

EUROPEAN PARLIAMENT

2004



2009

Committee on Employment and Social Affairs

21.5.2007

PE 388.472v01-00

AMENDMENTS 1-490

Draft report

(PE 386.608v01-00)

Jacek Protasiewicz

Modernising labour law to meet the challenges of the 21st century
(2007/2023(INI))

Motion for a resolution

Amendment by Csaba Öry

Amendment 1

Citation 1

having regard to ILO Convention C87 on freedom of association and protection of the right to organise (1948), ILO Convention C98 on the right to organise and collective bargaining (1949) and ILO Recommendation R198 concerning the employment relationship,

Or. fr

Amendment by Elizabeth Lynne

Amendment 2

Citation 1 a (new)

- *having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation¹,*

Or. en

¹ OJ L 303, 2.12.2000, p. 16.

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 3

Citation 1 a (new)

- ***having regard to the European Union's common values of equality, solidarity, non-discrimination and redistribution, as reiterated in its resolution of 6 September 2006 on a European Social Model for the future¹,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 4

Citation 1 b (new)

- ***having regard to Articles 136 to 145 of the EC Treaty,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 5

Citation 2 a (new)

- ***having regard to Articles 15, 20 and 27 to 38 of the Charter of Fundamental Rights of the European Union, in particular, the rights to both protection in the event of unjustified dismissal and fair and just working conditions,***

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 6

Citation 4

deleted

Or. en

¹ *OJ C 305 E, 14.12.2006, p. 141,*

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 7

Citation 6

deleted

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 8

Citation 7

deleted

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 9

Citation 8

deleted

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 10

Citation 9 a (new)

- ***having regard to Directive 70/1999/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP¹,***

Or. en

¹ OJ L 175, p. 10.7.1999, p. 43.

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 11

Citation 11 a (new)

- ***having regard to Directive 96/71 EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services¹ (the Posting of Workers Directive),***

Or. en

Amendment by Elisabeth Schroedter

Amendment 12

Citation 11 a (new)

- ***having regard to its resolution of 26 October 2006 the European Parliament report of 28 September 2006 on the application of Directive 96/71/EC on the posting of workers²,***

Or. en

Amendment by Elisabeth Schroedter

Amendment 13

Citation 11 b (new)

- ***having regard to the Migrant Workers (Supplementary Provisions) Convention, 1975, of the International Labour Organisation (ILO),***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 14

Citation 11 b (new)

- ***having regard to the Employment Relationship Recommendation, 2006, of the ILO,***

Or. en

¹ OJ L 18, 21.1.1997, p. 1.

² Texts Adopted, P6_TA(2006)0436.

Amendment by Elisabeth Schroedter

Amendment 15

Citation 11 c (new)

- ***having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation¹,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 16

Citation 11 c (new)

- ***having regard to its position of 11 May 2005 on the proposal for a directive of the European Parliament and of the Council amending Directive 2003/88/EC concerning certain aspects of the organisation of working time²,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 17

Citation 11 d (new)

- ***having regard to its position of 21 November 2002 on the proposal for a European Parliament and Council directive on working conditions for temporary workers³,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 18

Citation 11 e (new)

- ***having regard to the Private Employment Agencies Convention, 1997, of the ILO,***

Or. en

¹ *OJ L 303, 2.12.2000, p. 16.*

² *Texts Adopted, P6_TA(2005)0175.*

³ *Texts Adopted, P5_TA(2002)0562.*

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 19

Citation 11 f (new)

- ***having regard to the ILO's decent work agenda,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 20

Citation 11 g (new)

- ***having regard to the Commission communication on Promoting decent work for all: The EU contribution to the implementation of the decent work agenda in the world (COM(2006)0249),***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 21

Citation 11 h (new)

- ***having regard to Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women¹,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 22

Citation 11 i (new)

- ***having regard to Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions²,***

Or. en

¹ OJ L 45, 19.2.1975, p. 19

² OJ L 039, 14.2.76, p. 40.

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 23

Citation 11 j (new)

- ***having regard to Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC¹,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 24

Citation 11 k (new)

- ***having regard to Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work²,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 25

Citation 11 l (new)

- ***having regard to Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees³,***

Or. en

¹ OJ L 348, 28.11.1992, p. 1

² OJ L 216, 20.8.1994, p. 12.

³ OJ L 254, 30.9.1994, p. 64.

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 26

Citation 11 m (new)

- ***having regard to Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions¹,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 27

Citation 11 n (new)

- ***having regard to Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC - Annex : Framework agreement on part-time work²,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 28

Citation 11 o (new)

- ***having regard to Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP³,***

Or. en

Amendment by Gabriele Stauner

Amendment 29

Recital -A (new)

- A. ***whereas the further development of the European social model is a vital element of the Lisbon Strategy, whereas in this connection it should also be investigated how labour law can be adapted to meet new challenges, but whereas in doing so, security***

¹ OJ L 269, 5.10.2002, p. 15.

² OJ L 14, 20.1.1998, p. 9.

³ OJ L 175, 10.7.1999, p. 43.

and flexibility absolutely must be combined in a responsible manner,

Or. de

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 30

Recital A

A *whereas European workers are among the most productive in the world and their productivity is grounded on strong industrial relations and workers' rights guaranteeing economic efficiency and social justice, which is a precondition of sustainable economic development and employment growth, and whereas social policies should not be regarded as a cost but as a positive factor ,*

Or. en

Amendment by Elisabeth Schroedter

Amendment 31

Recital A

A *whereas Parliament welcomes the Commission's former intention to launch a process to adapt labour law in the European Union to make it more inclusive and applicable to all workers regardless of their status but whereas its Green Paper on modernising labour law does not sufficiently tackle the key problem that fewer and fewer European citizens are covered and protected by labour law and that labour law is not adequately controlled and implemented,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 32

Recital A

A. *whereas economic growth is a necessary, but not in itself a sufficient precondition for employment growth; and whereas social policies, when appropriately designed, should not be regarded as a cost but, instead, as a positive factor in the European Union's economic growth,*

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 33

Recital A

- A. whereas economic growth is a necessary, ***albeit not sufficient***, precondition for employment growth, ***and whereas labour market modernisation processes and ‘flexicurity’ policies require a coherent framework of macroeconomic policies and support for economic growth and employment,***

Or. it

Amendment by Elizabeth Lynne

Amendment 34

Recital A

- A. whereas economic growth is ***one of the preconditions*** for employment growth ***and ensures the sustainability of important social policies that are complimentary to economic growth in line with achievement of the Lisbon agenda,***

Or. en

Amendment by Iles Braghetto

Amendment 35

Recital A

- A. whereas economic growth is a necessary, ***albeit not sufficient***, precondition for employment growth, ***and whereas labour market modernisation processes and ‘flexicurity’ policies require a coherent framework of macroeconomic policies and support for economic growth and employment,***

