the Commission a report on door-to-door transport systems⁽¹⁾ in the Community countries, Sweden and the United States. The report describes and analyses the principal door-to-door or 'dial-a-ride' supplementary transport systems which have developed in the Community and other Western countries, often from an original initiative by disabled people themselves but often also having earned public financial support, typically from local authorities. Four important conclusions emerge clearly from the analysis. First, there is no doubt that wherever they exist, such facilities, in spite of operational limitations, are welcomed and appreciated by disabled people. Secondly, it is certain that whatever progress is made in the adaptation of public transport and the provision of adapted cars, there will be for the foreseeable future a need for 'dial-a-ride' type facilities to fill needs which otherwise simply cannot be met. Thirdly, it is essential to achieve recognition of

'dial-a-ride' type provision as an element of normal transport services, not as some facultative welfare facility. And, finally, know-how is a vital factor, especially as far as cost-effectiveness is concerned: it follows that exchange of technical information and experience at Community level would be of exceptional value.

Another clear implication of this report is the need to understand the interrelation between different kinds of

⁽¹⁾ 'Transport for the disabled: door-to-door transport systems', Erica Research Ltd 1982, available in English, French and German from the Commission's Bureau for action in favour of disabled people in the Directorate-General for Social Affairs.



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mobility service and to encourage thinking in terms of a total provision made up of a number of distinct elements. Already, as a result of this first report, the essential elements have been clearly identified. In addition to door-to-door transport, there are three other necessary components of a complete everyday mobility policy: these concern private cars (provision of adapted vehicles and parking facilities); adaptation of and access to public service vehicles; and pedestrian aids and facilities.

In 1983 therefore the Commission invited Erica to undertake a second, wider research which would cover all these further aspects. In spite of the formidable difficulties imposed by the complexity of the subject and the inevitable divergence of precept and practice in the Member States the study was successfully completed in 1984 and the Commission is now preparing it for publication in French, German and English. Before long, therefore, all those in the Community who are concerned with the vital contribution which the solution of mobility problems would make to the

development of independent living for disabled people will have before them the detailed and systematic evidence of both the possibility and the need for concerted policy development, building on the positive but as yet somewhat sporadic initiatives which have been undertaken in Member States.

III The way forward

Longer distance travel problems, another extensive domain comprising access to airports and aircraft and to international sea, road and rail transport as well as to hotels, is the subject of a new study which is being undertaken for the Commission by the Dutch Consumentenbond, and the result of which will become available later this year. A feasibility study on information needs in the field of housing and access, including access to transport facilities, is being prepared by a Danish expert as part of the Commission's 'Handynet' project (computerized European information

system on disability). A number of the Commission's sixteen District Projects on Social Integration are focusing on mobility problems and will be reporting on innovative progress made at local level. In January 1986 the Commission is supporting the first European Community Conference on Independent Living for Disabled People; taking place in Munich, this conference will debate and report on access and mobility problems among others. Meanwhile the secretariat of the European Conference of Ministers for Transport is preparing recommendations on urban transport facilities for the disabled for submission to the ministers this November.

This concentration of effort should ensure that by 1986 the Commission has a sound basis of knowledge, understanding and support on which to construct its policy proposals. But, as with other themes, no proposals will be put forward until the ideas and needs have been fully discussed with the European associations of disabled people with which the Commission is in regular contact.

Part Two

Analyses, debates, studies



Job creation in the United States

This article draws on a report which has been prepared for the Commission by Rodney Stares of the Centre for Employment Initiatives in New York and on information gathered on a United States Information Agency Programme on 'Job creation in the US economy' in which three Commission staff participated.

In recent months, increasing attention has been focused on the difference between the high growth of employment in the United States in the last ten years or so compared with Europe where the employment record has been dismal by comparison.

During the 1970s, the United States experienced unprecedented labour force growth as large numbers of women entered the labour force and the postwar baby boom generation reached working age. The net number of jobs created has more than compensated for this increase in the labour force so that the proportion of the working age population with jobs rose from 65% in 1973 to 68% in 1984.

In Europe, the working age population grew more slowly but job creation did not keep pace so that proportion of

the working age population with jobs fell from 65% in 1973 to only 57% in 1984.

This rapid employment growth in the United States is not merely a phenomenon of the Reagan administration: employment increased by over 15 million between 1973 and 1981 with most of this growth in 1976—79. Employment fell by nearly 900 000 in the 1981—82 recession but has risen by over seven million since then. In contrast, there are now over a million fewer jobs in the European Community than there were in 1973. There was net employment growth in 1973 and 1974 and again between 1977 and 1980 but in the last four years, over three million jobs have been lost in the European Community.

It is worth looking at where the growth in US employment has occurred since there is a tendency on the part of



Employment in agriculture.

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some commentators to belittle the US experience by claiming that the new jobs are part-time / low paid / unstable. This attitude, in any case, begs the question of whether or not it is better to have a job which may in some sense be 'second-rate' or to have no job at all.

Full time jobs accounted for the greater part (71.4%) of the new employment. However, the rate of growth of full-time employment was slightly less than for employment as a whole and the share of full-time employment has fallen from 83.0% to 80.8%. Voluntary part-time employment has grown gradually but experienced little change in its share of total employment. The number of people working part-time when they wish to work full-time is obviously sensitive to cycles since it includes people working part-time because of slack work. Both the 1975 and the 1981—82 recession saw almost 30% jumps in the number of these jobs followed by a slow-tail-off. The net result is a rising trend of part-time jobs for economic reasons and these jobs have accounted for 14.2% of the total increase in jobs.

The number of jobs in the manufacturing sector has held up better than in Europe over the period as a whole but has fluctuated sharply. 1.8 million manufacturing jobs were lost in the 1975 recession. Employment recovered to the 1973 level by 1981 but fell once more by 1.3 million in the 1981—82 recession. There has been some recovery since then but manufacturing employment is currently still below 1973 levels and recent months have shown a further fall in manufacturing employment.

Employment in services, on the other hand, has increased steadily so that the share of services in employment has risen from 68% in 1973 to 74% in April of this year. Within the broad services category, 'other services' made the biggest contribution to new jobs (8.8 million), particularly business services and health services.

Retail eating and drinking was another fast growing area.

Total employment in the public sector expanded at a much slower rate than

employment in the private sector. As a result its share of total employment fell from 17.9% to 17.0%. Nevertheless, it still contributed an extra 2.7 million jobs, largely at state and local levels, with most of this job growth occurring before 1981.

Even on the basis of a wide definition, the high technology sector grew only slightly faster than average employment and contributed 15% of the increase in employed workers. Narrower definitions of high technology provide faster growth rates — although no higher than many service subsectors — but reduce the employment contribution to between 5% and 8% of the total.

One of the most striking things about the job creation process in the United States is the rise in entrepreneurship. In 1950 90 000 new enterprises a year were set up. This rose to 250 000 by 1970 and in the 1980s, 600 000 new businesses have been started per year. These estimates may be conservative because financial and real estate businesses and self-employment are largely excluded.

1% of businesses in the US fail each year with a loss to creditors and a larger number, estimated at 8%, close without a loss to creditors. A disproportionate number of those businesses which fail close earlier rather than later and are smaller. Nevertheless, business failures do not represent total losses: 80% of businesses which fail, survive — and therefore employ people — for two years. 61% of businesses which fail, fail in years 3, 4 and 5 and 81% of businesses which fail do so in the first ten years. It is thought that closures (without a loss to creditors) probably follow a similar pattern, but there is no reliable data.

Public policy has been peripheral in the rapid growth of enterprise creation. Entrepreneurship is a function of rapid change — the impact of oil prices and structural change, for example as a result of international competition, increasing participation of women and the changing age structure of the population.

Negative factors are important in the creation of entrepreneurs, e.g. loss of job, dead end job and the fact that failure is accepted. Studies show that 60—80% of new businesses are financed from personal savings, family, friends and associates. In addition there are local, wealthy individuals who provide investment in the medium range — about USD 50 000. Venture capital is fairly insignificant in starting firms. Probably less than 500 firms a year receive start-up funding from the venture capital community, only one third of whose investments go to start ups. About two thirds of venture capital investments go to technology related ventures and over 70% are concentrated in California, New York and Massachusetts.

Low income communities are therefore at a relative disadvantage in their ability to fund new businesses. The public sector, especially at state and local level, has only recently begun to focus on the small, non-traditional business sector in the US but the Small Business Administration has been active in the past in guaranteeing loans for existing small businesses. 63% of long-term (+3 years) bank lending to small businesses was issued under SBA loan guarantees.

The 1981 tax cuts, e.g. accelerated depreciation allowances, were not much use for young, growing firms without large profits to set tax off against. Indeed, studies have shown that there has been a negative connection between accelerated depreciation and investment because the savings were treated as a windfall gain and paid out in dividends. Access to capital for small firms is much more important than cost.

Although the setting up of new, independent enterprises has captured people's attention, it must be remembered that expansion of existing firms has generated about twice as many jobs as the birth of new firms. The setting-up and growth of branch establishments has been very important with around 60% of new starts in branch plants and some 40% of expansions in branch plants.

The role of small enterprises (independent firms rather than branches of big companies) has been substantial, of

course, but varies according to the time period studied. Thus for example, small enterprises accounted for a very large proportion of net employment growth between 1980 and 1982 because there were major contractions in large business employment.

Small firms are important for new entrants on to the labour market. Research shows that 60% of entrants find their first job in a small firm and that small firms provide a substantial subsidy to large firms through the training that they provide to new labour market recruits.

The fact that jobs in some small businesses tend to pay less than their larger counterparts, be non-unionized and offer fewer benefits provides ammunition for the 'bad jobs' lobby. However, some small businesses offer quite well-paying jobs with good benefit packages. Studies at the macro-level do not support the thesis that there is increasing bipolarization of the labour market with decline in middle-income earners, a growth in the highly paid, highly skilled jobs and a large increase in low-paid, low skilled jobs. Recent research by the US Bureau of Labour Statistics (BLS) showed that the proportion of people earning in the top third of the wage range increased, the proportion in the bottom third declined and the proportion in the middle declined very slightly.

Other research by the BLS explodes the myth of the highly mobile American worker. They found that measurement of average job tenure is held down because of rapid increases in the US population and labour force.

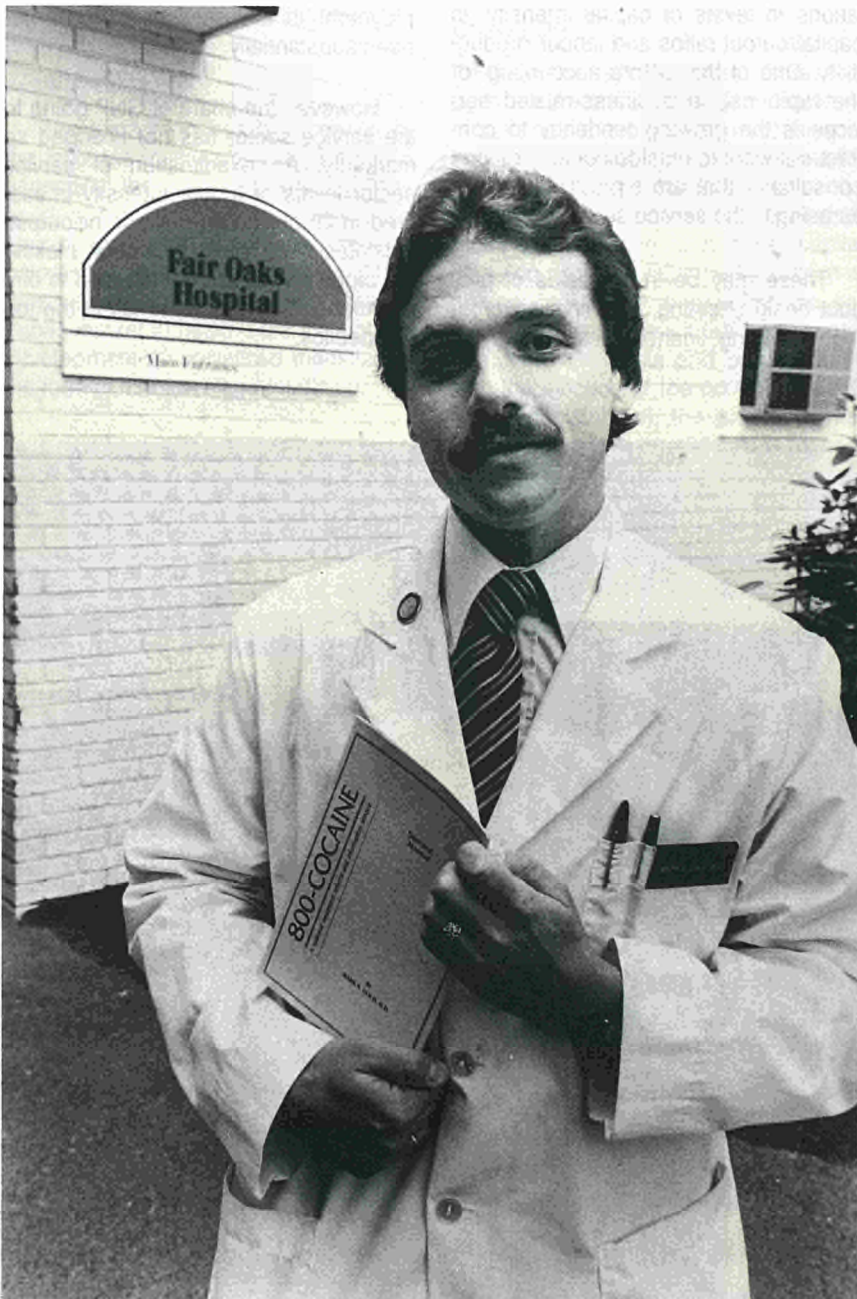
Although young people are highly mobile, a large proportion of American workers spend most of their 'mature' worklife with the same employer and in the same type of work. In 1983, more than 1 worker in 3 aged 35 to 44 had been with the same employer 10 years or longer and almost a third of workers over 45 had worked for the same employer for at least 20 years.

Some explanations of the US performance

Attempts to explain the superior US performance in employment have to answer two questions. Firstly, why did the US goods producing sector, especially the manufacturing sector, do so much better than its counterpart in Europe?

Secondly, and more importantly in terms of employment growth, why was the US service sector so much more dynamic, having a growth rate over the period virtually twice its EEC counterpart?

Studies at Brookings indicate that the US manufacturing sector experi-



in health care

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enced export-led growth in the period up to 1980 caused by a significant real devaluation of the dollar which more than offset any fall in competitiveness due to a slowdown in the rate of productivity increase. From 1980 to 1983, the fall in manufacturing employment was in line with what might have been predicted on the basis of the long-run relationship between changes in overall GDP and manufacturing employment. However, since there has been a substantial fall in US competitiveness because of the appreciation of the dollar, there must have been some countervailing factors sustaining the manufacturing sector. Two such factors have been put forward:

- (i) a rise in defence procurements (they rose by 11.3% over the 3 years and accounted for 7.5% of total value added in manufacturing).

- (ii) strong growth in domestic fixed capital investment, particularly in vehicles and computer equipment for the service sector.

There is unlikely to be any single explanation for the growth of employment in services given that services are extremely heterogeneous and within the services sectors there are very wide variations in levels of capital intensity, in capital/output ratios and labour productivity. One of the factors accounting for the rapid rise in business-related services is the growing tendency to contract-out work to outside companies and consultants that are typically classified as being in the service sector.

These may be in the fields of product design, testing, planning, advertising, marketing, financing, etc. Underlying

this trend is a desire of manufacturers to minimize overhead costs, gain greater flexibility and speed of response in the face of rapid changes in market conditions and to be able to absorb new ideas and innovations as they emerge.

There has also been a move towards more labour intensive services. As noted above, the share of total employment in the services sectors has risen substantially.

However, the share of GNP going to the service sector has not changed so markedly. An examination of service sector levels of labour intensity (measured in labour hours per unit of output) indicates that the subsectors making the biggest absolute contribution to employment gains tended to fall in the top two deciles.



and in fast food

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Some factors influencing growth in five growing sectors are:

Fast food

The increasing labour force participation of women together with technical advances and economies of scale which have made fast food highly competitive with home produced alternatives have led to rapid growth in this sector.

Health care

The expansion has been driven by the increase in the population over 65, especially the over 85s who typically need a high level of care; the widespread application of new medical technologies; the adoption of various new health plans especially the creation of a public market in health care through the development of 'socialized medicine' in the form of medicare and medicaid.

