

RESOLUTION on the Revision of the Working Time Directive

Adopted by Nordic IN's Executive Committee on 16 October 2008 in Stockholm

Nordic IN, representing 1.2 million employees in the metal, chemical, paper, textile and mining industries in the Nordic countries expresses its concern over certain proposed amendments to the EU Working Time Directive, which are currently on the agenda of the European Parliament.

The common position adopted by the Council of the European Union in September sets valuable objectives for the Directive, such as "improving the protection of workers' health and safety, particularly as regards risks associated with excessive working hours" and "providing greater support for the reconciliation of work and family life". However, the proposal contains some serious flaws that counteract and jeopardize these stated overall goals of the Directive.

First, **employees may still be excluded** from the regulations in the Directive, if the duration of their working time is not measured, or if it can be determined by the workers themselves. Due to a continuous change in the nature of work, the number of jobs which could be classified into this category is increasing. Ordinary workers will therefore be increasingly excluded from the Directive, which is not acceptable.

Secondly, the proposed amendments would allow a continuation of an **individual opt-out** option. The average maximum limit for such an opt-out is proposed to be continuous 60-hour working weeks (under certain conditions even 65 hours). Such caps would shift the working time conditions of individual workers roughly to a situation similar to the early 1900's. It threatens to make naught of 100 years of development. The opt-out must be phased out within three years, as the European Parliament has previously suggested.

Thirdly, Nordic IN can not accept the proposal that **inactive part of on-call duty** should not be considered as working time. All on-call time shall be defined as working time. Exceptions should only be made through collective agreements at the national level. The same applies to the proposed extension of the **reference period** to 12 months.

Nordic IN demands that instead of a regression, the revision of the Directive indeed leads to an improvement of the protection of workers' health and safety, and a better reconciliation of work and family life.