Or. it

Amendment by Gabriele Stauner

Amendment 36

Recital A

- A. whereas economic growth is a necessary precondition for employment growth, ***but the function of labour law is to secure fair and appropriate working conditions for employees,***

Or. de

Amendment by José Albino Silva Peneda

Amendment 37

Recital A

- A. Whereas economic growth is *one of the fundamental conditions* for *sustainable* employment growth,

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 38

Recital A

- A. Whereas economic growth is a *condition* for *sustainable* employment growth,

Or. en

Amendment by Csaba Óry

Amendment 39

Recital A

- A. whereas economic growth is a *priority factor which can contribute to* employment growth,

Or. fr

Amendment by Elisabeth Schroedter

Amendment 40

Recital A a (new)

- Aa *whereas the Green Paper is intended to launch a debate on a more inclusive labour legislation and not to give answers before the consultation is closed but whereas the Commission appears to be asking leading questions, such as Question 8, which appears to question the need for a floor of rights; whereas the Commission should respect the existing floor of rights and ask how to structure it,*

Amendment by José Albino Silva Peneda

Amendment 41
Recital A a (new)

Aa. *whereas the European Union is not only a free trade area but also a community of shared values and, as a consequence, labour law should reflect those values,*

Or. en

Amendment by José Albino Silva Peneda

Amendment 42
Recital B

B. *whereas the increasingly integrated global economy, rapid technological progress, demographic change and significant growth of the services sector are exposing the EU economies and labour markets to a multitude of major challenges showing clearly the need for increased adaptability,*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 43
Recital B

B. *whereas in a globalised market, stimulation of technological progress and increased employability of workers is of mayor importance for successful competition,*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 44
Recital B

B. *whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, and the substantial development of the services sector, widening all aspects of labour law concerned*

with atypical forms of employment is a key element in ensuring that both enterprises and workers are able to adapt successfully,

Or. el

Amendment by Gabriele Stauner

Amendment 45

Recital B

- B. whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, modernisation of labour law is a *possible* element in ensuring that both enterprises and workers are able to adapt successfully, *in which connection labour law must by no means be overestimated as a means of increasing employment,*

Or. de

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 46

Recital B

- B. whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, *the strengthening* of labour law *must not aim at more flexibility but at more security for all in order to achieve the European Union's goal of full employment with more and better jobs and better social cohesion,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 47

Recital B

- B. whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, modernisation *and strengthening* of labour law is a key element in ensuring that both enterprises and workers are able to adapt successfully, *thereby reinforcing the European Social Model,*

Or. en

Amendment by Csaba Óry

Amendment 48

Recital B

- B. whereas, at a time of globalisation **and** rapid technological progress (*deletion*), **the development of European** labour law is **clearly in the interests of both workers and enterprises**,

Or. fr

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 49

Recital B

- B. whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, modernisation of labour law is **one of the elements** in ensuring that both enterprises and workers are able to adapt successfully,

Or. it

Amendment by Elizabeth Lynne

Amendment 50

Recital B

- B. whereas, at a time of globalisation, rapid technological progress, and increased competition stemming from changing consumer demand, modernisation, **where necessary**, of labour law is a key element in ensuring that both enterprises and workers are able to adapt successfully,

Or. en

Amendment by José Albino Silva Peneda

Amendment 51

Recital B a (new)

- Ba. whereas such increased adaptability implies a positive attitude towards changes, shared by the different stakeholders in the labour markets,**

Or. en

Amendment by Marie Panayotopoulos-Cassiotou
Amendment 52
Recital B a (new)

Ba. *Whereas these proposals to modernise labour law must strengthen the European social models which are concomitant with the principles and values of the EU,*

Or. el

Amendment by Gabriele Stauner
Amendment 53
Recital B a (new)

Ba. *whereas the traditional employment relationship, with the associated protection mechanisms with regard to compulsory social insurance, working time, entitlement to paid leave, protection against redundancy and cover by wages agreements, must remain the leitmotif of all Community action in the field of employment policy,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 54
Recital B a (new)

Ba. *whereas the basic principles of labour law which have developed in Europe over the last 200 years remain valid; whereas labour law provides legal certainty and protection for workers and employers by way of either legislation or collective agreement, or a combination of the two, and whereas it restores a balance of power between worker and employer,*

Or. en

Amendment by José Albino Silva Peneda

Amendment 55
Recital B b (new)

Bb. *whereas the success of any changing process will be greater if workers feel more secure and whereas such security depends more on how easy it is to find a new job rather than on the safeguards provided by labour law,*

Or. en

Amendment by José Albino Silva Peneda

Amendment 56
Recital B c (new)

Bc. whereas the security in changes depends to a large extent on the existence of a valuable and trusted system of a high level of training, lifelong learning and mobility of workers,

Or. en

Amendment by José Albino Silva Peneda

Amendment 57
Recital B d (new)

Bd. whereas economies with a high level of education have more flexible labour markets, so that dual markets tend to be found principally in countries with low labour law market flexibility,

Or. en

Amendment by José Albino Silva Peneda

Amendment 58
Recital B e (new)

Be. whereas the modernisation of labour law is a key element in aiming simultaneously at the transformation and adaptability of both enterprises and workers, increasing labour productivity and wellbeing in work places, as stated in the conclusions of the extraordinary meeting of the European Council at Hampton Court which called on the Member States to apply active labour market policies and promote flexibility and adaptability,

Or. en

Amendment by José Albino Silva Peneda

Amendment 59
Recital B f (new)

Bf. whereas labour law is not the culprit in relation to issues concerning high unemployment rates because the creation of jobs depends on a large set of factors, of which labour law is only one,

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 60

Recital C

- C. whereas *economies with a policy actively stimulating large and small and medium-sized enterprises (SMEs) to adapt and implement new technological processes tend to be able to compete in the globalised market,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 61

Recital C

- C. whereas one of the signs of a changing labour market is the existence of new kinds of *employment* contracts, *many of which are precarious in nature and whereas new forms of atypical contracts and flexible standard contracts - such as part-time, fixed-term, temporary, project-specific contracts and contracts on projects and recurring contracts for self-employed people - are common to most national labour markets within European Union,*

Or. en

Amendment by José Albino Silva Peneda

Amendment 62

Recital C

- C. whereas one of the signs of a changing labour market is the existence of new forms of contracts *within* the European Union (*deletion*),

Or. en

Amendment by Luigi Cocilovo; Patrizia Toia and Jan Jerzy Kułakowski

Amendment 63

Recital C

- C. ***whereas new forms of non-standard contracts and flexible standard contracts (e.g. part-time contracts, fixed-term contracts, temporary contracts through employment agencies, recurring freelance contracts and project contracts) today constitute an integral part of the characteristics of the European labour market;***