Property development

The development of real estate — and particularly residential property — along with its attendant services has been another major source of employment growth. These developments have been fuelled by: the rapid expansion in

the number of households as the 'baby boom' generation has begun to settle down and the incidence of single person and single parent households has increased; the move into real assets as a result of inflation and tax-breaks; 'the flight to the suburbs' and migration to the 'sun-belt'.

Social service and training provision

Over the last 12 years, there has been a substantial increase in the level of both public and private purchasing of social services and training. Reasons for this include the improvement in the revenue base of local government as a result of the taxing of nominal capital gains on property values (this service is now drying up as a result of the so-called tax-payers revolt led by Proposition 13 in California and subsequently with the election of the tax-cutting Reagan administration); the private market for services such as child care has expanded as increasing numbers of women have taken up jobs; the setting up of a major federal youth training effort, the Comprehensive Employment and Training Act which ran from 1973 until the early 1980s with a multi-billion dollar budget.

Defence procurement

From the early 1980s, the US has been engaged in a major military build-up which has channelled federal spending first into hardware — and through the derived demand for producer services into the service sector — and subsequently directly into the service via the need to maintain and support the new higher stock of hardware.

Unemployment

Despite success in job creation, unemployment remains a problem in the US. After declining sharply from the recession high of 1982, unemployment has been little changed since autumn 1984 and currently stands at 7.3% of the labour force or 8.4 million workers. Unemployment rates are much higher than average for teenagers (17.7%), black workers (15.3%) and workers of Hispanic origin (10.3%).

In addition, there are some 1.2 million 'discouraged workers' — people who report that they want to work but had not actively sought a job during the previous four week period because they thought they would not find one.

Penelope Smith

Equality in law between men and women in the European Community

Notes on a conference

From 22 to 24 May 1985, in Louvain-la-Neuve, the Commission of the European Communities and the Centre Inter-universitaire de droit comparé organized a high-level conference on the subject of equality in law for men and women.

The inaugural meeting, open to the public, was held at the Centre Borschette in Brussels, and was attended by the Prime Minister, Wilfried Martens and numerous Belgian and other personalities.

The conference was then continued near the university, at the Hotel ETAP.

Only senior magistrates, barristers and professors of law attended the meetings which were aimed both at informing and at heightening the awareness of those with the task of either teaching or applying the law.

The fact is that while laws can help to transform attitudes, certain texts nevertheless remain dead letters. Vigorous efforts are therefore still needed to improve statutory provisions as well as to narrow the gap between legislation and reality.

The approaching end to the Decade for Women launched by the United Nations is a good moment to assess what has been achieved and what remains to be done. A review of the situation in Europe is perhaps particularly indicated in view of the fact that the first Community Directive on equal pay for men and women is also celebrating its 10th anniversary. In addition, the 1982–85 action programme on the promotion of equal opportunities for women, adopted by the Commission of the European Communities will be coming to an end in the next few months. The time was therefore right to take stock of the situation in Member States and to examine the need and if necessary the arrangements for taking further action.

Any review implies a critical evaluation. Without going into details, a fact to be noted is that Article 119 of the Treaty establishing the European Economic Community, signed in Rome on 25 March 1957, states that men and women

should receive equal pay. Three Directives have been adopted to date to achieve equal treatment:

- (i) Directive 75/117 on equal pay;
- (ii) Directive 76/207 on the principle of equal treatment;
- (iii) Directive 79/7 on equal treatment in social security.

Each member country of the EEC adopted laws and administrative provisions aimed at implementing Community law. The Court of Justice of the EC, responsible for interpreting Community law to ensure its uniform application, has already had to rule on cases involving the principle of equality between the sexes.

In order to carry out the critical evaluation, the EEC Commission decided to hold a conference with a limited number of specialists and with certain objectives in view which can broadly, be placed under five headings:

1. To draw up an inventory, on the basis of scientific research at university level, and evaluate the legal measures adopted and action taken to promote equality of the sexes.
2. To take this opportunity to heighten the awareness of various legal circles (magistrates, barristers, solicitors, law faculties, corporation lawyers, legal advisers to the two sides of industry, labour inspectors, etc.) as regards the subject under study, by associating eminent persons from the legal profession in Member States in the preparation and proceedings of the conference.
3. On the basis of a thorough appraisal of this field, to propose, should it be necessary, a new approach to the problem chosen as the theme of the conference.
4. To establish the bases of an action to be continued in each Member State of the European communities, by organizing national conferences aimed principally at the legal profession.
5. Lastly, to ensure the broadest possible dissemination among the above-mentioned circles of the fruits of the

research work and the resulting conclusions by publishing the proceedings of the conference.

In this way the colloquium fitted well with the Community action programme 1982–85 on the promotion of equal opportunities for women⁽¹⁾. It did indeed contribute effectively to the implementation of the following actions:

- Action 1: follow-up of the application of the Directives, in particular through contacts and exchanges between experts in the various socio-occupational fields concerned;
- Action 2: improvement of legal action possibilities not used at present (including reversal of the burden of proof);
- Action 16: evolution of attitudes, in particular by making the public more aware of the legal aspects of the problem.

After the opening speech given by Mr Georges Van Hecke, President of the Centre interuniversitaire de droit comparé of Belgium, Mr Jean Degimbe, Director-General of Employment, Social Affairs and Education, took the floor to introduce the Conference⁽²⁾.

Referring to the excellent cooperation which exists between the Commission and Belgian and other universities, he expressed his gratitude to these circles for their constant and effective support for 'a subject which considerably preoccupies the Commission, especially in these times of economic difficulties when the rights of women tend too frequently to be ignored'.

Following this speech, Mrs Simone Rozès, First President of the Supreme Court of Appeal of France and former Advocate General of the Court of Justice of the European Communities, gave a remarkable speech on 'discrimination based on sex: laws and practices'.

⁽¹⁾ COM(81) 758 final

⁽²⁾ This speech and the summary statement given by the conference coordinator, Professor M. Verwilghen, will be published in a special issue of Social Europe.

It became immediately apparent from the debate and exchange of views which followed that the conference had set off to a good start. At no time during the entire proceedings did interest wane or the quality of interventions diminish.

During the working meetings devoted to equal pay, equality at work, social security and tax legislation respectively, and at the session which took stock of past and future trends, the number of participants attending never flagged in spite of the extremely tiring pace of work. It is true that the quiet surroundings of the green Brabanconne countryside, well away from the town, were conducive to study and ideal for the meeting between members of the legal bodies of our ten countries.

Mr Michel Verwilghen, Professor at the Faculty of law of the Catholic University of Louvain, had the particularly difficult task of summarizing the conclu-

sions that could be drawn from the three days of the conference. Having achieved this admirably, he left the participants with this phrase by Paul-Henri Spaak, one of the signatories of the Treaty of Rome: 'Where there is the political will, there are no insurmountable technical difficulties; where there is no political will, every technical difficulty becomes a pretext for the breakdown of negotiations'.

These words are particularly relevant at a time when a number of proposals concerning equal treatment are awaiting adoption by the Council.

Two publications, now exhausted, were issued for this conference. One, in English and French, comprises a collection of texts, directives and proposals for directives, and the case-law of the Court of Justice of the European Communities. The other, also in two languages, comprises the national reports,

plus a Spanish report and a Portuguese report.

A voluminous brochure supplemented the two publications and contained a series of legal studies prepared for the Commission by experts.

It is hoped that the 'proceedings of the conference' will be published shortly, and will comprise both the written and the oral statements. The exceptional quality of the scientific work will ensure that the Proceedings rapidly become a reference work.

Rarely has a conference so fully achieved what it set out to do. The quality of the work was equalled not only by the perfect organization but also by a public which, although motivated, was not necessarily convinced beforehand of the concept of equal treatment for men and women.



The discussions and questions which arose throughout the proceedings revealed that the problems stemming from discrimination against women had been awarded their letters patent by the legal profession. As Professor Verwilghen said himself: 'In the last few months, I have often had occasion to discuss or announce the subject of our conference to members of the legal profession, both men and women. You would not believe the number of smiles, the derision, the sneers and similar reactions that I encountered. It was as if this were a subject hardly to be taken seriously or not worthy of scientific analysis ...'.

Guided by its constant efforts to go beyond the stage of formal equality to that of true equality, the Commission took the risk that the quality of the work would both provide a basis for joint reflection and that it would heighten the awareness of those responsible for teaching or applying the law.

The success at Louvain-la-Neuve was proof of the Commission's vitality and entirely justified its avant-garde action in this field. The problems it intends to resolve at European level correspond to real needs among the citizens of Europe.

The Commission not only lays down rules and regulations, it must also inform and make aware, especially at national and regional level. All magistrates, in every town and region, must be made aware of European law on equality; it must be taught in every faculty of law.

The only way of giving incontestable force to the instruments in question is by providing a scientific framework.

By participating, the Commission is working towards ever closer legal integration.

Gerassimos Zorbas

Health hazards of welding fumes and gases

Welding has been practised as a technology for joining metals since the beginning of this century.

In the European Community as well as in all other industrialized countries, more than 1% of the labour force is engaged in welding. It is estimated that in the Community, there are more than two million full-time and part-time welders.

Welding consists of those processes where the metals to be joined (parent metal) are melted through the use of an electric arc or flame, in most cases together with a filler material, e.g. coated electrode, known as the consumable, which is designed to contribute metal to the joint area in such a way as to result in a weld with the proper metallurgical and mechanical properties, to be as identical as possible to the parent material.

Major new developments have occurred in welding since 1940, accompanied by a spectacular growth in the variety and extent of applications. There are many different types of welding processes and these can be used for the joining of mild steel, aluminium, stainless steels, etc. New technologies are continuously being developed to permit the joining of new materials such as high performance steels and light alloys.

The most common material to be welded in mild steel (MS), which in the shipbuilding industry is frequently coated with an anti-rust paint or shop primer. Other common materials are stainless steel (SS) and aluminium (Al).

High concentrations of particulate fumes and gases are produced whenever an arc is struck or a flame is used to melt the parent metal.

Each of the major technologies produces a characteristic range of the particulate morphologies.

In view of this complexity and in order to gain a better understanding of the health hazards related to welding as well as possible solutions to reduce these hazards, in agreement with the objectives of the second action programme of the European Communities for the protection of the safety and health of workers⁽¹⁾, the Commission (Health and Safety Directorate, Luxembourg) decided to organize an international conference on this topic.

The conference was organized jointly with the World Health Organization (WHO/EURO Copenhagen), the Danish Welding Institute (SVC, Glostrup) and the International Agency for Research on Cancer (IARC, Lyon) and held in Copenhagen in February 1985.

More than 220 occupational health specialists, research scientists, engineers, industrial managers from 24 nations attended.

The following four main areas were considered by the conference:

- (i) the nature and quantity of welding fumes and gases produced by the various welding methods currently used;
- (ii) measurement of exposure to welding fumes and evaluation of their effects on experimental animals and cell cultures;
- (iii) epidemiological evaluations of welders' health;
- (iv) priorities for minimizing the respiratory health risks faced by welders.

Characteristics of emissions

The composition of the fume is primarily determined by that of the consumable which accounts for 80–95% of the fume; the nature of the consumable is however closely related to the chemistry and metallurgy of the parent material. The fume consists mostly of the condensed vapour of the core wire, but the oxidizing potential of the arc which depends on type of gas, flux, etc. determines the relative amount and composition of the fumes and gases.

The relative concentration of elements in the fume is very different from the relative concentration in the consumables because some elements are preferentially vapourized: the elements with lower boiling points such as F, Mn, Zn, Pb, As, Ca, Si being significantly enriched in the fume over their (sometimes trace) concentrations in the consumable and parent metals.

The use of stainless steels introduces Cr and Ni into the fume.

Welding produces a number of gaseous pollutants, either through the thermal decomposition of the electrode coating (CO, CO₂, F, HF, etc.) or the pyrolytic decomposition of organic sub-

⁽¹⁾ OJ C 67 # 8. 3. 1984.

stances such as paint, anti-rust coating, etc. present on the workpiece. NO and NO₂ are also produced from the surrounding air. The inert gas welding of aluminium and stainless steel is accompanied by the production of significant concentrations of ozone due to the interaction of ultra-violet radiation and oxygen. Production rates and breathing zone concentrations of gaseous pollutants are process dependent (current, voltage, shielding gas, consumables, etc.).

Assessment of exposure

Workplace monitoring for a given technology shows that there exists an extremely wide range of particulates time weighted average levels in the breathing zone of the welder, either for different workers or for the same worker on consecutive days: variations of an order of magnitude are common. Peak concentrations of both fumes and gases measured over short periods can vary by a factor of several hundred above the background level. It appears that a large number of factors affect the instantaneous and average BZ concentrations.

A major factor which affects these levels is the amount of time which a welder actually welds. In addition, the presence of general background ventilation will greatly change background steady state fume levels, while the effectiveness and use of local exhaust and point extraction (when available) will effect both average and peak levels.

Systematic differences are noted for welding applications with stainless steel tungsten inert gas welding producing relatively little fume and aluminium metal inert gas welding producing the highest average levels for any technology. Upwards of 10% of the welders in any technology will have values which lie more than four times above the average for that technology.

Biological effects of welding fume constituents

There is some evidence that particulate material from the fumes of stainless steel welding possess genetic activity in bacteria and transform cultured cells.



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Hexavalent chromium compounds possess genetic activity, damaging DNA and causing mutations in bacteria, cultured mammalian cells and experimental animals *in vivo*.

By contrast, tests for genetic activity with trivalent chromium compounds

have either been negative or unequivocal. Hexavalent chromium readily cross biological membranes, whereas trivalent chromium penetrate poorly biological membranes.

The tests for genetic toxicity of nickel compounds have been inconsistent and

the positive responses reported have usually been weak.

Carcinogenicity of welding fume particles has been studied in two experiments with inconclusive results.

Experimental studies on chromium compounds have demonstrated respiratory tract carcinogenicity of hexavalent chromium compounds.

Among nickel compounds, nickel subsulphide and nickel carbonyl have caused lung cancer in experimental animals; several other nickel compounds have produced cancers at the site of application.

Both trivalent and hexavalent chromium compounds have been found to cause foetal deaths in experimental animals; hexavalent chromium compounds have induced malformation. Nickel compounds have caused foetal deaths and malformations in experimental animals.

Epidemiological data on cancer

The major concern is the consistent observation of an excess of lung cancer among welders. The results of almost all studies, including national or regional occupational mortality data, case/control studies and cohort studies, are consistent with an increase in relative risk of the order of 30% or 40% among welders. An excess of this magnitude could be due to smoking if there were a systematic difference in smoking habits between welders and the reference populations, together with some exposure to other occupational carcinogens, particularly asbestos. It could, however, reflect a progressive and substantial risk caused by welding fumes among workers exposed for many years, diluted by the inclusion in most studies of workers who have been exposed less heavily or for shorter periods, or who have not been followed up for long enough.

It is clear from the available data that a few years' work as a welder does not entail a greatly increased lung cancer risk.

The experimental evidence that certain components of the fumes generated by stainless steel welding, particularly hexavalent chromium, are more carcinogenic than the fumes generated by welding mild steel is neither supported nor refuted by the epidemiological evidence.

Respiratory effects other than cancer

Many components of welding fumes have effects on the respiratory system. High concentration of chromium and nickel compounds, ozone and nitrogen dioxide damage bronchial and alveolar epithelium. Chromium and nickel compounds may elicit asthmatic responses; ozone and nitrogen dioxide are respiratory irritants.

Acute respiratory effects such as cough, phlegm production, dyspnea and respiratory infections have also been more common in welders than among other workers in some studies. Respiratory symptoms appear to be most marked in stainless steel welders.

The severity and prevalence of respiratory effects among welders varies however and in several studies, there was little difference between welders and matched controls although this may reflect different levels of fume exposure.

Other health related effects

Absentee statistics, although notoriously unreliable, do indicate that the major recorded cause of lost time among welders is accidents. Pilot studies indicate that psychosocial and ergonomic problems, including those due to static and dynamic stress, and the effects of physical factors such as heat, ultra-violet light and noise, may result in significant health effects including lost time among welding populations in certain industrial situations. There are no systematic studies of the total impact of workload on the health of welders, and little evidence on which to base a decision on the relative importance of respiratory versus non-respiratory effect.

Conclusions

Taking into account all the evidence presented at the Conference, the following general conclusions were drawn regarding the importance of the health effects and the need for preventive actions.