Or. it

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 64

Recital C

- C. ***whereas one of the signs of change in the labour market is the continual increase in different forms of employment and employment contracts within the EU,***

Or. el

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 65

Recital C

- C. ***whereas one of the signs of a changing labour market is the existence of new forms of employment contracts closely linked to employers' strategies for achieving higher external flexibility, leading to a growth of atypical employment such as part-time and mini-jobs, fixed-term and project work or self-employment, many of which are not properly covered by labour law and social protection, leading to situations of permanent insecurity, precarious employment and social exclusion for an increasing part of the workforce; whereas the expectations of workers, particularly parents bringing up children and young people in education wanting greater freedom to determine their working hours in order to achieve a better balance between family life, work and education and in providing decent remuneration are almost completely ignored by employers' flexibility schemes,***

Or. en

Amendment by Iles Braghetto

Amendment 66

Recital C

- C. ***whereas new forms of non-standard contracts and flexible standard contracts (e.g. part-time contracts, fixed-term contracts, temporary contracts through employment agencies, recurring freelance contracts and project contracts) today constitute an integral part of the characteristics of the European labour market;***

Or. it

Amendment by Gabriele Stauner

Amendment 67

Recital C

- C. ***whereas one of the signs of a changing labour market is the existence of new forms of contracts, which are a possible way of affording greater freedom to determine (deletion) working hours and may thus help to reconcile work and family life, but must on no account replace regular employment relationships and circumvent protective labour-law provisions to the detriment of employees, and whereas flexibility must not only be demanded from employees but must also determine employers' policies,***

Or. de

Amendment by Csaba Öry

Amendment 68

Recital C

- C. ***whereas one of the signs of a changing labour market is the diversification of (deletion) forms of contracts (deletion),***

Or. fr

Amendment by Elizabeth Lynne

Amendment 69

Recital C

- C. ***whereas one of the signs of a changing labour market is the existence of new forms of contracts, whose popularity in the European Union is systematically increasing both***

because of the needs of employers forced to react to changing market conditions and the expectations of workers, particularly parents bringing up children, *carers*, and young people in education wanting greater freedom to determine their working hours in order to achieve a better balance between family life, work and education,

Or. en

Amendment by José Albino Silva Peneda

Amendment 70
Recital C a (new)

Ca. whereas a significant share of workers has willingly accepted more flexibility to manage their own carriers and better reconcile their family and professional lives, also a significant share of workers are exposed to precarious conditions and feel that they are disadvantaged by getting trapped in a succession of short-term contracts for low-quality of jobs without any chance to make progress on the labour market,

Or. en

Amendment by Thomas Mann

Amendment 71
Recital C a (new)

Ca. whereas the OECD has reported that there is no clear causal connection between the level of protection of employees and the level of employment or unemployment,

Or. de

Amendment by Elisabeth Schroedter

Amendment 72
Recital C a (new)

Ca. whereas the demand for ever greater flexibility and the systematic, rather than occasional, use of atypical contractual arrangements are often linked to the search for cheaper employment options and labour market segmentation rather than sustainable employment growth,

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 73
Recital C a (new)

Ca. *whereas such forms of contractual relations, if accompanied by necessary guarantees of employee security, can contribute towards providing businesses with the flexibility required in the new international context and at the same time towards responding to the specific needs of employees for a different balance between family life, training and commitments,*

Or. it

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 74
Recital C a (new)

Ca. *whereas Directive 70/1999/EC concerning the framework agreement on fixed term work concluded by the European social partners confirms that employment contracts of an indefinite duration constitute the norm of employment relationships in the European Union,*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 75
Recital C a (new)

Ca. *whereas the fact that atypical forms of employment are becoming widespread means that all matters concerning the status of such workers must be investigated,*

Or. el

Amendment by Iles Braghetto

Amendment 76
Recital C a (new)

Ca. *whereas such forms of contractual relations, if accompanied by necessary guarantees of employee security, can contribute towards providing businesses with the flexibility required in the new international context and at the same time*

towards responding to the specific needs of employees for a different balance between family life, training and commitments,

Or. it

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 77
Recital C b (new)

Cb. whereas the first priority remains full and stable employment, which provides positive incentives for workers,

Or. el

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 78
Recital C c (new)

Cc. whereas flexible forms of employment can function in a complementary way, facilitating entry into the job market, particularly for some vulnerable groups; a precondition for promoting such forms of employment is that they must be chosen voluntarily, and there must be effective mechanisms for transition to stable employment,

Or. el

Amendment by Iles Braghetto

Amendment 79
Recital D

deleted

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 80
Recital D

deleted

Or. it

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 81
Recital D

deleted

Or. en

Amendment by José Albino Silva Peneda

Amendment 82
Recital D

deleted

Or. en

Amendment by Csaba Öry

Amendment 83
Recital D

D. ***whereas the Member States' economies are undergoing profound structural change and whereas new forms and methods of work are emerging within those economies,***

Or. fr

Amendment by Gabriele Stauner

Amendment 84
Recital D

D. ***whereas the historical protective and emancipative function of labour law, including***

law on wage agreements, should particularly be taken into account in this field and whereas the differing initial situations in the individual Member States necessitate differentiated approaches and solutions,

Or. de

Amendment by Elspeth Attwooll

Amendment 85

Recital D

- D. whereas part-time employment has accounted for around 60 % of newly-created jobs in the European Union since 2000, in other words more than standard full-time employment, and whereas *part-time work is predominantly a feature of female employment,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 86

Recital D

- D. whereas part-time employment has accounted for around 60 % of newly-created jobs in the European Union since 2000, in other words more than standard full-time employment, and whereas 68 % of part-time workers are satisfied with their working hours, *whereas, however, this degree of satisfaction is closely linked to the level of protection that is afforded to part-time workers by labour law and social security,*

Or. en

Amendment by Elizabeth Lynne

Amendment 87

Recital D

- D. whereas part-time employment has accounted for around 60% of newly-created jobs in the European Union since 2000, in other words more than standard full-time employment, and whereas 68% of part-time workers are satisfied with their working hours; *whereas it vital that Directive 97/81/EC is implemented effectively to ensure that workers receive the rights they are entitled to,*

Or. en

Amendment by José Albino Silva Peneda

Amendment 88
Recital D

D. ***whereas temporary employment has grown faster in countries where measures have been introduced significantly to facilitate the rules governing temporary employment rather than to regulate standard employment contracts,***

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 89
Recital D

D. ***whereas technological development and progress is accompanied and a good opportunity for the reeducation and further education of workers and this entails the improves the competitive position of employers,***