1. Both acute and chronic respiratory effects occur among welders.
2. Sufficiently stringent measures should be introduced and enforced immediately to prevent these effects.
3. Approaches to reduce the established and potential health risks due to welding fumes and gases should include:
 - (i) identification of high exposure situations and their immediate reduction;
 - (ii) development of simple indicators of ambient exposure, rapid response monitoring methods and simple monitoring programmes;
 - (iii) development of appropriate monitoring programmes using simple and response indicators of ambient air concentrations;
 - (iv) development of a worker education programme and active participation of the workers in their own protection;
 - (v) establishment of necessary health assessment programmes and evaluation of the effectiveness of the existing ones.
4. Because of the possible importance of high-level short-term exposures, short-term monitoring should be introduced for both aerosols and gases in addition to standard working shift exposure monitoring in the breathing zone and in the shop background. Such measurements are essential in better estimating the exposure of an individual welder.
5. Biological monitoring results from Cr, Ni, Al, F, Ba and Mn using urine or blood specimens have been shown to be elevated in welders being exposed heavily to these elements as components of the welding fumes.

These measurements do provide additional information about the exposure of an individual welder. They can and should be used in the assessment of exposure but should not substitute for reduction of exposure.

6. Magnetopneumography appears as a new promising technique in the estimation of body burdens for magnetic dusts, requiring validation and further development.
7. Studies indicate that some welding fumes and stainless steel are geno-

toxic and preliminary indications of possible carcinogenic activity were shown. Further research may help to identify the dangerous components in the welding fumes.

8. There is consistent evidence of a moderate increase in lung cancer risk among welders but available studies have not been analysed in sufficient detail to determine whether this is due to a high occupational risk among a heavily exposed subgroup

or to higher than average exposure to other carcinogens particularly cigarette smoking and asbestos. Retrospective cohort studies of both stainless steel and other welders who have been exposed for many years are therefore urgently needed.

9. Special consideration should be given to the other non-respiratory health and safety problems related to welding and the need to prevent them.

Professional diving — A case of safety first

The Commission of the European Communities (DG V Health and Safety Directorate, Luxembourg) working in close liaison with the European Diving Technology Committee has organized three international symposia on the safety and health of diving operations. The first was in 1978 and dealt with the medical aspects of diving accidents. In 1980 the subject was the technical and human aspects, whilst in May 1985, the progress over the whole field was reviewed under the heading of 'The safety and health of diving operations'. The proceedings of this latter congress are now being published.

Only one-fifth of the Earth's surface is covered by land; the remainder is under water, the greater part of which is marine. The troughs in the sea bed are deeper than the height of Everest, and the pressure difference at the sea bed for even shallow depths is one hundred times greater. The problems of exploiting sub-sea reserves of food, energy and minerals are therefore considerable. Yet, with an ever increasing world population, and an increasing competition for certain onshore resources which are becoming scarce, it is inevitable that the undersea world will receive more and more attention from the technologically advanced nations.

The rewards for those nations which are competent in underwater techniques will be great, as a brief overview of the North Sea oil and gas industries will demonstrate. Already the Community produces annually more than 140 million tonnes of oil and the equivalent of 120 million tonnes of gas, much of which comes from the offshore industries in the UK and Dutch sectors. This comfortably exceeds the energy equivalent of the coal and lignite mining industries of Europe, and is of much greater economic value. Energy production per manshift worked in the oil and gas industry is over ten times greater than that in underground coal mining, and on today's costs, the capital outlay per unit of energy produced in even the offshore industry is probably lower than for the corresponding modern day coal mine.

The search for oil and gas begins with a seismic survey to determine the basic geology of the sea bed. The most promising areas are selected and exploratory drilling begins, from either a platform standing on the sea bed, from a semi-submersible rig, or from a drill ship. The choice is mainly governed by the depth of water.

Which ever system is selected, divers will be required, first to survey the bottom, then to make sure that any structure that stands on the sea bed is erected on solid and consolidated material, and finally to ensure that the drill hole is properly sealed off. Failure to attend to such matters has resulted in the collapse of expensive drilling platforms

and the major escape of oil and gas into the environment with the consequent risk of pollution, blowouts and fires. The loss of capital and revenue which may be involved ensures that the major oil companies are not prepared to take any avoidable risk, quite apart from their full commitment to ensuring safe and healthy working conditions for their employees.

What sort of a man, and what sort of a system are involved to inspect and repair structures which may be 350 metres below the surface of the sea? Certainly not the public impression of the SCUBA diver with a face mask, a wet suit and an air bottle strapped on his back, who rolls backwards off a rubber dinghy? Today we are in the field of high technology and big business with extremely competent international organizations. The diver will normally be a man of between 22 and 45 years of age, physically fit and highly trained, both in diving, and in a number of underwater tasks. He will work in a team of from two to five, and live in his own pressurized environment, which has to be carefully controlled. His home during the diving operation will be the diving bell, and subsequently the hyperbaric chamber, and although he may only be separated by a two inch thick steel shell from the outside world, he may be in time much further from the outside world than was Neil Armstrong when he was standing on the moon. It is instructive to see why.

Diving now proceeds regularly to 300 metres, at which level the pressure on the human body is thirty times that of the atmosphere at sea level. The gas mixture that he must breathe at this depth is at the same pressure as that of the environment in which he lives and works, i.e. 30 bar or 30 kg/cm². Fortunately the human body is nearly 80% water, the remainder being bone, fat, and dissolved gases. The first three pose no problem, since they are virtually incompressible. The trouble arises from the dissolved gases. In the normal environment, man breathes in air, and a certain amount of the oxygen from the air in the lungs enters the bloodstream to supply the brain and body tissues where carbohydrates are in effect

burned to supply functional energy. The body has evolved to deal with this at a pressure in the region of 1 bar. It is not designed to deal with gases at 30 bars.

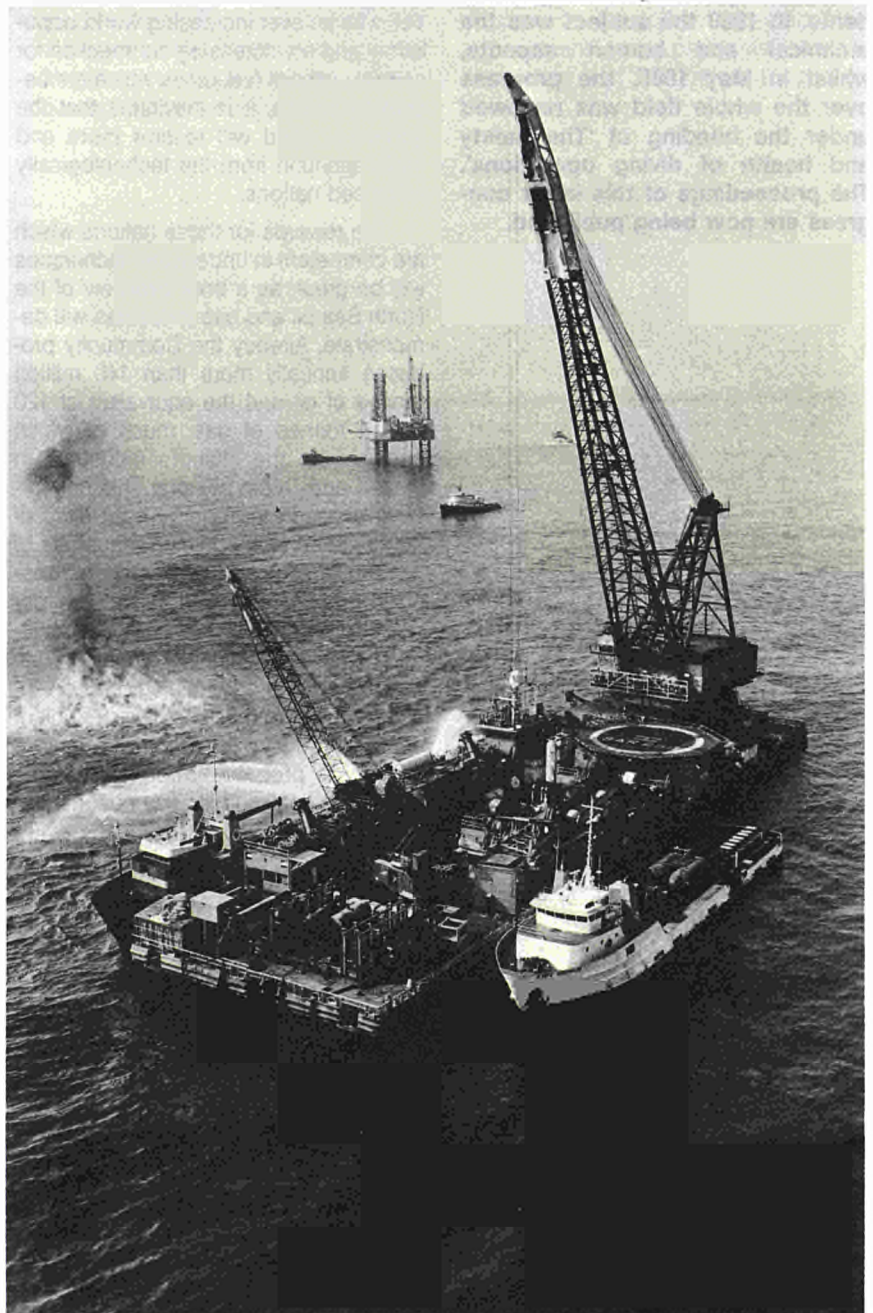
At this pressure nitrogen enters the blood stream to cause narcosis, and oxygen at the normal concentration of 21% is highly toxic. Mixtures of 95% or more of helium and about 4% of oxygen must be used, and because of the cost, as much of the helium as possible must be recycled. Inspiration of such a mixture at normal atmospheric pressure would be lethal in less than two minutes, and any sudden reduction of the ambient pressure results in the emission of dissolved gas as bubbles into the blood, which can cause massive pulmonary embolism and destruction of the brain in an instant. Helium has two other disadvantages; it has a very high thermal conductivity as compared with air, and it affects the vocal chords turning the voice into a quacking mechanism similar to a duck. These facts demand certain requirements of the diver's life support system.

The diver and his mate are lowered over the side of a ship or from the platform in a diving bell, which is connected to the surface by the hoist rope, the gas supply hoses, the energy supply cables and the communication lines. The bell also has ballast weights, and its own emergency supplies of oxygen and helium. As it descends the gas mixtures inside are adjusted from the surface to ensure that the correct partial pressure of oxygen is maintained, commensurate with the hydrostatic pressure outside. Heating is essential to prevent hypothermia as the sea water has a temperature of about 4°C and the helium rich atmosphere will result in very rapid cooling of the body. Communication to the surface has to be by telephone with an inbuilt scrambler for decoding the quacking of the men's voices. Between the men, communication is again by scrambler or by lip-reading.

Arriving at the working depth, the divers don their suits and couple their umbilical lines containing the breathing gas mixture, suit heating water, and telephone lines. At least one man remains

in the bell, whilst the diver and his 'buddy' leave through the lower opening. Once outside, the divers may be involved in inspection, cutting, welding, sea bed excavation with high pressure water jets or suction hoses, or any one of a series of mechanical tasks. By this time the divers and bellmen's bodies are

saturated with absorbed breathing gas at 30 bars of pressure. They therefore do not come up for air, but remain on the bottom until all their tasks have been done, working in consecutive teams for two or so hours. When all work is done, they enter the bell and close the lower trap door to maintain the internal pres-



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sure at that which they have experienced at the maximum diving depth, whilst they continue to breathe the same gas mixture. The bell, with the men inside is hoisted to the surface, and then carefully coupled to a large pressurised chamber affording more space for relaxation.

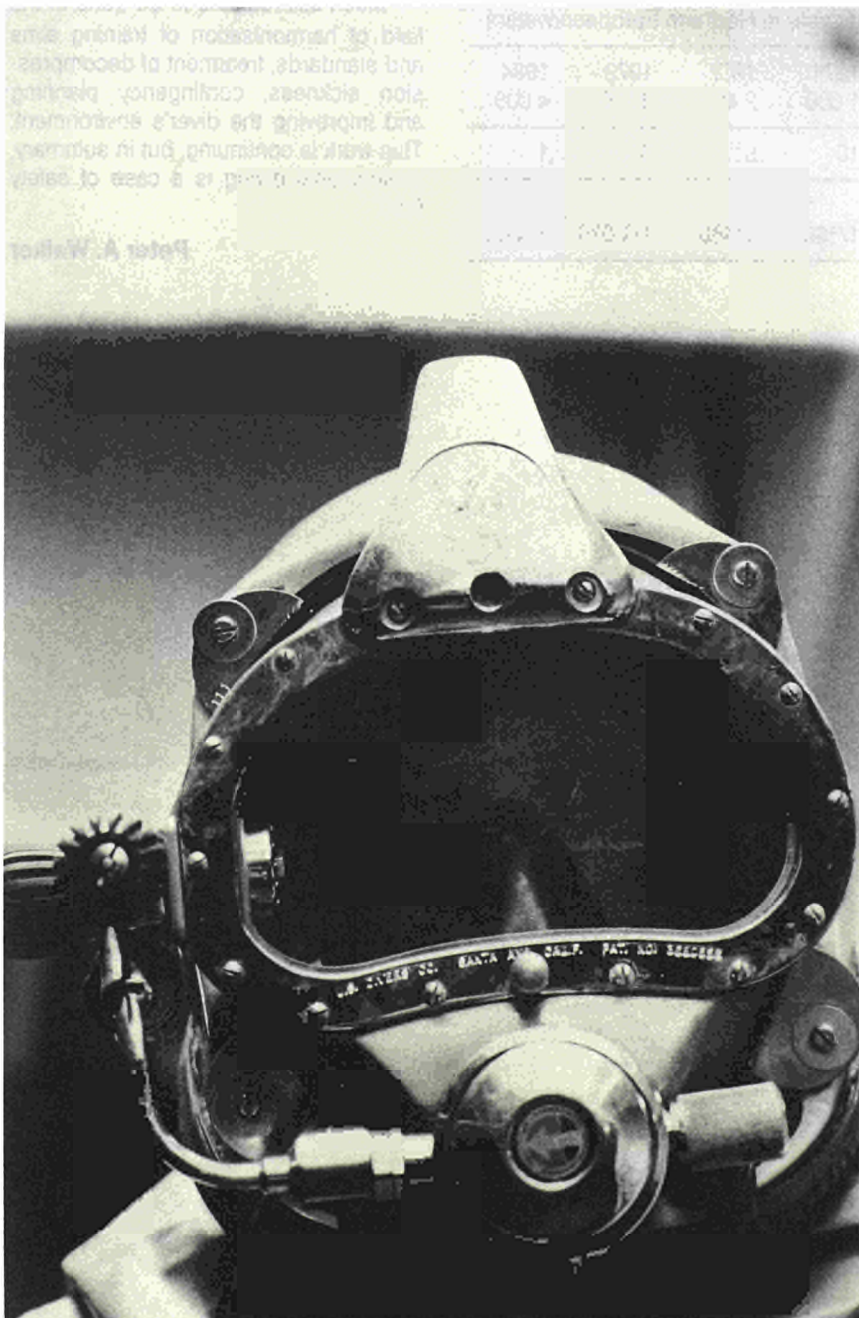
Then begins the slow process of decompression, or bringing the divers back to a normal atmospheric pressure. Too rapid a decompression results in gas bubbles forming in the blood which may cause at best acute aches and pains in the joints (the infamous 'bends') or in the more severe cases permanent

paralysis or death due to gas in the brain or cerebellum. Decompression may take up to four weeks and is done in stages, with the rate being adjusted to that bearable by the most sensitive man in the team.

Such an operation requires proper planning, organization, appropriate equipment, and above all, a totally committed and trained team, for each man's life depends on the proper performance of tasks by others. That is why professional diving is perhaps the most legislated occupation practised today. An aspiring diver normally receives a basic course of instruction of about ten weeks, followed by not less than two years of experience, before he is allowed to work below 50 metres. He must then complete a further course of instruction to permit him to use 'mixed gases' and to go into saturation. The diving supervisor must be a master diver of a number of years experience, and knowledgeable of marine conditions as well. His word will be law on board a diving support vessel. The life support systems will be under the control of skilled technicians, and the diver's health will be monitored the whole time by medical assistants (rig medics) and doctors.

These subjects are treated in detail in the 'Guidance Notes for Safe Diving' reproduced for the European Diving Technology Committee by the Commission of the European Communities. Nearly 200 specialists concerned with the use of diving facilities, both onshore and offshore, diving contractors and legislators discussed the various aspects of this document at the recent Symposium which included sessions on:

- (i) Duties and Responsibilities
- (ii) Documentation
- (iii) Plant and equipment
- (iv) Training
- (v) Lessons to be learned from accident experience
- (vi) Diving medicine
- (vii) Legislation



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More than 400 copies of the Guidance notes were distributed to key agencies in over twenty countries.

Proof of the effort devoted to assuring an improvement in diving safety can be seen from the following statistics

which show that from being one of the most dangerous professions practised in the world, in a few years it has been much improved, and whilst accidents can and still do occur, their frequency has been much reduced.

The median rate was 1 person killed per annum for every 2 000 divers employed during the period 1980 to 1984.

Meanwhile, long term health surveillance continues to ensure that there are no insidious changes occurring as a result of exposure to these very high pressures for protracted periods.

Much still remains to be done in the field of harmonisation of training aims and standards, treatment of decompression sickness, contingency planning and improving the diver's environment. This work is continuing, but in summary, professional diving is a case of safety first!

Peter A. Walker

Number of professional diving accidents per year in Northern European waters

	1974	1977	1979	1984
Professional diving population	1 000	2 400	3 200	4 000
Diving fatalities	10	5	3	1
Annual risk rate i.e. proportion of professional population killed per annum	1/100	1/480	1/1 070	1/4 000

Part Three

Recent developments

Employment policy in the Member States

- **Overall developments**
- **Employment maintenance**
- **Aid to the unemployed**
- **Training**
- **Job creation**
- **The handicapped**
- **Other special categories
of workers**
- **Working time**
- **Miscellaneous**

Employment policy in the Member States

In response to the wish expressed by Member States delegations in the Council to receive information on developments in national employment policies, the Commission set up a mutual information system called MISEP. The system operates on the basis of contributions from correspondents in public administrations or organizations and a Commission representative.

It provides the relevant authorities in each Member State with regular quarterly information on measures and trends in the employment policies conducted in the other Member States.

Social Europe presents a selection of the information exchanged through MISEP in each issue. The Commission accepts no responsibility for the use of this information, which comes from official national sources. It is presented as a summary, on a regular basis to enlighten the reader on the evolution of various aspects linked to national employment policies.

Developments at a glance

Overall developments

- Belgium: Social security card
- Denmark: Pay restraint
- Italy: Quantitative effects
- United Kingdom: Budget proposals

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- Italy: Cooperatives and funds

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- Belgium: Exemptions 55 years
- Greece: UB extended
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- Germany: Vocational training 1985
- Greece: New centres
- Ireland: 'Social Guarantee'
- United Kingdom: Youth Training Scheme

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- Germany: ABM measured
- Ireland: Small firms' centres
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The handicapped

- Greece: 7% quota
- Italy: Switchboard operators
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Other special categories of workers

- Germany: National servicemen
- France: LTU fixed term contracts
- Ireland: 'Teamwork'
'Social employment'

Working time

- France: Part-time workers
- United Kingdom: Job Release Scheme

Miscellaneous

- Ireland: Reforming industrial relations
- Netherlands: Tripartitism

Overall developments

BELGIUM: Social security card (Law of 25 January 1985)

Legislation on unemployment lays down that the unemployed person maintains his/her jobseeker status by regularly being checked so that his/her 'control card' can be stamped.

This outdated and unpleasant requirement — even if its origin can be explained by the quirks of Belgian law including the right to draw benefit without any time limit — will be discontinued and priority in the fight against illegal work will be given to checks within enterprises and at workplaces where workers drawing social security benefits might be employed. The law of 25 January 1985 allows the King to make the entitlement to unemployment benefit, sickness and disablement benefit as well as to social allowances which are only granted where work has totally or partially stopped conditional to having previously handed in a so-called 'social security' card.

The social security card is like an identity card or a bank card giving the main data on the holder's identity (surname, first names, date of birth, national Register number, order number).

Any person on the Population Register or on the Foreigners' Register having completed compulsory school attendance and belonging to one of the categories to whom the system will apply, will be required to ask for his/her social security card. He/she will then have to present this card to any authorized civil servants and officers who ask for it at the place of work. Should he/she be unable to produce it, he/she will be invited to do so at a place to be specified within a time limit. Failing this, the person can be punished penally. Furthermore, should the person be drawing social security benefits, it will be assumed that he/she is working illegally with all the consequences this entails.

The employer must return the worker's social security card as soon as the working relationship has ended or when the worker needs it in order to

obtain various benefits, allowances or social allowances.

The worker found to be working without a social security card who cannot produce it within the required time limit will be penally punished.

Every person taking on a worker must check at the outset that this worker has not handed in his/her social security card in order to obtain social security allowances and must ensure that he/she does not do so during his/her period of employment. The employer who does not meet this requirement will also be punishable, his/her negligence in this respect endangering the effectiveness of the surveillance system.

However, the employer can evade this responsibility either by keeping his/her workers' cards or by producing a declaration signed by these workers swearing on their honour that they are not drawing social allowances and undertaking not to do so without informing the employer. This declaration enables the worker to hold on to his/her card either because he/she wants to or because he/she is working for one or several other employers.

The law also lays down that the worker who makes a false declaration on oath is punishable. The punishment is increased if, as a result of this false declaration, the worker has received social security allowances to which he/she was not entitled.

At the same time as allowing significant savings to be made, the mechanism does not as such bring in any additional checks, but enables checking to be more effectively carried out by officers who are already entitled to do so. It is a preventive system against fraud since, through a series of measures, it presumes that collusions can exist and averts the pressures on workers to cheat which employers can exert in many cases.

The system no longer encourages employers to use undeclared workers, who are in receipt of replacement income (unemployment benefit, retirement pensions, etc.) nor the workers in question to accept illegal work.

Since it is an outline law, a whole set of technical and administrative problems will have to be settled in executive orders particularly as regards part-time work, those who cumulate two jobs, etc.

Finally, any dispute arising from applying the law is to be settled within the labour courts.

DENMARK: Wage restraint

As an element of the Danish government's efforts to improve economic development, legislation was passed in March with a view to laying down a framework for the development in pay levels in the coming years.

Throughout 1984 and the early months of 1985 the Danish economy was characterized by a strong growth in production and employment. This growth was considerably stronger than in most other countries in west Europe. But the balance of payments deficit has been at an unacceptably high level. In addition to a number of external factors, the big balance of payments deficit is attributable to strong domestic activity and to a rate of increase in wages and prices which has not been lower than in the countries with which Denmark competes.

With the framework which has now been established through legislation adjusting the economic policy, including the development in pay levels, the growth in production and employment will be accompanied by an improvement in the balance of payments situation. The secretariat of the Economic Council has made calculations of the effects of the intervention. These show that about 50% of the expected growth will be attributable to the adoption of these legislative measures and that the balance of payments will be in equilibrium in 1988.

To use the expression of the Economic Council itself in its comments on the calculations, the improvement in Denmark's competitiveness as a result of the intervention is expected to bring the economy 'back on the right track again'.

Although private sector employment can thus be expected to continue to show strong growth, the constantly large number of new labour market entrants means that the country will experience only a modest fall in unemployment. This will remain at the high level of about 9% of the labour force.

ITALY: Impact of law No 863 of 19 December 1984

Among the new types of work contracts brought into the Italian legal system by law No 863 of 19 December 1984 are *solidarity contracts*. These enable a taxable wage compensation allowance to be made to workers who have signed an agreement with their industrial company to reduce working time to avoid redundancy. This allowance amounts to 50% of the wages forfeited through redundancy and can be paid for a maximum of two years. During the May-December 1984 period, a total of 143 such contracts affecting 2 731 workers were signed in nine of Italy's 20 regions, the 23 contracts in Emilia Romagna accounting for half the persons concerned.

Under the same law, private and public enterprises which have not laid off any workers nor begun to reduce their workforce by name request, can take on young people from 15 to 29 years of age with a *training-work contract*, for a non-renewable period of up to 24 months. During the May-December 1984 period, 7 224 training-work projects were approved, affecting 32 569 young people. Of these, some 19 500 were in industry, 18 332 in companies with less than 50 employees and 3 569 in companies with a workforce of more than 500 persons.

Part-time contracts can be drawn up for working fewer hours than is generally laid down in a collective agreement. Workers with such contracts can remain or become registered as full-time job-seekers. Furthermore, the law enables, provided there is assent by both parties, a full-time work contract to be transformed into a part-time contract, and vice-versa. Figures now available for the May-December 1984 period indicate

that 50 897 part-time contracts were signed, of which some 80% concerned women, 28% were in industry (the remainder in services) and 80% in companies with fewer than 50 employees (831 being in companies with more than 500 employees). 8 137 full or part-time contracts were approved, 6 595 being for women, 4 000 odd in industry and 5 510 in companies with less than 50 employees.

Figures for the same period also indicate the impact of the same law which enables employers to *recruit by name* ('nominativamente') 50% of those taken on by number ('numericamente'): 80 176 were recruited by name and 29 395 by number; only in agriculture did the number of numerically recruited workers (5 239) exceed that of workers recruited by name (3 915), the figures for industry being 50 045 and 17 516 respectively for



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workers and 4 561 and 655 respectively for employees. In companies with less than 50 employees, 69 375 persons were recruited by name compared with 23 210 by numerical recruitment.

UNITED KINGDOM: Budget employment proposals

The following announcements were made concerning employment proposals in the Budget (the government's annual finance bill) of 19 March:

The *Youth Training Scheme* (YTS) is to be extended from 1 April 1986 to provide two years of work related training for 16 year old school-leavers and one year for 17 year old school-leavers leading to recognized vocational qualifications. Both employed and unemployed young people will be eligible and there will be transitional arrangements to allow as many of this year's 16 year old leavers as possible to move on to their second year of training in 1986. An extra UKL 125 m in 1986-87 and UKL 300 m in 1987-88 is to be provided on top of the planned expenditure for the Scheme.

The *Young Workers Scheme* (YWS) will close for applications from 31 March

1986. Under this Scheme employers can claim UKL 15 a week for one year for recruiting young people whose earnings do not exceed UKL 50 a week.

The *Community Programme* is to be expanded from 130 000 to 230 000 places by June 1986. Extra resources are being provided of UKL 140 m in 1985-86 and UKL 460 m in 1986-87. This Scheme provides temporary employment for long-term unemployed adults.

Voluntary Projects Programme: the Manpower Services Commission (MSC) has been asked to consider ways in which further help for the long-term unemployed could be provided through this Programme.

Education: UKL 40 m is to be spent over 3 years to provide additional places in engineering and technology at some higher education institutions. The MSC is going to administer a two-year interim programme of inservice teacher training linked to its Technical and Vocational Education Initiative (TVEI); the UKL 25 m programme includes UKL 20 m of additional resources for the MSC in the second year of the Scheme, 1986-87.

Wages Councils: a consultative paper has been published on Wages Councils setting out options for the future. At the same time the government has begun consultations with the Confederation of British Industry (CBI) and Trades Union Congress (TUC) with a view to de-ratifying International Labour Convention No 26 which requires minimum wage fixing and thus inhibits freedom of action of the UK government and Parliament in this area.

Unfair dismissal: the qualifying period before an employee can claim unfair dismissal is to be extended to 2 years for all workers. Under current employment protection legislation all employees have to serve for a certain period with an employer before they qualify for the right to complain to an industrial tribunal that they have been unfairly dismissed. At present the period is two years for those working for employers with 20 or fewer employees and one year for employees of all other employers.

National Insurance: a graduated scale of contributions is to be introduced which will mean that people on low earnings and their employers will pay lower Class 1 contributions. For people earning between UKL 35.50 and UKL 55 a week, both employees and employers will pay 5% on all earnings; for those earning between UKL 55 and UKL 90 a week the rate for both employees and employers will be 7%; for people earning between UKL 90 and UKL 130 a week, the rate for both employees and employers will be 9%; for people earning over UKL 130 a week, the rate for employees will be 9% up to the upper earnings limit of UKL 265 a week, and the rate for employers will be 10.45%. There will be no upper earnings limit for employers' contributions, but employers as a whole will pay UKL 80 m less in a full year. The changes take effect from 6 October 1985, and it is anticipated they will lead to a substantial reduction in the net cost to employers of taking on low-paid workers and therefore a significant expansion in job opportunities.



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Employment maintenance

ITALY: Law on loans to cooperative societies and exceptional measures to maintain employment (Law No 49 of 27 February 1985)

The law has two main parts:

Part I deals with the establishment within the Banco Nazionale del Lavoro's (BNL) section dealing with loans to cooperatives of a special fund called *Foncooper*. *Foncooper*'s purpose is to promote the development of coopera-

tives. It can give loans at half the official rates for periods — depending on the case — of between eight and 12 years to cooperative societies meeting the following conditions:

- (i) be inspired by the principles of mutual assistance as they are set out by the legislation in force;
- (ii) be enrolled on the register of the appropriate prefecture and on the general file of cooperative societies;
- (iii) be subject to monitoring by the Ministry of Labour and Social Security.

Cooperatives whose purpose is to build and allocate houses to their own members are excluded from this financial support.

These loans are only given for financing investment projects aimed at:

- (1) (i) procuring new machines or modernizing corporate plant and machinery, technical, marketing and administrative services which make particular use of the most modern techniques with the aim of increasing productivity and/or employment;
- (ii) increasing product quality to raise competitiveness;
- (iii) rationalizing and modernizing distribution;
- (iv) repaying debts incurred within the previous two years for investments indicated above;



- (2) restructuring and converting physical facilities.

Cooperatives falling within the scope of Part II of the law — i.e. those set up by workers compensated under the CIG (Earnings Supplement Fund) — including those set up less than three years before the present law came into force, can also draw on Foncooper subsidized loans for investments aimed at:

- (i) purchasing facilities in production, distribution, tourism and services;
- (ii) raising productivity and supporting cooperatives' initiatives through projects mentioned under paragraph 1 of point 1 above.

Part II of the law covers the establishment of a *special fund* aimed at financing actions for *maintaining employment*. This fund has been set up for four years in the BNL's loan section for cooperatives. It enables grants to be made for initial start-up capital for the following sorts of production and worker cooperatives:

- (i) those whose members are workers made redundant through corporate dismissal, restructuring, reducing the workforce or bankruptcy⁽¹⁾;
- (ii) those which contribute, in whole or in part, to maintaining employment by take-over, renting, putting all or one or more departments of the enterprise to work or who take over the management.

Cooperatives established to these ends and which manage, even partially, the enterprises indicated above can exercise the right of pre-emption where such companies are being bought out.

These cooperatives can have as members:

- (i) workers from other enterprises in receipt of CIG benefits as well as technical and administrative staff up to 20% of their total workforce;
- (ii) other legal persons provided their participation does not exceed 25% of the company's capital, even if this means departing from the legal provisions and internal statutes.

Workers setting up a cooperative society are required to put up capital of at least LIT 4 million, half of which must be paid in on start-up, the remainder having to be paid during the following two years.

This contribution can also be made by means of a total or partial transfer of the severance pay workers are entitled to in the event of any termination of employment. In conformity with the provisions laid down by law No 297 of 29 May 1982, it is up to the Severance Pay Guarantee Fund to ensure the transfer to cooperatives of allowances ceded by the cooperative members.

This special fund gives grants to investment trusts, 80% at least of whose capital is held by the cooperatives in question provided they participate in these cooperatives' activities by subscribing capital to an amount at least equalling the grant.

Non-repayable grants cannot exceed three times the capital subscribed by each cooperative.

In no case can the grant exceed the ceiling of three annuities paid by the CIG to each member worker of the cooperative. The grant can also be given to cooperatives established in the three years preceding the coming into operation of the law.

Each of these Funds has been given LIT 90 000 billion.

European Community reference: Council resolution on the role of local employment initiatives of 7 June 1984.

Aid to the unemployed

BELGIUM: Exemptions for the unemployed over 55 years of age (Royal decree of 29 December 1984)

Wholly unemployed persons aged 55 years and more who receive benefits ($\pm 46\,000$ persons) or even 50 years and more in certain cases of reduced capacity ($\pm 9\,000$ persons between 50 and 55 years of age) can, on their own request, be exempted from a certain number of duties, provided they no longer wish to be considered as job-seekers. This is laid down by the royal decree of 29 December 1984.

The *target group* is unemployed persons:

- (i) who, at the time of the request, are at least 55 years old, which is brought down to 50 years for those who can prove that they have a permanently reduced capacity to work; and
- (ii) who have been unemployed for 624 days during the four years preceding the request (wholly unemployed system).