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 90
Recital D a (new)

Da. whereas atypical forms of employment must be used on a sound basis to meet the relevant needs of enterprises, without replacing steady jobs,

Or. el

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 91
Recital D a (new)

Da. whereas there are persistent problems linked to the gender dimension of part-time work as it is often a compromise strategy that women are following because of the lack of accessible and affordable facilities for child care and dependent persons care,

Or. en

Amendment by Elisabeth Schroedter

Amendment 92
Recital D a (new)

Da. whereas existing EC legislation promoting gender equality have not achieved their aims to date and the gender-pay gap and the lack of provisions for the reconciliation of work and family life and public childcare services remain key concerns for European workers,

Or. en

Amendment by Philip Bushill-Matthews

Amendment 93
Recital D a (new)

Da. whereas the developing services sector has been a positive driver of such additional part-time opportunities,

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 94
Recital D b (new)

Db. whereas non-standard employment may be beneficial if it suits the circumstances of workers and is voluntary; but, whereas, at present, much non-standard employment is not chosen and many workers are falling outside the scope of fundamental labour and social rights, thereby undermining the principle of equal treatment,

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 95
Recital E

deleted

Or. it

Amendment by Csaba Óry

Amendment 96
Recital E

deleted

Or. fr

Amendment by Iles Braghetto

Amendment 97
Recital E

deleted

Or. it

Amendment by José Albino Silva Peneda

Amendment 98
Recital E

deleted

Or. en

Amendment by Gabriele Stauner

Amendment 99
Recital E

E. ***whereas reliable and fair working conditions are an essential precondition for life planning and family planning, particularly by young people, and are therefore an effective way of combating demographic change; whereas therefore temporary work should at most be permitted as a transitional measure for very difficult economic situations; whereas even in these situations, the proportion of so-called 'atypical'***

employment relationships should not exceed 30% of all employment relationships,

Or. de

Amendment by Ria Oomen-Ruijten

Amendment 100

Recital E

- E. *whereas non-standard employment can be beneficial if it suits the life circumstances of workers and is to a large extent voluntary but whereas, a present, much non-standard employment is not selected voluntarily and many workers fall outside the scope of fundamental labour and social rights, which undermines the principle of equal treatment,*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 101

Recital E

- E. *whereas **only** 60% of those who had taken up non-standard contractual arrangements in 1997 had standard contracts in 2003, indicating **40% of non standard workers still do not benefit from proper employment status after 6 years which concerns in particular young people who increasingly enter into employment via alternative forms of employment with much more insecure working and social conditions and increasing risks to remain trapped on the margins of the labour market,***

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 102

Recital E

- E. *whereas **only** around 60% of those who had taken up non-standard contractual arrangements in 1997 **had hardly achieved to get** standard contracts in 2003, indicating that **the widespread use of atypical employment contracts (40%) resulted in increased precarious employment and inequality; whereas newcomers to the labour market in most cases are not provided with legal certainty, adequate social protection or opportunities for further training and lifelong learning to create stable career paths and to stay in** the labour market,*

Or. en

Amendment by Elizabeth Lynne

Amendment 103

Recital E

- E. whereas around 60% of those who had taken up non-standard contractual arrangements in 1997 had standard contracts in 2003, indicating that diversity of labour contracts is an effective method both of bringing newcomers into the labour market and enabling those not in full-time work, whether voluntarily or not, to maintain contact with the labour market, ***believes that many individuals, for a variety of reasons, may have made the decision to remain in flexible working arrangements. Recommends that future discussions of working relationships take into account that these can be established using commercial contracts or employment contracts, and that these two forms are legally distinct and cannot be discussed interchangeably,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 104

Recital E a (new)

- Ea. whereas the recent growth in atypical contracts has brought with it differences in working conditions in terms of safety and health that can lead to poorer provisions and higher accident rates,***

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 105

Recital E a (new)

- Ea. whereas the recent growth in atypical contracts has by the shortage of good employers brought differences in working conditions,***

Or. en

Amendment by José Albino Silva Peneda

Amendment 106

Recital E a (new)

Ea. whereas in contrast, where overall labour market regulation is flexible and fixed term employment legislation has even been tightened recently, the share of workers in temporary employment has decreased,

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 107

Recital E a (new)

Ea. whereas women are in a disadvantaged position in the labour market and are disproportionately represented in part time work and in new, often precarious, forms of working arrangements, facing obstacles in seeking access to full social rights and benefits,

Or. en

Amendment by José Albino Silva Peneda

Amendment 108

Recital E a (new)

Ea. whereas the salaries are overtaxed in most of the member states,

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 109

Recital E b (new)

Eb. whereas workers in atypical contracts are often at higher risk than their colleagues in other forms of employment due to lack of training, not knowing about risks, and unawareness of rights

Or. en

Amendment by Iles Braghetto

Amendment 110
Recital F

deleted

Or. en

Amendment by Csaba Óry

Amendment 111
Recital F

deleted

Or. fr

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 112
Recital F

deleted

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 113
Recital F

deleted

Or. it

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 114
Recital F

deleted

Or. en

Amendment by Gabriele Stauner
Amendment 115
Recital F

F. *whereas regular employment remains indispensable, because it is the foundation of social security systems and lastingly improves competitiveness,*

Or. de

Amendment by Ria Oomen-Ruijten

Amendment 116
Recital F a (new)

Fb. whereas all the workers should benefit from adequate employment security and protection, independently of their contractual arrangements,

Or. en

Amendment by José Albino Silva Peneda

Amendment 117
Recital F b (new)

Fb. whereas all the workers should benefit from adequate employment security and others forms of protection, independently of their contractual arrangements,

Or. en

Amendment by José Albino Silva Peneda

Amendment 118
Recital F b (new)

Fb. whereas the aim of reforming labour law is to develop a competitive European market, in which competition is based on the quality of goods and services provided and not on working conditions and labour rights,

Or. en

Amendment by Iles Braghetto

Amendment 119

Recital G (new)

- G. *in view of the role and the decisive contribution of collective bargaining in this area and the need for public support policies, beginning with the marginal areas in which social dialogue and the social partners' associative experience are weaker,*

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 120

Recital G

- G. *in view of the role and the decisive contribution of collective bargaining in this area and the need for public support policies, beginning with the marginal areas in which social dialogue and the social partners' associative experience are weaker,*

Or. it

Amendment by Csaba Óry

Amendment 121

Recital G

- G. *whereas it is in the interests of the actors of European economies – major multinationals conducting their business in several Member States, SMEs offering cross-border services, seconded workers, etc. – to continue the process of European convergence in the area of labour law, to accelerate the establishment of the single market and to enhance mobility within the European Union,*

Or. fr

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 122

Recital G

- G. *whereas in many Member States collective bargaining helps the labour market to operate flexibly, and that different conditions concerning industrial relations must be respected,*

Amendment by Elisabeth Schroedter

Amendment 123

Recital G

- G. whereas in *many* Member States collective bargaining ***is a key element of labour law as well as an essential tool to regulate*** the labour market to operate flexibly , ***and whereas different conditions concerning industrial relations must be respected; whereas this is an essential part of Social Europe,***

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 124

Recital G

- G. whereas in *many* Member States collective bargaining helps the labour market to operate ***efficiently and to provide for employment security***, and that ***(deletion)*** different ***conditions and traditions concerning industrial relations must be respected, especially regarding their contribution to improve social cohesion and to combat inequality,***

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 125

Recital G

- G. whereas in some Member States collective bargaining helps the labour market to operate flexibly, ***and that must be respected,***

Or. en

Amendment by Gabriele Stauner

Amendment 126

Recital G

G. whereas in some Member States collective bargaining helps the labour market to operate flexibly ***and whereas in these countries representatives of the two sides of industry do much to maintain good labour relations and, rather than hampering economic success, actually bring it about,***

Or. de

Amendment by Elspeth Attwooll

Amendment 127

Recital G

G. whereas in some Member States collective bargaining helps the labour market to operate flexibly, ***(deletion)***

Or. en

Amendment by José Albino Silva Peneda

Amendment 128

Recital G

G. whereas in some Member States collective bargaining helps the labour market to operate flexibly, while in many other countries with different traditions and social conditions only a small percentage of workers belong to trade unions, ***but in any case Member States should promote the social dialogue between social partners at all levels because this is the more effective methodology towards an adequate reform in labour law,***

Or. en

Amendment by José Albino Silva Peneda

Amendment 129

Recital G a (new)

Ga. whereas the evolution of labour law, in a close interrelation with social inclusion policies, should be pursued through supportive and auxiliary legal measures, addressed to individuals rather than to groups,

Amendment by Ria Oomen-Ruijten

Amendment 130
Recital G a (new)

Ga. *whereas the evolution of labour law, in interrelation with social inclusion should be pursued through supportive and auxiliary legal measures, addressed to individuals rather than to groups,*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 131
Recital H

H. *whereas action at EU level to adapt labour law in any way must respect Member States' competence and traditions and the national characteristics of their labour markets and the principles of additionality and proportionality,*

Or. el

Amendment by Csaba Öry

Amendment 132
Recital H

H. *whereas action taken at EU level in accordance with Article 136 of the EC Treaty supplements the Member States' action to improve living and working conditions, while respecting the principles of subsidiarity and proportionality,*

Or. fr

Amendment by Gabriele Stauner

Amendment 133
Recital H

H. *whereas action at EU level absolutely must respect Member States' competence in the field of labour law and the principles of subsidiarity and proportionality and whereas*

national labour law systems must in principle remain unaffected,

Or. de

Amendment by Ria Oomen-Ruijten

Amendment 134

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of additionality and proportionality, ***and is secured and paid along the standards for regular employees of flexibility of the labour law grows bigger,***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 135

Recital H

H. whereas ***EU Framework law on Labour Relations would be beneficial in preventing a race to the bottom and in creating a positive competitive environment,*** it must respect Member States' competence (***deletion***) and the principles of additionality and proportionality,

Or. en

Amendment by Elizabeth Lynne

Amendment 136

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of additionality, proportionality, ***subsidiarity as well as the inter- institutional agreement on better lawmaking 2004,***

Or. en

Amendment by Elspeth Attwooll

Amendment 137

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of *subsidiarity* and proportionality,

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 138

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of *subsidiarity* and proportionality,

Or. en

Amendment by José Albino Silva Peneda

Amendment 139

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of *subsidiarity* and proportionality,

Or. en

Amendment by Iles Braghetto

Amendment 140

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of additionality and proportionality, ***but at the same time the Commission must not refrain from proposing a quality legislative initiative when this proves necessary to guarantee the development of European employment law, with a system of minimum social standards applicable throughout the Union, on the basis of the Community acquis,***

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 141

Recital H

H. whereas action at EU level must respect Member States' competence in the field of labour law and the principles of additionality and proportionality, ***but at the same time the Commission must not refrain from proposing a quality legislative initiative when this proves necessary to guarantee the development of European employment law, with a system of minimum social standards applicable throughout the Union, on the basis of the Community acquis,***

Or. it

Amendment by Csaba Óry

Amendment 142

Recital H a (new)

Ha. whereas, owing to global economic developments over recent decades, the European Union is facing major global challenges as a result of strong competition from the countries of South-East Asia, North America and Latin America, the growing power of China and India and the increasing pressure to relocate industrial production, which is even affecting the high-technology sectors,

Or. fr

Amendment by Csaba Óry

Amendment 143

Recital H b (new)

Hb. whereas in order to meet the current economic challenges the European Union must do its utmost to ensure the stability of the Member States' labour markets, respond to the large-scale redundancies in certain sectors and provide its citizens with a higher level of job security than before, which is essential for maintaining living conditions in harmony with human dignity and fundamental European values,

Or. fr

Amendment by Csaba Óry

Amendment 144
Recital H c (new)

Hc. whereas by working to achieve stable labour markets and job security and improve workers' employability, the European Union will inevitably improve efficiency, productivity and competitiveness in the services sector, the industrial sector and agriculture,

Or. fr

Amendment by Ilda Figueiredo

Amendment 145
Paragraph -1 (new)

-1. Rejects the new concept of 'flexicurity' introduced by the Commission as part of the strategy connected with the Lisbon Strategy and the Green Paper on Labour Law Reform, which is defined as combining sufficiently flexible work contracts with coupled labour market policies that support switches from one job to another, i.e. the adjustment of labour (and wages) to the business cycle with the public employment services of the Member States assuming the costs of labour recycling and rotation; considers that this concept, in parallel with the 'employability' concept, places responsibility for finding a job on the worker; stresses that both concepts promote labour market deregulation and the liberalisation of firing, jeopardising social cohesion and the quality of work; alerts to the fact that behind this strategy is also the purpose of reviewing unemployment benefit schemes with the aim of reducing benefits and their duration;

Or. pt

Amendment by Elisabeth Schroedter

Amendment 146
Paragraph -1 a (new)

-1a Welcomes a new approach to labour law that aims to cover all workers regardless of their contractual situation;

Or. en

Amendment by Elisabeth Schroedter

Amendment 147

Paragraph -1 b (new)

-1b *Stresses that the Green Paper should focus on labour law itself;*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 148