In 1983 the age bracket of persons aged more than 50 years represented 13% of unemployed persons (to whom should be added the 120 000 early retirees). In the same year, of the 79 300 odd wholly unemployed persons in receipt of benefit who were found jobs by ONEM, only 6% (i.e. 4 800) were over 50 years of age.

Regulations for exemptions

Unemployed persons making the request:

- (i) no longer have to be registered as jobseekers and no longer have to accept a suitable job;
- (ii) no longer have to sign on;

⁽¹⁾ Enterprises to which the provisions of the following laws apply: No 675 of 12. 8. 1977, No 787 of 5. 12. 1977, Decree-Law No 026 of 30. 1. 1979 converted after amendment into Law No 95 of 3. 4. 1979, Royal Decree No 267 of 16. 3. 1942.



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- (iii) run no risk of being excluded because of abnormally protracted or frequently recurring periods of unemployment;
- (iv) can, in the same way as early retirees, work for their own account or for their children, parents, brothers, sisters or perform unpaid work for a public interest, cultural, social or humanitarian association;
- (v) can take up an incidental activity during their period of unemployment provided they declare that they do not work between 7.00 am. and 6.00 pm. and that it is not a prohibited job (which includes hotels and catering, building, commercial travellers, etc.);
- (vi) can, just as any other person who has lost his/her main job and re-

ceives unemployment benefit, continue to carry out — if they were doing so before — a 'secondary activity' within the defined time and pay limits.

The measure introduces flexibility into the principle of prohibiting work.

The maximum pay which these incidental activities can bring in for older unemployed persons cannot exceed 40% of the unemployment benefit.

Generally speaking, the decree gives older unemployed persons the advantages so far reserved for the early retirees with one important exception: older unemployed persons who are not heads of household are no longer entitled to an unemployment benefit at the 60% rate.

GREECE: Unemployment benefits

A bill before Parliament aims at amending and improving unemployment benefits. It will set up a special unemployment benefit for young people aged 20 to 29 years who have been on the unemployment register for 12 months.

It also foresees extending, providing specific conditions are met, from 5 to 8 months the period of paying unemployment benefit for unemployed persons who are more than 49 years of age. For these persons a special allowance lasting three months can be added.

Finally, it relaxes the conditions for access to the unemployment benefit system for seasonally employed workers.

NETHERLANDS: Changes in social assistance for the unemployed (RWW)

Unemployed workers in the Netherlands who are not, or no longer, entitled to unemployment benefit under the Unemployment Insurance Act (WW) or the Unemployment Provisions Act (WWV) are covered by the State Group Regulations for Unemployed Workers (RWW). This implements the provisions of the National Assistance Act. RWW beneficiaries receive an allowance at the social minimum level. The allowance is paid subject to a means test which takes account of the income and capital savings of the unemployed person and his/her partner.

The modified RWW came into force on 1 March 1985. The new RWW system has broadened the target group covered by the regulation. At the same time the rights and duties of the unemployed receiving social assistance have been clarified, taking into account the changing role pattern of men and women and of part-time work. Under the scheme it is also possible to undergo training or to do unpaid work whilst retaining entitlement to benefit.

Training

BELGIUM: Paid educational leave

The 'crédit d'heures' (credit in hours) law of 10 April 1973 has not been entirely satisfactory. It has been estimated that of the potential number of eligible persons — 100 000 — only 15 000 on average make use of it as a part of recurrent education.

New legislation on educational leave has been brought in with the recovery act of 22 January 1985 which contains social provisions (Chapter IV, section 6). This aims to go beyond the merely compensatory time-off given to the worker who makes a training effort — which was the basis of the system now discontinued — by doing away with the 40-year age limit, adapting the training covered, improving the planning of leave within companies and involving the social partners more closely in the system's management.

Area of application

The area covered by the new law has been extended. The notion of 'worker' has been broadened to mean not only wage-earners and salaried employees but also — provided they are employed in the private sector — unemployed persons put to work, trainees of the national employment office, TCT workers (on 'third circuit' work) and CST workers (the special temporary work scheme).

To avoid disrupting teaching, teachers are excluded from this measure.

Training for which paid educational leave is given

The aim is to attenuate the burdens of workers who, in addition to their job, spend their leisure time following courses and preparing for examinations. Thus, at least for the time being, the system has been limited to full-time workers, the group who need it most. 'Full-time' means being employed during the whole of the working hours specified by

a collective agreement. However, those whose part-time working hours for different employers together add up to a full-time job can also draw on the new system.

The number of courses which can be the subject of an educational leave has also been increased. These are sometimes vocational and sometimes general in nature. Exclusively cultural training is excluded from the system.

The following courses have been added to those existing within the 'crédit d'heures' system: university evening courses, preparation for and sitting of 'jury d'Etat' examinations (State board of examiners), training within industry as well as training courses, both general and vocational, recognized by an approval commission ('commission d'agrément').

This new joint body should monitor all training giving an entitlement to educational leave to ensure that they are really worthy of their status. This commission can also approve new types of courses and withdraw recognition from others.

The law sets out the list of such courses, subject to exact details to be provided by royal decree. Furthermore, following the opinion of the CNT (national labour council) the King can modify this list.

Duration of paid educational leave

One of the main changes compared with the 'crédit d'heures' law is in the duration of paid leave.

The mechanism of 'crédit d'heures' laid down a progressive increase in the length of leave as a function of the number of years of training undergone by the worker: 25%, 50% or 100% of the number of hours of training undergone for, respectively, the first, second and third year. This principle has now been done away with. The law brings in a mechanism of reducing the amount of work required of the working student, with leave being proportional to the effort made but limited to specified ceilings: the number of hours of paid educational leave per year (i.e. for periods from 1.9

to 31.8) is equal to the duration of the programme/courses with the following ceilings:

- (a) 240 hours, if the worker's training is vocational training aimed at learning a trade;
- (b) 160 hours, if the worker undergoes general training (courses organized by trade unions or young peoples' bodies);
- (c) 240 hours, if the worker undergoes both general and vocational training.

These ceilings can be raised by royal decree.

Pay for educational leave

During the hours of absence undergoing training the worker continues to receive his/her normal pay within the limits of the ceilings provided for.

Planning educational leave

To be able to take advantage of the system, the worker must obviously notify his/her employer so as to enable him/her to take it into account when organizing work within the enterprise. But this is the sole purpose of the notification, since he/she cannot, in principle, object to the leave. Penal sanctions are furthermore set out for employers refusing to grant educational leave.

Reorganizing work following from such leave must be carried out by the works' council, or be the subject of an agreement between the employer and the trade union body or with the workers themselves.

However, in smaller firms with less than 50 persons, the employer will, under certain circumstances, be allowed to object to the absence at the same time of too great a number of workers (10%).

Protection from dismissal

Another novelty of the law is that the worker who makes use of the system will be protected. From the moment of submitting his/her request, he/she cannot be dismissed except for reasons outside this request. This protection lasts until the training is finished.

Sanctions are laid down for the employer who dismisses a worker asking for or benefiting from an educational leave because of this request or taking the leave or without there being any reason: the employer must pay the worker compensation equal to three months' pay (which cannot be cumulated with compensation for unfair dismissal) increased by compensation for breach of contract.

Breakdown of the costs

As regards general training, the State entirely covers the employer's financial costs, i.e. pay and social security. As regards vocational training, costs will be split equally between the State and the employers.

These costs will, however, be spread over all enterprises by bringing in a special contribution (at present an employer contribution amounting to 0.03% on payroll is paid to cover the 'crédit d'heures' system).

GERMANY: Enhancing vocational training

The federal government has recently taken a series of initiatives which improve the general conditions for vocational training and lay the foundations for a greater supply of training places. In fact, the number of training places has never been greater than in 1984. There were some 74 000 more training contracts in the past two years and on 30 September 1984 some 706 000 new training contracts had been signed.

The '1985 Vocational Training Report' brings out the following policy initiatives taken by the federal government to improve vocational training:

- (i) *Youth labour protection legislation.* The Youth Labour Protection Act was amended essentially to bring working hours' regulations into line with the requirements of health protection, thereby enabling youth employment and training arrangements to be more realistic. Over and above making young people's training time-table in certain industries more flexible, which has been

made possible by the decree of 1 August 1983, training times have been adapted to the hours of work of adult workers. This is the result of an initiative of the 'Bundesrat' (Upper House of the West German Parliament) which came into force on 12 October 1984.

- (ii) *Working hours legislation.* Girls' training opportunities should be enhanced through amendments to the legislation on working hours and the protection of the working woman. In future, women will be allowed to work in the building industry provided they pass an appropriate medical examination. In addition to making working hours and rest periods more flexible, vocational training should extend the possibilities of women's employment, exceptions being made for work in mines, coking plants, blast furnaces and steel mills, as well as in iron and steel works.
- (iii) *Legislation on places of work.* Training opportunities for girls have been improved by relaxing — from 1 August 1983 — the regulation for having separate sanitary facilities for men and women.
- (iv) *Employment Promotion Bill 1985.* The main points, of the federal government's initiative of 23 August 1984 as regards vocational training policy are:
 - The Federal Employment Institute is authorized to commission third parties to place trainees in vocational training places, provided the placement is free of charge. The aim is to find additional training places for persons who have been unsuccessful in their quest.
 - Limited term employment contracts can be authorized if this enables a registered unemployed person to be hired or an apprentice, who has finished his/her vocational training, to be kept in employment without there being any permanent job for him/her.

— The employment of apprentices in small firms is enhanced by integrating the continued payment of the trainee's remuneration in case of illness into the compensation scheme under the terms of the Continued Payment of Wages Act. Furthermore, the relief in old-age insurance contributions granted to single craftsmen training one apprentice is maintained if he/she trains two or more apprentices.

- (v) *Fourth Law on Asset Accumulation.* Tax reductions are granted to small firms employing up to 60 persons which, in addition to their monthly wages/salaries, set aside a monthly sum for asset formation for their workers/employees. To avoid such firms being penalized for training apprentices, apprentices have not been counted as members of the workforce since 1 January 1984.
- (vi) *1984 Finance Law.* The law previously in force made it more difficult for small and medium-sized enterprises employing apprentices to draw on the allowance for short-time working under the terms of the Labour Protection Act. By modifying the qualifying conditions for this allowance, the negative effect of employing apprentices has been done away with since 1 January 1984.
- (vii) *The Disabled Persons' Act* aims at fostering companies to train disabled persons. It makes the following provisions: training places are no longer counted in the minimum number of 16 workplaces and the number of disabled persons to be employed; one disabled trainee counts towards two quota jobs; additional financial aids granted from the compensatory fund will foster the provision of training places for disabled persons in companies. These measures are intended to encourage employers who are required to take on disabled workers and who have train-

ing places available, to take on a reasonable number of disabled trainees (federal government project of 5 September 1984).

- (viii) *Modification of the regulations on industrial and domestic trainers' skills.* Organizing new training places is being encouraged by extending the interim arrangement on this matter. Training places must not be lost because the trainer has not passed a test of his/her capacities. Until 31 December 1987 the competent authority can grant exemptions from this examination; training contracts existing at that time, can be fully carried through. Anyone having trained apprentices for five years up to 31 December 1989 without any major break, can be exempted once and for all from the trainer's examination. This modification came into force on 1 January 1985.

GREECE: Training centres

In the programme adopted by the Commission of the European Communities under ruling 815/84/EEC, Greece has submitted a second set of requests dealing with building and equipping new training centres for the Athens area.

Requests for 1985 concern thirteen promoters with a total expenditure for that year of some 22 800 million drachmas and a Community contribution equal to 1,254 million drachmas.

IRELAND: Implementation of the 'Social Guarantee'

In March 1984 the Youth Employment Agency (YEA) was allocated responsibility for developing the 'Social Guarantee'. Implementation of the social guarantee commenced at the end of March 1985 following the Minister for Labour's approval of the YEA's proposals as follows:

1. To provide relevant vocational preparation and training for all young people before they enter the labour market or at the point that they do so;

2. To provide meaningful activity as an alternative to unemployment for those young people who encounter severe difficulties in finding a first employment.

The social guarantee means, in effect, that certain categories of young people will be guaranteed access to certain courses from the range funded by the Youth Employment Levy. Early school-leavers will have priority access.

The *short-term objectives* of the YEA are to implement the proposals based on existing manpower services provision in four trial areas (this commenced at end March 1985). The Agency's medium-term objectives are to implement a social guarantee for all early school-leavers starting from September 1985. Within five years all other unemployed young people will be able to benefit, for a minimum period of six months, from a full-time programme involving basic training and/or an initial work experience to prepare them for an occupation.

European Community reference: Council resolution on the promotion of employment for young people of 23 January 1984.

UNITED KINGDOM: Youth Training Scheme

In 1981 the Manpower Services Commission (MSC) published proposals for a national strategy for developing skill training, equipping all young people for work and widening opportunities for adults. These proposals, accepted by the government formed the basis of a New Training Initiative with *three objectives* aimed at skills, youth and adult training.

Progress was made on the second of these objectives by the implementation in April 1983 of the Youth Training Scheme (YTS). The *aims of the YTS* are two-fold: to provide work based foundation training for employed and unemployed school-leavers and to prepare young people more effectively for work; and to help create a more flexible and accessible training system which will provide a labour force better equipped

Table: modes of operationa under YTS

	Managing Agent provision Mode A	Sponsor Provision Mode B	
Typical providers	Employers, chambers of commerce, industrial training organizations	Voluntary organizations and local authorities	MSC Colleges of further education and employers (Linked Scheme providers)
Form of training	Work-based. Agent either provides a complete YTS programme or sub-contracts out some or all of the elements (e.g. 'off-the-job' training).	Training conducted in a realistic work environment in a Community Project, Training Workshop or Information Technology Centre. 'Off-the-job' training and work experience are often provided by sub-contractors.	Off-the-job training generally provided in colleges of further education with linked employers providing work experience and training.
Client Group	Employed and unemployed young people	Unemployed young people	Unemployed young people
MSC funding	Agent given a fee + a block grant for each trainee as a contribution towards training costs (including trainee allowances)	Agreed expenditure including staff salaries, operating costs and trainee allowances, reimbursed within defined limits. Also once-and-for-all capital grants.	Providers are given a negotiated fee to cover overhead costs and training allowances for each trainee.

to meet modern economic needs. In essence the scheme provides a bridge between school and work through a year of training and structured work experience, including a minimum of 13 weeks off-the-job training or further education. The training is also intended to provide a foundation of skills for later working life and, wherever possible, includes training in the uses of new technology.

The scheme is open to all 16 year old school-leavers, unemployed 17 year old school-leavers and disabled leavers up to the age of 21. It is operated through a network of managing agents and sponsors funded by the MSC. Local YTS provision is monitored and approved by Area Manpower Boards whose members represent employers, trade unions, local authorities, education and careers services and voluntary organizations.

There are *two modes of operation under YTS*. The table shows the main characteristics of each.

Each scheme is designed to enable the trainee to achieve: competence in a job or range of occupational skills, ability to transfer skills and knowledge to new situations, personal effectiveness, and competence in a range of transferable core skills, for example: number, communication, problem solving and practical skills.

Over the last two years there have been over 600 000 entrants to YTS, 75% of whom have been in employer led schemes. At any one time some 300 000 were in training.

Results from a recent sample survey of leavers indicate that over 60% of youngsters leaving the scheme are going into full time employment. Expenditure on YTS, including MSC administra-

tion, was in the region of UKL 770m for 1984/85.

The YTS is to be extended to provide two years of training for young people under 18.

More detailed information can be obtained from the MSC.

Job creation

GERMANY: Macro costs of job creation schemes (ABM)

The Institute for Labour Market and Vocation Research (IAB) of the Federal Employment Institute (BA) has recently made estimates of the relative costs and benefits of job creation measures (ABM) — for which some 80 000 annualized positions are available in 1985, compared with some 70 000 in 1984.

In what follows, the costs associated with ABM are compared with the alternative costs of unemployment avoided thanks to ABM so that estimates can be made of the efficiency of ABM as an employment policy instrument. The alternative costs which have to be considered do not, *overall*, equal the average costs of unemployment because the persons involved in ABM differ structurally from those who are unemployed. The most important feature here is that ABM schemes can only admit those drawing unemployment benefits, whereas some 35 % of the unemployed are in receipt of neither unemployment benefit nor unemployment assistance.

The overall costs of ABM are to a very large extent financed from BA resources. To a limited extent federal and provincial ('Länder') funds are used to strengthen them. Additionally, there are the funds the project promoters contribute.