Paragraph 1

1. *Notes* the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that the main aim of changes to EU labour law should be to create more **and better** jobs **and to guarantee social protection of workers**, thereby helping to achieve the goals of the Lisbon Strategy, **full employment, labour productivity and social cohesion**;

Or. el

Amendment by Kyriacos Triantaphyllides

Amendment 149

Paragraph 1

1. *Expresses concern regarding* the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that the main aim of changes to EU labour law should be to create more **steady** jobs **in full employment**, thereby helping to achieve the goals of the Lisbon Strategy;

Or. el

Amendment by Iles Braghetto

Amendment 150

Paragraph 1

1. *Considers that the debate on the subjects put forward by the Green Paper on modernising labour law to meet the challenges of the 21st century, in common with every resulting policy or legislative initiative, must be consistent with the principles of the Charter of Fundamental Rights, with particular reference to Title IV, as affirmed by the Commission in the decision of 2001 and by the many rulings of*

European and national case-law;

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 151

Paragraph 1

1. ***Considers that the debate on the subjects put forward by the Green Paper on modernising labour law to meet the challenges of the 21st century, as with every relevant policy or legislative initiative, must be consistent with the principles of the Charter of Fundamental Rights, with particular reference to Title IV, as affirmed by the Commission with the decision of 2001 and by many rulings of European and national case-law;***

Or. it

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 152

Paragraph 1

1. Welcomes the ***discussion on the need to reduce precarious employment, to enhance social cohesion by improving especially the protection of the most vulnerable workers, whose unbearable situation is highlighted by the Green Paper on 'Modernising labour law' (deletion) and stresses that the main aim of changes to EU labour law should be to promote stable regular employment, guaranteeing and improving workers rights, the quality of employment and a high level of social protection;***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of PSE group

Amendment 153

Paragraph 1

1. Welcomes ***discussions on the need to modernise and to strengthen labour law to meet the challenges of the 21st century, in particular the need to reduce precarious work and to enhance the protection of vulnerable workers, especially those with atypical contracts, which is part of the Lisbon Strategy, namely sustainable growth with more and better jobs and greater social cohesion, and reiterates the notion of equal pay for equal work at the workplace;***

Amendment by Elisabeth Schroedter

Amendment 154

Paragraph 1

1. Welcomes *discussions on the need to modernise and to strengthen* labour law to meet the challenges of the 21st century, *in particular the need to reduce precarious work and to enhance the protection of vulnerable workers, especially those with atypical contracts, which is part of the Lisbon Strategy, namely sustainable growth with more and better jobs and greater social cohesion, and reiterates the notion of equal pay for equal work at the workplace;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 155

Paragraph 1

1. *Stresses the need to modernise* labour law to meet the challenges of the 21st century' *which integrate the need to change* EU labour law *within* the goals of the Lisbon Strategy *and respecting of the European Social Model values;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 156

Paragraph 1

1. Welcomes the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' *which integrate the need to* change EU labour law *within* the goals of the Lisbon Strategy *and respecting of the European Social Model values;*

Or. en

Amendment by Elspeth Attwooll

Amendment 157

Paragraph 1

1. Welcomes the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that **one of the main aims** of changes to the EU labour law should be to create more **and better** jobs, thereby helping to achieve the goals of the Lisbon Strategy;

Or. en

Amendment by Thomas Mann

Amendment 158

Paragraph 1

1. Welcomes the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that the main aim of changes to EU labour law should be to create more jobs **by increasing flexibility, but also to ensure the quality of employment and appropriate protection for employees**, thereby helping to achieve the goals of the Lisbon Strategy;

Or. de

Amendment by Elizabeth Lynne

Amendment 159

Paragraph 1

1. Welcomes the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that **one of the main aims** of changes to EU labour law should be to create more jobs, thereby helping to achieve the goals of the Lisbon Strategy;

Or. en

Amendment by Csaba Öry

Amendment 160

Paragraph 1

1. Welcomes, **with serious reservations**, the Green Paper on 'Modernising labour law to meet the challenges of the 21st century' and stresses that **it would be dangerous to**

adopt the unilateral vision of flexibility highlighted in this document (deletion);

Or. fr

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 161
Paragraph 1 a (new)

1a. Considers that the priorities for a strict agenda for labour law reform are; (a) extending protection to workers in atypical forms of employment, (b) clarifying the situation of dependent employment and the grey areas between self-employment and employees with a dependent employment relationship, (c) taking action against undeclared work, and (d) facilitating the transition between various situations of employment and unemployment;

Or. el

Amendment by Kyriacos Triantaphyllides

Amendment 162
Paragraph 1 a (new)

1a. Notes that in the majority of Member States, trade union organisations do not consider collective negotiation or full insurance outdated, but on the contrary as basic conditions for improving their standard of living;

Or. el

Amendment by Elisabeth Schroedter

Amendment 163
Paragraph 1 a (new)

1a. Points to the Commission's approach in the Green Paper to mix the modernisation and strengthening of labour legislation with the flexicurity model, which is only one possible model amongst others; requests that the Commission concentrates firstly on modernising and strengthening labour law to become more inclusive and hold the debate on flexicurity after this;

Or. en

Amendment by Gunnar Hökmark

Amendment 164

Paragraph 1 a (new)

1a. Stresses the social and economic importance of getting more people into employment; underlines that the high unemployment in Europe today undermines wealth and future prosperity as well as European competitiveness, and even more importantly, creates social segregation and a division of those who are in employment and those who are not. For the single individual unemployment without doubt leads to isolation, dependence and reduced self-esteem.

Or. en

Amendment by Csaba Öry

Amendment 165

Paragraph 1 a (new)

1a. Considers that established social rights constitute an integral part of the fundamental European values and that safeguarding these rights is every bit as important as the improvements in competitiveness and flexibility which have become necessary as a result of the external constraints to which the European Union is obliged to respond by means of a progressive and controlled adjustment;

Or. fr

Amendment by Csaba Öry

Amendment 166

Paragraph 1 b (new)

1b. Considers that improving the living and working conditions of its citizens is one of the European Union's priority tasks, and one which it must not neglect as these obligations are explicitly laid down in Article 136 of the EC Treaty;

Or. fr

Amendment by Gunnar Hökmark

Amendment 167

Paragraph 1 b (new)

1b. Emphasises that the high level of unemployment in Europe is a failure which calls

for actions making it easier for more people to enter the labour market, increasing the mobility on the labour market and facilitate for the individual to change jobs without losing security;

Or. en

Amendment by Gunnar Hökmark

Amendment 168
Paragraph 1 c (new)

1c. Underlines that the European economy needs more people in employment in order to be able to compete globally and to fulfil the promises of social security,

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 169
Paragraph 1 a (new)