The costs need to be compared with the alternative costs which would arise through higher unemployment were there no ABM. Putting previously unemployed workers back into a job leads to *direct* savings and increased revenue because of lower unemployment benefit payments and higher taxation receipts. To these have to be added the *indirect* savings realised through the secondary effects (e.g. safeguarding the jobs of workers permanently employed in ABM, and the income multiplier effects). The additional employment effect of the 70 000 odd average number of workers who will probably be supported by ABM

in 1984 is estimated at some 30 000 workers (annualized). Experience shows that approximately one-third of the secondary employment effects concern persons not previously employed (the 'quiet reserve'). Hence the impact should not be overestimated. Thus the total impact on reducing unemployment,

	For each ABM participant (DM)	For 70 000 beneficiaries in 1984 (million DM)
— annualized basis —		
ABM costs		
Grants	26 406	1 848
Loans (lost interest)	346	24
Total aid ⁽¹⁾	26 752	1 872
Promoter payments ⁽²⁾	9 186	643
Total costs	35 938	2 515
Direct savings/additional receipts		
Savings	13 807	967
— Unemployment benefit and unemployment assistance saved including social security contributions for the unemployed	13 492	
— Social assistance/housing allowance	315	
Additional revenue	11 675	817
— Pension insurance	3 660	
— Health insurance	727	
— Contributions (BA)	1 325	
— Income tax	4 473	
— Indirect taxes	1 490	
Total of savings and additional receipts	25 482	1 784
Indirect savings/additional receipts		
Savings	3 300	231
— Unemployment benefit and unemployment assistance saved including social security contributions for the unemployed	2 941	
— Social assistance/housing allowance	359	
Additional receipts	5 804	406
— Pension insurance	1 810	
— Health insurance	860	
— Contributions (BA)	541	
— Income tax	1 750	
— Indirect taxes	843	
Total of savings and additional receipts	9 104	637
Total of direct and indirect savings and additional receipts	34 586	2 421

⁽¹⁾ including increased aid from federal and provincial sources.

⁽²⁾ including funds from third parties.

including secondary effects, is estimated at 90 000. In other words, without ABM, there would have been 90 000 more totally unemployed persons.

The overview above shows the costs as well as the savings and additional receipts, direct and indirect, which can be attributed to an ABM participant and to their 70 000 average number in 1984. Compared with the total costs of some DM 36 000 per annum per worker supported in ABM, the direct savings and additional receipts amount to DM 25 000 which, including indirect effects, adds up to some DM 34 600.

Even when only the direct effects are considered, 70% of the ABM costs are seen to be financed by savings and additional receipts. The rate of self-financing rises to 96% when the additional indirect effects are taken into account.

Additional positive effects of ABM, such as physical and mental illness which is avoided and deskilling brought by unemployment, are not taken into consideration in this cost comparison. Furthermore, ABM's total social value has not been considered. Both would undoubtedly have positively impacted on the effects of ABM and make up for the accounting deficit.

Finally, it should be noted that the cost estimates are based on assumptions which were made when drafting the 1984 BA budget. The preliminary results of a survey of the financial structure of ABM indicate that the need for grants, and hence the total expenditure for each ABM participant, is somewhat higher than was previously assumed. New estimates using this survey are not likely to influence the overall cost comparison to any extent.

IRELAND: 'One-stop-shop' Small Industry Information Centres

Following on a recommendation in the White Paper on Industrial Policy, a nationwide network of 'one-stop-shops' has been introduced. These centres

were opened on 1 April 1985 and provide, under one roof, comprehensive information on State aid and services for small manufacturing industries.

The *purpose* of these Information Centres is to make it easier for people starting up small industries to find out what help is available from the various State agencies and eliminate the need to go to each agency in turn for such information.

The Centres are staffed by people with a knowledge of the services and incentives available to small manufacturing business from the relevant agencies, who are able to advise on the quickest and best means of getting state assistance for a new manufacturing business venture.

tended by a further six months and, in exceptional cases, yet another six months.

Six months after start-up, the municipality implementing the State Group Regulation for Self-employed will assess whether the business is developing according to expectations. Should this not be the case, with the business stagnating and no expectation of it developing into a viable enterprise, the municipality will stop paying the allowance.

A person who is still entitled to unemployment benefit under the WW (Unemployment Insurance Act) or the WWV (Unemployment Provisions Act) when the business is being set up, can, if the company fails, again claim benefit.

NETHERLANDS: Start-up assistance for the unemployed

From 1 May 1985 persons in receipt of benefit who want to start up in a business but do not have sufficient funds can, under certain conditions, receive financial help. This help, provided on the basis of the State Group Regulation for Self-Employed (RZ) under the National Assistance Act, consists of an income supplement up to the level of social assistance during the start-up period and a loan of up to HFL 25 000.

Unemployed persons in receipt of benefit and persons threatened with unemployment are eligible for the scheme. 'Threatened persons' are defined as those whose employer has applied to the labour office for dismissal authorization. Using the possibility of changing roles, the partner of the person in receipt of benefit can also draw on the scheme.

The allowance is added to the income from the business to raise it to the level of social assistance and is paid instead of unemployment benefit or social assistance. It is granted for an initial period of six months, which can be ex-

The handicapped

GREECE: Quotas for recruiting the handicapped

New measures for vocationally rehabilitating the handicapped are set out in a bill before Parliament.

The most important element of the bill is the requirement for private enterprises to recruit handicapped persons up to 7% of their workforce.

Small enterprises are exempt from this requirement.

For the public sector law 1256/82 sets out the compulsory recruitment of handicapped persons.

ITALY: Placement of blind switchboard operators

A law has been enacted updating the regulation governing the placement and employment contract of blind switchboard operators.

The national 'professional register of switchboard operators deprived of their eyesight' has been extended to the regional level. Blind persons who are able to operate a switchboard are put on a register.

Commissions have been set up at the regional level within the labour offices in order to check the qualifications of blind switchboard operators.

Public employers are required to take on for each office, seat or building equipped with a telephone switchboard

a blind person who is enrolled on the professional register.

Private employers are required to take on a blind person who is enrolled on the professional register for each telephone switchboard having at least five outside lines.

Within 60 days from the time the requirement to recruit a blind switchboard operator arises, employers have to introduce a name request for unemployed switchboard operators registered with the provincial labour office. Should the employer fail to take the necessary steps within 30 days after having been invited by the labour office to do so, the labour office will proceed with the placement on the basis of the classification on the placement list of those registered.



The procedure is different for recruitment by public employers.

The direct transfer of a blind telephone operator from one firm to another is permitted.

Switchboard operators are entitled to employment until they reach the age of 55 years.

UNITED KINGDOM: Code of Good Practice on the employment of disabled people

The United Kingdom believes in the importance of a programme of educating and persuading employers about the abilities of disabled people and about what they can and should be doing to improve employment opportunities for them.

A major new impetus in Great Britain has been given to this programme by the publication of the Manpower Services Commission's (MSC) Code of Good Practice on the employment of disabled people, prepared at the government's request. The Code was launched last November by the Prime Minister and is the first document of its kind in Europe. It *aims* to give managers and employees at all levels within firms and organizations practical guidance which will help them ensure that disabled people are treated fairly.

In producing the Code of Good Practice, the MSC has drawn on the advice and experience of many representatives of disabled people, employers and trade unions. The document is for use on a *voluntary basis* and supplements existing legislation in this field which remains in effect. It is available free of charge and a wide campaign is under way to promote it among employers in all sectors of the economy. Involved in this *campaign* are representatives of the government, disabled people, industry and trade unions and also MSC's own Disablement Advisory Teams which visit local employers to promote opportunities for disabled people.

The Code of Good Practice is attractively presented and is in two parts, published as a single document. Part One, which is for directors and senior managers, talks about the importance of employers having a formal policy towards disabled people's employment and advises on drawing up such a policy. Part Two is for those responsible for day-to-day employment matters and covers, among other things:

- (i) recruitment procedures, so that these are fair to disabled workers;
- (ii) ways of ensuring that disabled people are integrated into the workforce and that they receive their full share of training and promotion opportunities;
- (iii) options to consider for existing employees who become disabled;
- (iv) what all employees and their representatives should do to assist the employment of disabled people;
- (v) the full range of financial and practical help available to employers in Great Britain to assist in employing disabled people.

Once the Code has been given a full opportunity to establish itself, steps will be taken to monitor reactions to it and assess its effectiveness.

Other special categories of workers

GERMANY: Special services for soldiers

Every year some 200 000 men doing their basic military service as well as soldiers who have signed on for two years leave the army. Some of those in national service were unemployed before they were called up. The transition into civilian life raises increasing difficulties in the current labour market situation. Whereas soldiers who have signed on for longer periods are vocationally sponsored and receive settling-in allowances from the State, the above groups of soldiers have a much greater need than before to be given the opportunity of drawing, well in advance of their demobilization, on the counselling and placement services to enable them to ensure their transition into civilian life.

The counselling and placement activities for these soldiers should be done in the labour office of their home town or that where they will be taking up residence. In this way the characteristics of their regional labour market can be taken directly into consideration. To these ends, an approach termed 'Special weekend leave' has been agreed to between the Federal Employment Institute and the Ministry of Defence.

The national servicemen in question can, on request, be given time off or — if necessary — special leave linked to the weekend journey home to visit the appropriate labour office for placement and employment counselling or vocational guidance.

Soldiers need to arrange by telephone or in writing an appointment with the placement/employment counselling or vocational guidance services of the appropriate labour office well before leaving the army. Following this, the labour office sends the soldier a letter of invitation giving him dates for a talk on a

Friday or Monday morning. In fixing the appointment, the labour office tries to comply with dates suggested by the soldiers after consultation with their superiors and taking into account service requirements (such as exercises and manoeuvres).

As proof of the interview having taken place, soldiers have the invitation letter of the labour office returned to them with a stamp and signature of the employment counsellor/placement officer or the vocational counsellor.

FRANCE: Making regulations on fixed term work contracts more flexible for the recruitment of long-term unemployed persons

The decree of 3 April 1985 relaxes the requirements of fixed term work contracts when these are used to recruit the long-term unemployed.

The conditions for using a fixed term contract are governed by the order of 5 February 1982 which provides for a limited number of usages: temporary absence of a wage-earner, exceptional and temporary increase in activity and occasional jobs.

The flexibilization provided for by the decree of 3 April 1985 can only be applied for recruiting unemployed persons who have been registered with the national employment agency for more than 12 months. In this case, an enterprise can freely make use of a fixed term contract without having to justify its falling into one of the cases provided for by the order. The maximum duration of the contract is then raised from 12 to 24 months.

IRELAND: Teamwork

The Grant Scheme for Youth Employment (GSYE) which has been in operation since 1978 has been revised and renamed Teamwork. It was introduced

by the Minister for State at the Department of Labour on 4 March 1985.

The original scheme has been replaced by Teamwork as a result of a report prepared by a joint committee set up by the Department of Labour and the Youth Employment Agency to review the GSYE. The main purpose was to examine how the Scheme might be revised in line with the government's commitment to provide extra and improved job opportunities for young people.

Teamwork is designed to help local communities provide *temporary community-based employment* for young people between 17 and 25 years of age who have been unemployed for at least six months.

The *scope* of Teamwork is wide-ranging and includes projects involving youth services, sports activities, social and community services and cultural, drama and artistic activities. Projects which are a commercial enterprise or involve works of a construction nature are not eligible.

Any voluntary non-profit making organization which has primarily social or cultural objectives can act as *project sponsor*. Sponsors are allowed a grant of IRL 70 per week towards the employment costs of each young person and a grant of IRL 105 per week towards the cost of a supervisor. In addition sponsors may claim running costs to a maximum of 15% of the wages grant. A new and important feature of Teamwork is that organizations providing simultaneous employment on an on-going basis for at least 20 young people can become managing agents. In such cases an ancillary grant of up to IRL 850 a year, instead of the 15% may be paid for each Teamwork place. This grant will enable organizers to employ a full-time manager and meet running costs.

It is envisaged that Teamwork will be of benefit to young people by providing extra and improved job opportunities and to youth groups, sports bodies, community and other organizations by enabling them to provide worthwhile services which otherwise might not be possible.

IRELAND: Social Employment Scheme

The Social Employment Scheme was introduced on 28 January 1985 by the Minister for Labour. Its objective is to help the long-term unemployed by providing them with work on projects which are of benefit to the community for an average of 2½ days per week for up to 1 year. The Scheme is administered by the National Manpower Service (NMS).

Work projects may be submitted by public sector and voluntary organizations. These projects must fulfil the following *criteria*:

- (a) respond to clearly identified community needs;
- (b) be non-profit orientated;
- (c) not be in substitution for existing employment or bring about a reduction in the hours of work of existing employees;
- (d) be of at least 4 months duration and form part of a programme of projects which overall will give one year of employment to participants. There is no maximum on the duration of a project;
- (e) be in areas where there are sufficient numbers of long-term unemployed persons available for participation.

To be *eligible* for participation in the Scheme a *person* must:

- (a) be unemployed for more than 1 year and be in receipt of unemployment assistance *at the time of entry* to the Scheme. The 12 months qualifying period may be made up of unemployment assistance or a combination of unemployment assistance/benefit, disability benefit, attendance at an AnCO (Industrial Training Authority), CERT (hotel training etc.), or IMI (Irish Management Institute) training course. Breaks of up to 6 weeks during the 12-month qualifying period may be allowed;
- (b) be 25 years of age or over, except where it is established that sufficient persons cannot be recruited from amongst those aged over 25 years.

Persons under 25 years of age may not constitute more than one-tenth of the number of participants in any project.

Each participant is *paid* a sum of IRL 70 for a two and a half day week. This remuneration is subject to normal income tax and PRSI contributions (Class J which in the vast majority of cases is payable only by employers). Participants are excluded from entitlement to unemployment benefit/assistance for the duration of their employment. They may however engage in other employment during the time they are not working on a project.

Organizations receive a *grant* towards material and supervision costs where these arise.

The *objective* is to achieve a participation level of 10 000 within a year. The feasibility of subsequent expansion beyond that figure will be considered in the light of the success of the Scheme.

European Community reference: Council resolution on action to combat long-term unemployment of 17 December 1984.

Working time

FRANCE: Help towards part-time recruitment

Two decrees of 5 March 1985 set up incentive schemes for part-time recruitment of certain unemployed persons. The schemes have two key *objectives*:

- (i) to encourage the integration or re-integration into working life of the unemployed, particularly the long-term unemployed;
- (ii) to encourage the development of part-time work as part of a policy for reorganizing and reducing working time.

The *help* is in the form of:

- (a) financial aid to *employers* who recruit unemployed workers in receipt of benefit or those who have exhausted their rights to compensation or those registered for more than one year at the National Employment Agency (ANPE). The contract of employment has to provide for a working week of at least 18 hours. The amount of the subsidy is fixed at FF 6 000 for persons recruited before 31 December 1985;
- (b) financial compensation for the *unemployed* in receipt of benefit when pay for the part-time job is less than the unemployment allowance. This compensation is equal to the difference between the amount of the unemployment allowance and that of the remuneration received. It is paid for at most one year (2 years in the case of those aged more than 50 years).

UNITED KINGDOM: The Job Release Scheme

The Job Release Scheme, which first opened for applications on 3 January 1977, *encourages older workers to leave employment* in return for a weekly allowance, provided that the jobs in question are filled by unemployed persons who would not otherwise have been taken on.

A *replacement* must be recruited either for the same job as that vacated by the released employee, or for another job at the end of a chain of moves or promotions started by the departure of the released employee. In the latter case there must be a clear and demonstrable link between the job vacated by the released employee and the vacancy to which the replacement is recruited so that the Department of Employment can be completely satisfied that the recruitment of a new employee is a direct consequence of the departure of the released employee. If no link can be demonstrated the application will be rejected.

Various changes have been made to the eligibility conditions since the Scheme first began. The Scheme is at present open to men aged 64 and woman aged 59, and disabled men aged 60 to 63. There are four rates of weekly allowance. The allowances for those joining the Scheme for men aged 64 and women aged 59 (Scheme 1) are tax free. The allowances for disabled men aged 60 to 63 (Scheme 2) are taxable (because the law requires allowances paid for more than one year to be taxed). For both taxed and tax-free schemes there is a higher rate for certain married applicants. The rates are reviewed in April each year and from April 1985 are:

	Tax free (Scheme 1)	Taxable (Scheme 2)
Higher rate for certain married applicants	UKL 63.00	UKL 71.15
Lower rate	UKL 49.95	UKL 58.35

The current Scheme is open only to full-time workers (i.e. those working at least 30 hours a week) who have been with their present employer for at least 12 months. Excluded from the Scheme are: self-employed workers; seasonal workers; those on short-time working; those in short-time employment; those under notice of redundancy; those being compulsorily retired; and those employed on government-funded employment programmes. The Scheme is open for applications until 31 March 1986.