1a. Regrets, however, that the Social Partners were not consulted as foreseen by Article 138 of the EC Treaty, considering that the Green Paper clearly has important implications in the social policy field;

Or. en

Amendment by Ilda Figueiredo

Amendment 170
Paragraph 2

2. Recalls the importance of a progressive wage policy to boost internal demand, promote social inclusion and fight income inequalities; regrets that EU policy sees wages as a cost and not as a part of national income that through spending could sustain economic and employment growth; regrets in that context the fact that wage moderation continues to be one of the aims of the integrated guidelines in line with the inflation-target price stability of the ECB;

Or. pt

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 171

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on ***a high level of protection against dismissal and on employment security throughout a workers life, as well as improving the quality of employment and workers' rights;***

Or. en

Amendment by Elizabeth Lynne

Amendment 172

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent ***on creating an environment to help provide employment security throughout a worker's life*** rather than protecting particular jobs, ***in line with the principle of flexicurity;***

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 173

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on employment security ***throughout a worker's life*** rather than protecting particular jobs, ***as well as improving the quality of jobs;***

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 174

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on employment security ***and on flexible provision of good-quality jobs***, making it easier ***both*** to enter ***and*** stay in the labour market ***and to change from unemployment to employment and from one job to another***, both for

persons beginning professional activity and those who, whether willingly or otherwise, find themselves without permanent employment;

Or. el

Amendment by José Albino Silva Peneda

Amendment 175

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on employment security rather than protecting particular jobs, making it easier to enter or stay in the labour market *through the use of active labour policies focused both on human capital development and on a supportive business climate*;

Or. en

Amendment by Iles Braghetto

Amendment 176

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on employment security (*deletion*), making it easier to enter or stay in the labour market both for persons beginning professional activity and those who, whether willingly or otherwise, find themselves without permanent employment;

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 177

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus to a large extent on employment security (*deletion*), making it easier to enter or stay in the labour market both for persons beginning professional activity and those who, whether willingly or otherwise, find themselves without permanent employment;

Or. it

Amendment by Kyriacos Triantaphyllides

Amendment 178

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus **both** on employment security **and on** protecting particular jobs, making it easier to enter or stay in the labour market both for persons beginning professional activity and those who, whether willingly or otherwise, find themselves without permanent employment;

Or. el

Amendment by Ria Oomen-Ruijten

Amendment 179

Paragraph 2

2. **Stresses** that labour law **that has** to meet the challenges of the 21st century, must focus **(deletion)** on employment **by giving individuals the tools to enter and stay in a job by active labour market policies developing the human capital;**

Or. en

Amendment by Gabriele Stauner

Amendment 180

Paragraph 2

2. Considers that, if labour law is to meet the challenges of the 21st century, it must focus **both** on employment security **and on** protecting particular jobs, making it easier to enter or stay in the labour market both for persons beginning professional activity and those who, whether willingly or otherwise, find themselves without permanent employment;

Or. de

Amendment by Csaba Öry

Amendment 181

Paragraph 2

2. Considers that **(deletion) in order** to meet the challenges of the 21st century, **any development of labour law must be based on a clear, honest and unambiguous**

analysis of the economic developments that have taken place at both European and global level (deletion);

Or. fr

Amendment by Gunnar Hökmark

Amendment 182
Paragraph 2 a (new)

2a. *Underlines that the nature of a modern knowledge economy requires a legal framework for the labour market and economic incentives that allow for a high degree of mobility, stressing that the mobility is broadening competence and matching individuals with better jobs, thereby strengthening employment;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 183
Paragraph 2 a (new)

2a. *Considers that the reforms of labour law should be achieved in the wider context of macro- and micro-economic policy as both have a direct role in determining labour market performance;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 184
Paragraph 2 a (new)

2a. *Considers that the reforms of labour law should be achieved in the wider context of macro- and micro-economic policy as both have a direct role in determining labour market performance;*

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 185

Paragraph 2 a (new)

- 2a. Reaffirms that full-time indefinite contracts constitute the standard form of employment relationship and as such must also be made a point of reference for a coherent application of the principle of non-discrimination;**

Or. it

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 186

Paragraph 2 a (new)

- 2a. Reaffirms that the standard full-time contract is the common form of the working relationship, as stated in all EU directives, and, as such, has to be set as a reference for a coherent and consistent application of the principle of non-discrimination;**

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 187

Paragraph 2 a (new)

- 2a. Strongly disagrees with the analytical framework presented in the Commission's Green Paper, which claims that the standard indefinite employment contract is outdated, increases labour market segmentation and the gap between 'insiders' and 'outsiders, and must therefore be regarded as an obstacle to employment growth and improved economic dynamism;**

Or. en

Amendment by Elisabeth Schroedter

Amendment 188

Paragraph 2 a (new)

- 2a. Stresses that labour legislation is only efficient, fair and strong if it is implemented by all Member States, applied equally to all actors and controlled on a regular basis and in an efficient manner; requests that within the project of "Better legislation" the Commission should strengthen its role as Guardian of the Treaty concerning the**

implementation of Social and Employment legislation; criticizes the Commission for interfering with Member State's right to control the application of Community law in the case of Posting of workers;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 189
Paragraph 2 a (new)

2a. Stresses that in the EU there is a substantial body of law that consists of rights and principles which should benefit workers with atypical forms of employment; this body of law enshrines the application of the principle of non-discrimination or equal treatment with regard to workers with a standard employment relationship, and the fact that such forms of employment are optional and entered into voluntarily, and the fact that they are an alternative to indefinite-term employment contracts, which remain the typical form of employment contract in the EU,

Considers, with regard to further regulation of atypical forms of employment at national level, that the EU's body of labour law should provide a minimum level, establishing a model of safeguards that will allow choice of atypical forms of employment that are not illegal, with priority given to:

(a) the need to register types of atypical forms of employment,
(b) a requirement to explain the nature of atypical forms of employment, e.g. the existence of temporary needs, and

(c) recruitment with a normal indefinite contract;

Or. el

Amendment by Csaba Óry

Amendment 190
Paragraph 2 a (new)

2a. Considers that the labour relations which characterise citizens' employment and professional activity have been subject to profound changes over the course of the last decade and that the contractual framework of professional activity has changed profoundly to the detriment of standard forms such as open-ended contracts, opening the way to a multitude of different, non-standard forms of employment

providing employees with insufficient protection;

Or. fr

Amendment by José Albino Silva Peneda

Amendment 191
Paragraph 2 b (new)

2b. *Acknowledges the need for working time arrangements to be sufficiently flexible to meet the needs of employers and employees and to allow people to balance work and family life;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 192
Paragraph 2 b (new)