The *part-time Job Release Scheme* started in October 1983. This Scheme encourages older workers to work part-time in the years before they retire and

will therefore provide more part-time jobs for unemployed people. It will run until the end of March 1986.

The part-time Job Release Scheme offers a weekly allowance where people change to part-time work and an unemployed person is taken on for the other half of the job. The Scheme is open to women aged 59, men aged 62–64, and disabled men aged 60–61. There are four rates of weekly allowance, those for men aged 64 and women aged 59 being tax free. The allowances for men aged 62 and 63 and disabled men aged 60 and 61 are taxable. For both taxed and tax free schemes there is a higher rate for certain married applicants. The rates are currently:

	Tax free	Taxable
Higher rate for certain married applicants	UKL 35.55	UKL 40.70
Lower rate	UKL 28.95	UKL 33.80

From 29 April 1985 employers who recruit unemployed replacement workers that meet certain conditions will be able to receive a grant of up to UKL 840.

Miscellaneous

IRELAND: Proposals for industrial relations reform

Proposals for industrial relations reform were published by the Minister for Labour on 21 March 1985. The publication of these proposals was preceded by consultations with trade union and employer organizations and will be followed by further and more detailed consultations. The present review is primarily concerned with the *framework* underlying the Irish industrial relations system. The two main components of that framework are labour and employment legislation and the institutions which assist in the resolution of trade disputes and the enforcement of the various employment acts.

In the area of *trade dispute law*, the Trade Disputes Act, 1906, is the main law governing industrial action. While a large body of case law has grown up around the Act, it is by no means simple or unambiguous and has resulted in a certain amount of confusion about the scope and application of the Act. In addition, the Act as it stands at present confers immunities from tort liability for certain actions taken in contemplation or furtherance of a trade dispute, but does not confer any positive rights to take such actions.

It is proposed therefore, that all aspects of the Trade Disputes Act, 1906, will be the subject of immediate examination. The possibility raised is that of transforming the concepts, definitions, and freedoms which underlie the 1906 Act, into a positive framework which will more readily reflect modern industrial conditions than the present arrangements.

A second major proposal concerns the *official institutions* which have responsibility for resolving disputes. The principal change proposed concerns the establishment of a Labour Relations Commission to promote good industrial relations at all levels and to provide conciliation, advisory, research and review

services. The establishment of such a body is intended to allow the existing Labour Court to devote its full energies to its investigative and other functions and also to enhance the status of those functions. The proposed Commission will be under the authority of an independent board and will be expected to contribute in a variety of ways, and on a continuing basis, to the betterment of the industrial relations environment.

Other proposals concern codes of practice, trade union structure and minimum wage-fixing machinery. The object of the various proposals put forward under those headings is the improvement of a number of the critical structural and procedural features of the industrial relations systems.

NETHERLANDS: Towards an Employment Services Law

The Cabinet has subscribed to the recommendation of the Social and Economic Council (SER) that at both the national and the regional levels employment services should have tripartite administrations consisting of representatives of employers' organizations, trade unions and government.

This emerges from the Cabinet's response to the interim Opinion of the SER on the new law on employment services which was sent to the SER and the Second Chamber. In its response the Cabinet gives its consensus on the broad lines of the interim Opinion which will constitute the framework for drafting the new bill on employment services.

The Cabinet believes that a tripartite administration with decentralized operations fits in with its policy aimed at as much deregulation, privatization and decentralization as possible.

The Cabinet also agrees with the overall structure outlined by the SER for the national, provincial and regional elements of tripartitism. The SER recommended that the existing employment services should in future be located in a separate central office of employment services and that the regional labour offices must also be given a tripartite administration.

The Cabinet does not concur with the SER's viewpoint that such a tripartite administration manpower policy must continue to be financed exclusively from general funds, but rather that each of the parties should make a meaningful contribution.

New technologies and social change

Overview of recent events in the Community countries

I Introduction and general overview

II The attitudes of the two sides of industry to the new technologies

1. Employers
2. Trade unions
3. Collective agreements

Prepared by the Commission on the basis of information provided by the Epos network of correspondents on new information technologies, which comprises the following experts:

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Introduction and general overview

The distribution of information technologies in Europe continues at a rapid pace. A comparative analysis of their distribution and utilization, however, points to different national trends, which can be partly explained by the different economic structures of the different countries. An example concerning three of the largest European countries can be drawn from a study carried out by three research institutes in France, United Kingdom and the Federal Republic of Germany respectively. It concerns the use of microelectronics in manufacturing and examines whether microelectronics is mostly used for new products or to automate existing processes⁽¹⁾. The country with the largest number of plants using microelectronics is the FRG (51%), followed by the UK (47%) and France (38%). Only a small share of firms (ranging from 13% in FRG to 6% in France) use microelectronics to manufacture new products, while the overwhelming majority of applications is in processes. The relative advantage of



New technologies in car manufacturing

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the FRG appears to reside in the greater national supply of micro-electronic systems, a larger number of plants undergoing automation processes, and a larger supply of qualified engineers. At the other extreme, the lower rate of distribution of microelectronics in France can be attributed to its industrial structure, where small-scale enterprises make up a considerable share.

In some cases the increased distribution of electronics is expected to produce positive employment trends: thus

⁽¹⁾ The survey is published by BIPE (Bureau d'Informations et de Prévisions Economiques) in France and by the Policy Studies Institute in the UK.
Microelectronics in Industry; an international comparison. Britain, Germany, France, London, Policy Studies Institute.

a survey of 900 electronics companies in the UK (approximately a quarter of the whole industry) predicts a rise in employment of some 10 000 jobs during 1985⁽¹⁾. But from the same country a report by Cambridge Econometrics forecasts that employment in electrical and electronic goods will drop from the present 650 000 to 510 000 in 1993; employment forecasts are linked to an expected increase in the trade deficit for the same sector⁽²⁾.

The difficulty of predicting the impact of new technologies on employment was confirmed by an expert panel set up by the German Federal Ministry for Research and Technology, with representatives of several research institutes and other ministries. It pointed out that both micro and macro-analyses have limited explanatory power, and the chances of combining both types of analyses are small. Moreover, the causal relationship between technical change and employment is not unidirectional but bidirectional.

The problem is not only the possible employment decline produced by technological change, but also the fact that in most European countries labour supply will keep on increasing in the next decade. A recent report by the research department of the Bank of Italy, for example, estimates at a figure ranging between 885 000 and 1 594 000 the net additions to labour supply in the decade 1984–93. With 2 300 000 persons at present unemployed in the country, if

the amount of available jobs remains unchanged, the rate of unemployment will rise well above 16%. Some 100 000 new jobs would be required each year, in the conservative hypothesis of keeping the present situation unchanged; 300 000 would be needed, if full employment is to be reached⁽³⁾.

Moreover, unemployment affects to a different extent the various professional groups. Confirmation of this comes from a study of the Danish National Statistical Office (Danmarks Statistik). In June 1984, the unemployment rate in Denmark was 10.6%, but it was only 2.8% for engineers and 3.4% for computer staff; at the other extreme, it was 16.4% for semi-skilled workers.

The problem of a better matching of labour demand and workers' skills and training continues to be one of the main preoccupations of all parties concerned, from the educational system to the trade unions.

Finally, technology and the way in which it is introduced may have far reaching negative effects on work organization. A book recently published in the Federal Republic of Germany carries out a thorough analysis of the change in industrial work in the past decade⁽⁴⁾. The authors examine the present situation in a number of industries which they had already studied in 1970, and conclude that the rationalization which has taken place in the period has had the effect of differentiating the conditions of the labour force. They identify

four groups: those who gain from the rationalization; those who still have a job in the main industrial sectors, but are handicapped because of age, sex or nationality and are consequently downgraded in the firms' hierarchy; the workers in declining industrial sectors; and the unemployed. A further stratification of the labour market along these lines would, in the opinion of the authors, directly affect not only the workers but also the organized power of the unions.

As it is impossible to cover all the main events that have occurred in the Member States in the past few months, the following sections will give account of the positions and statements of the two sides of industry, and of some collective agreements concerning the introduction of new technologies at sectoral and enterprise level⁽⁵⁾.

⁽¹⁾ National Manpower Survey of the British Electronics Industry, Electronics Location File.

⁽²⁾ Electrical Engineering Industries, Cambridge Econometrics.

⁽³⁾ Giannini C., *L'Offerta di lavoro in Italia: tendenze recenti e previsioni per il periodo 1984–1993*, Roma, Servizio Studi della Banca d'Italia, January 1985.

⁽⁴⁾ Kern H., Schumann M., *Das Ende der Arbeitsteilung*, München, 1984.

⁽⁵⁾ This report does not cover government policies in R&D, industrial policy, labour legislation, and specific experiences at sectoral level, which will be presented in forthcoming issues.

II The attitudes of the two sides of industry to the new technologies

1 Employers

In the United Kingdom two manufacturers' associations are being set up to try to develop coherent policies in common fields. The first one is the Confederation of Information Communication Industries, gathering about 30 organizations involved in information — ranging from publishing to computer software — with the aim of campaigning for changes in the copyright law to take account of technological change and the needs of information providers; other objectives include searching for export markets, ensuring the availability of well-trained staff, and campaigning for changes in telecommunications tariffs and regulations. The other group is the British Office Technology Manufacturers Association, consisting of 40 of the top high technology companies supplying advanced computer-based office equipment: the group is aimed at countering competition from Japan and the USA by improving the marketing and development skills of the participant industries.

Critical statements pinpointing some inconsistencies in government policy have been expressed on different occasions by the manufacturers. The director-general of the British Microcomputer Manufacturers Group, at a meeting of the Institute of Data Processing Management's Sussex branch, called for the establishment of an industry plan for information technology, for the removal of discriminatory barriers to the UK information technology industry trading on an international basis, and for the encouragement of small innovative companies in commercially viable development schemes. On similar lines, the Engineering Employers' Federation, in a Memorandum to the House of Lords Select Committee on Industry, has asked the government to provide financial aid to encourage companies to develop and manufacture high technology products; it has also urged fiscal changes to encourage long-term projects, and an



in retailing

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increase in research and development grants.

Mixed feelings about government technology policy have also been expressed by employers in the Netherlands. The Federation of Netherlands Industries (VNO: Vereniging Nederlandse

Ondernemers) has declared its overall satisfaction with the government plans for the development of informatics, while suggesting that the links between education and labour market needs should be strengthened and that policy priorities should be more clearly set. Overall, the Federation is satisfied with the rela-

tively favourable position of the Netherlands, due to its internationally oriented industry, the high-level telecommunications structure and the presence of major companies — including foreign ones — in the field of electronics and telecommunications. The Central Board of Industries (RCO: De Raad van de Centrale Ondernemingsorganisaties), however, does not fully share the positive assessment of government policy: it is critical about the lack of a good organizational structure for the development of government plans, and is concerned about the planned speed of change.

On the social side, the Netherlands Association for Informatics (NGI: Nederlands Genootschap voor Informatica) set up, together with the trade unions, a foundation called 'Big Brother'. It aims at thorough studies of the social effects of automation and data processing.

In Belgium, a joint report has been published by the 'Conseil Central de l'Economie' and the 'Conseil National du Travail' (National Economic Council and National Labour Council, both bipartite bodies, advising the government on economic and social matters respectively), at the issue of a joint committee on new technologies created in 1983. Two diverging opinions are expressed by the report, neither of which is precisely attributable to a specific group within the committee. One opinion is based on the expectation that society will be able to adapt to new methods of production, as it did already in the past after the first and second technological revolutions; it concludes that it is impossible to state unequivocally whether new technologies create or destroy employment, but observes that the countries which have obtained the best results in terms of employment are those where the introduction of new technologies is most advanced; consequently delays in introducing technological progress are expected to create even greater employment problems, as a result of the disappearance from the market of firms which prove unable to innovate.

The contrary opinion stresses that new information technologies are mostly introduced with the aim of increasing

productivity and this implies a reduction in employment. In support of this opinion, a survey by the Union des Employeurs Chrétiens (Union of Christian Employers) points out that only 4% of Belgian firms utilize NIT for product-innovation, while 56% introduce the same technologies in order to rationalize the production process. State intervention is deemed to reinforce this policy, as long as it supports research and innovation without considering the economic and social consequences. The proponents of this opinion call for a policy aimed at creating new needs and adapting social structures, for the participation of all the parties involved in the process of technological innovation, and for a policy to increase demand by strengthening cooperation with the Third World⁽¹⁾.

2 Trade unions

The *German* Trade Union Confederation, Deutsche Gewerkschaftsbund (DGB) adopted, in May 1984, a comprehensive resolution on new information and communication technology. The DGB calls for a set of policy measures, focusing on:

- (i) an anticyclical fiscal policy and a special employment programme over the next 5 years;
- (ii) a reduction in working time (weekly to 35 hours, over the lifetime, and more time for education and leisure);
- (iii) the extension of co-determination (at the workplace, at enterprise level and at national level), and the setting up of boards for technological advice;
- (iv) research on social impacts and alternative technical development; a technology assessment programme and the creation of an expert group for technology assessment at the Bundestag;
- (v) indirect government R&D support for social criteria and needs;
- (vi) a new large research organization for labour and technology⁽²⁾.

At sectoral level, the *Industriewerkschaft Metall* (the Metalworkers' union) produced, in November 1984, an action programme 'Work and Technology' (Arbeit und Technik), aimed at developing specific alternatives to the rationalization programmes of the employers.

The approach of the union is that negative impacts of new technologies on working conditions are not attributable to the technology itself, but rather to the employers' objectives for its introduction.

The alternatives to be developed at enterprise level, in the framework of the action programme, concern: the design of jobs, a qualification policy for all employees, health hazards, management control, and the activation of public policy on research and technology.

The Danish trade union confederation, LO, held a conference on employment in August 1984 addressed to a wide audience including employers' organizations, civil servants and researchers. The approach of the conference was overall favourable to the introduction of new technologies and aimed at reaching a consensus. It was stated that Denmark needs to modernize its machinery in industry, but also to re-orient its exports by entering fast growing markets, rather than continuing to expand its exports in traditional products. A high policy priority was attributed to education: the changes in the labour market, illustrated by Table 1 below, have created a situation to which the educational system has been unable to respond. Higher educational flexibility and a broader education were presented by the trade unions as the necessary way forward. The Union of Semi-Skilled Workers, moreover, pointed to the fact that about 35 000—36 000 young people arrive on the labour market every

⁽¹⁾ Rapport de la Commission mixte 'Nouvelles Technologies' de CCE et du CNE sur les conséquences socio-économiques de l'introduction de la technologie de l'information, 1985.

⁽²⁾ Neue Informations- und Kommunikationstechniken, Reihe Arbeit und Technik, Düsseldorf, DGB.

year without any basic education: the need for a 'general industrial basic education' is consequently put forward as a priority.

The need to strengthen training for the skills required in future, particularly in the field of science and technology, emerges also from a document presented, in the United Kingdom by the Trade Union Congress and the Labour Party. The document, 'Plan for Training', puts forward a plan for every 16–17 year old to get two years training, education and work experience, backed by a statutory requirement on employers to provide training for young people. The scheme would be supplemented by open access to higher education and would be voluntary, with trainees receiving UKL 34 per week. Other provisions of the plan include technical education for all 14–15 year olds; expansion of the existing programme for adult unemployed training, and the right to paid educational leave for employed adults.

The Federation of Dutch Trade Unions (FNV: Federatie Nederlandse Vakverenigingen) has started an educational programme on the impact of auto-

mation on its members, with special attention to women. The Federation has also stated its positive approach towards the modernization of companies⁽¹⁾. It is aiming however, at a central technology agreement with the employers⁽²⁾. In preparation for this, the union is supplying the work councils with information on the subject and on union positions⁽³⁾; it is also planning to create an information network on technology and informatics.

In one specific case, namely the automation and computerization of the harbour of Rotterdam, an agreement was reached on the participation of the unions in the project, which will have an important impact on employment and the quality of work. The union will be concerned specifically with the definition of social policy. The objective of technology agreements has been put forward also by the Christian National Trade Union (CNV: Christelijk Nationaal Vakverbond); it furthermore proposes a platform for national discussion between employers, government and employees, on how to control the negative impact of automation (Nationaal Automatiseringsplatform)⁽⁴⁾.

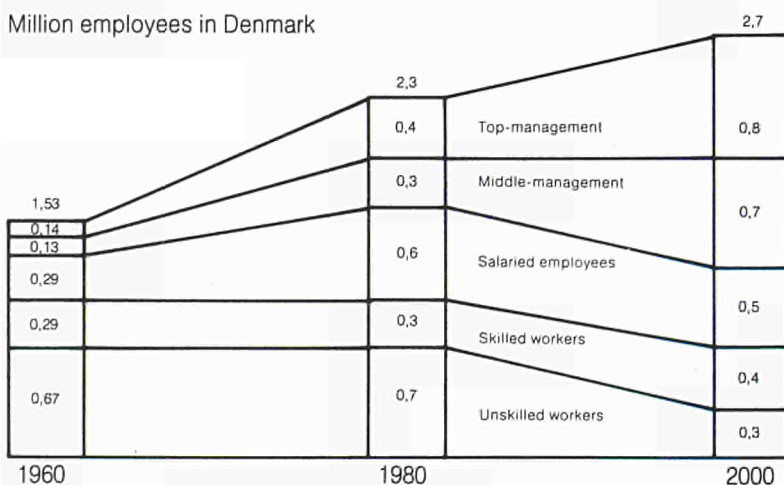
Where technology agreements exist, they are not necessarily implemented in a way that the Trade Unions can consider satisfactory. The Danish Trade Union Confederation denounced at end 1984 both the Cooperation Agreement of 1977 and the Technology Agreement of 1981. Both agreements had been signed with the Employers' Confederation DA. The reason for the denunciation is the assessment by the trade unions that employers acted against the principles of the agreements. Negative experiences in this respect were described in particular by the Semi-Skilled Workers' Federation (SID) at the latest congress of the LO; the Federation stated that the agreements were out of date, and questioned the principle of the employers' right to 'direct and distribute work', principles established in basic agreements since 1899.

On more limited issues, the Danish FTF, the Central Organization of Salaried Employees and Civil Servants, has published a book to open the debate on the modernization programme of the state sector⁽⁵⁾. The modernization of the state administration is going to introduce about 20 000–25 000 work stations. Among its effects, it is expected that part of the routine tasks which can be executed by using computers will in future be carried out by clerks, and will no longer need university-trained personnel⁽⁶⁾.

Table 1

Number of employees in various categories 1960–2000

Million employees in Denmark



Source: Teknologisk Institut (Morten Knudsen) (from: Berlingske Weekend 31 August 1984).

⁽¹⁾ Renew the companies ('Vernieuw de bedrijven') – FNV – rapport, Amsterdam, 1984.

⁽²⁾ See for instance: Automation and the policy of the trade unions ('Automatisering en vakbondsbeleid') – F. Pot, J. Christis en M. van Klaveren, 'Intermediair' 21/5, February 1985; or: Should Employees have a say? ('Moeten werknemers meebeslissen?') – H. Tolsma en F. Vuijsje, 'Intermediair' 20/10 March 1984.

⁽³⁾ FNV controls automation ('FNV houdt greep op de automatisering'), FNV, Amsterdam, 1984.

⁽⁴⁾ In action for tomorrow ('In actie voor morgen') – CNV, 1984.

⁽⁵⁾ FTF (Funktionærernes og Tjenestemandenes Faellesråd), Focus på modernisering, Copenhagen, 1984.

⁽⁶⁾ As expressed by a representative of the Central Organization of Academics, AC. Information, 21 September 1984.

Studies and reports on specific issues have been carried out by the British Trade Unions. The Council of Civil Service Unions (CCSU) has done a survey at a Department of Employment Office on the outcome of a sample of pregnancies of female workers. Although the sample was small, and thus of limited statistical significance, it pointed to a substantially higher incidence of abnormal outcomes — either miscarriage or malformation — of women using VDUs compared to those who were not exposed to VDUs.

Another report from the London and Home Countries Area Technology Subcommittee of APEX (the Association of Professional, Executive, Clerical and Computer Staff) highlights the problem of radiation emission from VDUs and its effects, particularly on pregnancies⁽¹⁾. The concern about the health hazards of VDUs follows a motion put forward at the 1982 TUC Women's Conference to campaign for large scale research into the matter. The Council of Civil Service Unions, on the basis of these first research results, is trying to get the government to agree to the right of pregnant women to ask to be transferred to work not involving the use of VDUs.

APEX was also responsible for another report on job design and new technology⁽²⁾. The report suggests that new technology can lead to boring, repetitive and ultimately stressful jobs which are stripped of responsibility and decision making. While accepting that new technology is here to stay, the report suggests that negotiations devoted specifically towards new work organization methods should be included in discussions on the introduction of new technology. Re-organization of office work should be carried out with the aim of increasing individual job satisfaction. The report recommends a number of different ways in which office workers may improve their role including job rotation, job enlargement, job enrichment and semi-autonomous working groups.

Faced with the decline in jobs the British Trade Unions have started including among their objectives a substantial reduction of working time.

In October 1984, the Post Office Engineering Union launched a document, 'Making the Future Work', intended to form the basis of its policy towards new technology, privatization and reorganization within British Telecom (BT). One of the central aims of the union is a reduction in working hours and earlier retirement for members who want it. They are seeking a 32-hour, four-day week and improved holidays. The moves are a new response to job losses — the report argues that the existing job security agreement has failed to stem job-cutting processes in BT.

The Banking Insurance and Finance Union (BIFE) has started an awareness campaign to point out the serious effects of new technology on jobs of their members. It has circulated a proposal for a new technology agreement, providing for the ordered introduction of new technology with built-in safeguards against job-loss. It would imply a gradual move towards a 28-hour, four-day week, minimum five weeks holiday and voluntary retirement at 55 with adequate pension. So far the employers' reaction to the model agreement has been unencouraging.

Proposals for early retirement at 50 have been put forward in Italy by the FIOM (the engineering workers' union, member of CGIL): it would apply to laid-off car workers in Turin for whom reabsorption into production can not be envisaged. This proposal was favourably commented on by FIAT management and the local employers' association. The Ministry of Labour, although in principle not enthusiastic about the extension of early retirement (provisions for early retirement exist for workers in specific situations and in crisis sectors and it is estimated that some 108 000 workers have withdrawn from the labour market as a consequence⁽³⁾, with a financial burden of some 8 000 billion lire for the National Pension Fund), has agreed to include, in a package of labour market intervention measures to be implemented during the year, provisions for early retirement in cases of high unemployment.

3 Collective agreements

An important agreement, concerning the general regulation of the labour/management relations in the event of the introduction of new technology in industrial plants, was signed in Italy between IRI management and CGIL—CISL—UIL representatives on 18 December 1984. IRI is the biggest among the holding companies coordinating the activity of industrial firms under public control, with staff totalling about 120 000⁽⁴⁾. The agreement, known as 'Protocollo IRI', represents a significant improvement in the setting up in Italy of rules for 'technology bargaining', since its clauses give a much more detailed definition of the rights and duties of the parties than was usually the case in sectoral collective agreements.

Joint Committees composed of management and unions are to be set up, at the group, sectoral ('Finanziare di settore') and firm level, meeting at least three times a year. The information that management must provide to unions includes:

- (i) forecasts on investment and divestments, broken down by sector, territorial area and firm;
- (ii) forecasts on employment, with details on distribution by sex, age-group, qualification;
- (iii) principal research activities;
- (iv) innovative projects, both of technological and organizational character.

The management, at group or local firm level, will not implement the planned innovation projects until the consultation procedures have been completed; in the meanwhile unions will undertake to prevent industrial action.

⁽¹⁾ New Technology: A Health and Safety Report, APEX, 22 Worples Road, Wimbledon, London.

⁽²⁾ Job Design and New Technology, APEX.

⁽³⁾ Mondo Economico, 7. 2. 1985.

⁽⁴⁾ The complete text of the agreement is available in *Industria e Sindacato*, No 1/1985; see also A. Pandolfo; 'Accordo IRI e gestione della conflittualità' in *Contrattazione*, No 5/1984.

In the event of redundancies arising from the implementation of the projects, the parties will work to reduce the negative impact on total employment, moving workers to compatible jobs in the area involved. Limited recourse to part-time, solidarity contracts involving rotation of workers on the available jobs, or other forms of sharing of hours of work is permitted.

In the experimental 12-month phase starting in February 1985, the agreement will be operating in the sectors of shipbuilding and electronic equipment; the gradual extension of the agreement to other sectors covered by the activity of the group (telecommunications, steel and metallurgy, food industry, aerospace, civil engineering, transport, broadcasting, etc.) is being considered for the year following the end of the experimental phase.

Collective bargaining and disputes are going on in various countries in the printing industry, a sector where technology is producing substantial changes.

In Italy, a draft collective agreement for the period 1985–87 has been agreed on by Unions and Publishers after more than three months of strike. The draft agreement provides for a further reduction in working time — which is already 35 hours a week in the sector — of up to seven days a year in the event of an excess of man-hours; it also states that unnecessary duplication of keying-in tasks should be avoided, and new technologies should not be contrasted⁽¹⁾.

The journalists, meanwhile, are continuing their action and are preventing newspapers from being printed on a re-

gular basis; the reasons for their disagreement with the publishers are mainly economic, although rules and procedures on the use of key-in terminals and transmission devices are also involved.

In Denmark the publication of two newspapers (Politiken and ExtraBladet) has been disrupted by disputes concerning the division of labour between journalists and typographers. An agreement on new technology was concluded in 1982 between newspaper owners and the four trade-union federations of the sector — journalists, typographers, graphic workers and office staff —, which fixed co-determination rights at the time of the introduction of new technology and determined the division of labour

⁽¹⁾ Il Sole — 24 ore, 26. 3. 1985.



and in printing

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between the different professional groups. Almost 1 200 typographer jobs have been cut since the agreement⁽¹⁾. The recent disputes concerned the interpretation of some clauses of the agreement on who should operate the keyboard when setting the pages. In the words of the employers: 'technology has made the normal work of typographers superfluous and only the creative work of journalists is left'⁽²⁾.

A dispute in the British newspaper industry, concerning two provincial newspapers, arose directly between the two unions concerned; the National Graphical Association (NGA) and the national Union of Journalists (NUJ). Its origin was the acceptance by the Portsmouth News management that NGA members should have the right to re-train as sub-editors since the new technology did not eradicate their former work as compositors but merely transferred it to the electronic screen. The NUJ considered this the thin end of the wedge in opening the door to NGA members becoming reporters; as a result more than 70 NUJ members have been locked out by management for refusing to work with the new technology pending a settlement of the dispute. It was the other way round at the Wolverhampton Express and Star, where the NGA members were locked out following their refusal to cooperate with the use of new technology in the telephone advertisement department; they refused a direct input agreement between management and NUJ, whereby material is keyed-in directly from the tele-ad department.

Still in the United Kingdom, the Union of Communication Workers (UCW) continues to operate its policy of non cooperation over the introduction of new technology in pursuit of its claims for a change in working conditions. The union has been looking for a cut of three hours in the working week for all grades, a reduction in the working week from six days to five with a sixth day on call, and an agreement on no compulsory redundancies following the introduction of new technology. The Post Office want to introduce a mandatory productivity scheme to replace the present voluntary

one; workload assessment; a union agreement on the introduction of further automation (including optical character recognition equipment at about 20 sorting offices); and more flexible staffing arrangements. There is little prospect of the Post Office agreeing to a reduction in the working week by the three hours demanded by the union. At present only 36 out of 67 inward sorting centres (where mail is sorted for the local delivery) are using automatic sorting equipment.

The reduction of working time is also at the core of industrial disputes in the Netherlands. The Unions are demanding a 36-hour working week, while the employers are defending the right to create more flexible working schedules and threatening that shorter working time will lead to further automation. The Industrial Union (FNV), following industrial action, obtained that statements would be included in collective agreements on a future 10% reduction in working time, leading to 36 hours. The actual reduction, however, is not for this year. Agreements on a reduction in working time accompanied, in most but not all cases, by staff cuts have been reached at firm level in Italy. Ideal Standard (producer of sanitary goods in ceramics) plans to reduce staff from 520 to 230, while production capacity will increase from 400 to 700 thousand pieces a year through automation processes. To offset in part this cut, the Unions proposed (and management accepted) 'revolutionary' working time arrangements: 33 1/2 hours a week (3 days on, 2 days off) with parallel reduction of wages, to be partially compensated by CIG (Wage Supplement Fund) payments.

On the positive side, la Rinascente (department store chain employing some 15 000 staff) is hiring 1 000 additional workers; this is made possible by an expanding sales network, a reorganization of the shift system and a reduction of working time to 38 hours a week⁽³⁾.

Pirelli, the major Italian firm in the sector of rubber products, is going to close its old Bicocca tire plant in Milan, and open a new plant using improved technologies. The shift implies a reduc-

tion in the number of operatives from 1 800 to 600; however, a research and test production centre will be set up at the site of the old factory, employing 500 technicians and re-qualified staff. An agreement was reached with the Union, including incentives to encourage mobility to plants within the group outside the Milan area and early retirement for the workers still in excess.

A framework agreement on mobility for the Renault car group in France was, on the contrary, eventually withdrawn by the firm, after it was rejected by the unions. The draft agreement provided for a 4-stage procedure: voluntary dismissals; lists of excess workers to be presented to bilateral committees and works councils, with alternative jobs offered to such workers; a further choice between alternative jobs and six-months retraining leave; finally, the company undertook to find a solution for those who would have refused all other proposals. The CGT (Confédération Générale du Travail) overwhelmingly voted to reject the draft agreement and the CFDT (Confédération Française Démocratique du Travail) decided not to sign, due to the lack of a firm commitment on the reduction of working time.

The negotiations on labour market flexibility have been equally unsuccessful. A draft inter-professional agreement, to be further negotiated at sectoral and firm level, was discussed by the CNPF (Conseil National du Patronat Français — Employers Federation) and the Union Confederations. It was a major proposal, involving the modification of about one third of present labour legislation. It concerned:

- (i) technological change, including employee consultation procedures, training and adaptation plans;
- (ii) a reduction in working time on an annual basis;
- (iii) a change in the procedures for dismissals;

⁽¹⁾ *Information*, 25./26. 8. 1984.

⁽²⁾ *Ibidem*.

⁽³⁾ *Mondo Economico*, 21. 3. 1985.

- (iv) a delay in the setting-up of worker representation structures for smaller firms;
- (v) the possibility of recruiting on fixed-term contracts for new activities and new products, and more flexible regulations for both fixed-term and temporary employment, including the possibility of distance work (to be defined and negotiated at branch level)⁽¹⁾.

The trade unions have all rejected the proposed agreement, with differentiated positions, after encountering strong opposition at rank-and-file level.

A social agreement, the first of this kind in Belgium, has been signed by employers and the two unions FGTB-CSC (Fédération Générale du Travail de Belgique — Confédération des Syndicats Chrétiens) in the metal-working sector. The parties agreed to devote

0.2% of the wage bill to the creation of 'new technology schools', open to young unemployed. It is a pilot project, more limited, financially and in scope, than the one which the unions had originally put forward. The agreement also envisages the possibility for new technology training courses, organized by firms for their own workers, to be opened to workers from other enterprises, lacking these facilities, as well as to young unemployed.

Finally, an agreement at enterprise level in the Federal Republic of Germany defines an important principle which is likely to have widespread influence on the retail branch. The agreement, between a large retail group, (Massa) and the sectoral union (Gewerkschaft Handel, Banken und Versicherungen) concerns the utilization of electronic cash registers to control cashiers' productivity. In a pilot phase

the cash registers of the department stores had stored data on the average time of transactions, and the number of mistakes of the cashier. The parties agreed that all these data, as well as all information that controls the productivity of personnel will be erased from the software programme. The implementation of the agreement will be scrutinized once a year by an external expert.

The agreement also provides for a three-minute break for every hour of work at a computerized cash terminal: it is the first time that management has acknowledged that work at computerized cash registers implies increased stress.

⁽¹⁾ Le Monde, 18. 12. 1984; Les Echos, 17. 12. 1984.

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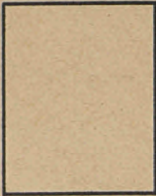
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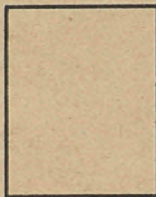
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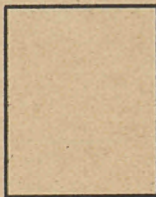
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