2b. *Believes that the starting point of any reform of European labour law should reinforce employment contracts of an indefinite duration as the general form of employment as clearly indicated in the EC directive 1999/70 of 28.6.99, where adequate social and health protection and respect of fundamental rights are provided; the employment contract of an indefinite nature is beneficial for employers as it gives them the possibility to have more productive loyal workers and invest in human capital thereby establishing the necessary conditions for sustainable growth and competitiveness as sought by the Lisbon Strategy;*

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 193
Paragraph 2 b (new)

2b. *Points out that it is the combined effects of employers' flexibilisation strategies (flexibility of working time arrangements, work organisation, production methods, wages, subcontracting and outsourcing, company restructuring and relocation etc.), of the pressure on the trade unions to engage in 'concession bargaining', the erosion of collective bargaining and the coverage of collective agreements, of deliberate labour law 'reforms' establishing a wide variety of poorly protected atypical employment contracts, and of the abuse of cross-border mobility of workers and services which have created a two tier labour market, whereby increasing*

segmentation, widening the gap between ‘insiders’ and ‘outsiders’, and making precarious employment more widespread and permanent;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 194
Paragraph 2 b (new)

2b. Maintains that efforts to adopt modifications to the proposed Directive of the Parliament and the Council on working conditions for temporary workers (COM(2002)701) must be continued until agreement is reached on establishing a directive to protect the ever-increasing numbers of workers recruited through employment agencies and ensuring that they are treated the same as other workers;

Or. el

Amendment by Ria Oomen-Ruijten

Amendment 195
Paragraph 2 b (new)

2b. Acknowledges the need for working time arrangements to be sufficiently flexible to meet the needs of employers and employees and to allow people to balance work and family life and urges to adapt the new working time legislation;

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 196
Paragraph 2 c (new)

2c. Call on the Member States to apply 2006 Spring Council conclusions to develop in their National Reform program comprehensive policy strategies to improve adaptability of workers and enterprises;

Or. en

Amendment by José Albino Silva Peneda

Amendment 197
Paragraph 2 c (new)

2c. *Calls on the Member States to apply 2006 Spring Council conclusions to develop more systematically in their National Reform program comprehensive policy strategies to improve adaptability of workers and enterprises;*

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 198
Paragraph 2 c (new)

2c. *Points out that employers' flexibility strategies, the increase in atypical employment contracts etc. did so far not result in a drastic reduction of unemployment or precarious employment ('integrating the outsiders'), but on the contrary gave rise to a permanent erosion of 'standard employment' and increased the threat to the shrinking group of 'insiders' (workers with standard employment) becoming 'outsiders' in the future;*

Or. en

Amendment by Csaba Öry

Amendment 199
Paragraph 2 b (new)

2b. *Believes that both European legislation and the Member States' national legislation must react to the profound change in the contractual framework and to the advance of non-standard forms of employment, and implement the changes made necessary by the need to adapt labour law to globalisation, the creation of the single market and the free movement of workers in the European market;*

Or. fr

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 200
Paragraph 2 c (new)

2c. *Brings the Commission's attention to the OECD recent findings, which have shown*

that there is no clear link between employment protection legislation and the level of employment;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 201
Paragraph 2 c (new)

2c. Considers, with regard to further regulation of atypical forms of employment at national level, that the EU's body of labour law should provide a minimum level, establishing a model of safeguards that will allow choice of atypical forms of employment that are not illegal, with priority given to:

- (a) the need to register types of atypical forms of employment,*
- (b) a requirement to explain the nature of atypical forms of employment, e.g. the existence of temporary needs, and*
- (c) recruitment with a normal indefinite contract;*

Or. el

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 202
Paragraph 2 d (new)

2d. Rejects the Commission's view that dismissal protection must be weakened, flexibility in standard employment contracts enhanced and a 'ground floor' of minimum protection be established on that basis focussing almost exclusively on the individual personal scope of labour law; criticizes that the Commission gives very little consideration to collective labour law and urges the Commission to promote collective labour law in order to improve stability and security of employment;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 203

Paragraph 2 d (new)

2d. Welcomes, however a debate on the need to address the real causes of the increasing segmentation of the labour market, with regard in particular to gender patterns and the lacking policies to support work-life balance;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 204

Paragraph 2 d (new)

2d. Given that the basic principle of labour law is the protection of the weaker party in the employment relationship, considers that labour law and collective agreements, wherever they are in force, guarantee a minimum level in terms of pay and safe working conditions, constitute a framework that provides an incentive to employers and an opportunity to workers when staff numbers are increased in line with increased production needs, and also provides the unemployed with training opportunities and eases their way into the job market;

Or. el

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 205

Paragraph 2 e (new)

2e. Points out that recent OECD and other studies have shown that there is no evidence for the claim that reducing dismissal protection and weakening standard employment contracts facilitates employment growth; points out that the example of the Scandinavian countries shows clearly that a high level of dismissal protection and employment standards is fully compatible with high employment growth;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 206
Paragraph 2 e (new)

2e. Reaffirms the fundamental rights of equality and non-discrimination in the workplace, and the right to adequate health and safety protection;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 207
Paragraph 2 f (new)

2f. Reminds the Commission that the historical role and evolution of labour law in Europe has been based on the undeniable fact that there is an unequal power relationship between worker and employer, and that therefore the worker must be protected against arbitrariness and overexploitation of the employer; insists with regard to any 'modernisation' of labour law that these basic principles and the achieved level of protection of the worker(both by law and by collective agreement) must be maintained and strengthened;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 208
Paragraph 2 f (new)

2f. Recognises that safety and security in the labour relationships between employers and employees are influenced, among others, by motivation of the labour force through more flexible working time, stability on the organization and negotiation of labour and a more feasible conciliation between professional and family life;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 209
Paragraph 2 g (new)

2g. Points out that reforming labour law is not the appropriate instrument to promote employment growth or improve economic performance; considers that the issue of

labour law should not be mixed up with the debates on flexicurity or the revision of the working time directive;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 210
Paragraph 2 h (new)

2h. *Reaffirms that any reform of EU labour must reinforce employment contracts of an indefinite duration as the reference norm, also guaranteeing workers' rights and adequate social and health protection, as clearly indicated in Directive 70/1999/EC;*

Or. en

Amendment by Ilda Figueiredo

Amendment 211
Paragraph 3

3. *Is concerned by the high number of workers who, in spite of receiving wages, still lie below the poverty line; calls for an EU commitment to eradicating the so-called 'working poor' by 2010;*

Or. pt

Amendment by Ria Oomen-Ruijten

Amendment 212
Paragraph 3

3. Notes that supporting flexible labour law *can contribute both* for improving the EU's economic competitiveness but *(deletion)* also *for catering* for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects *(deletion)*;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 213

Paragraph 3

3. Notes that *certain forms of atypical contracts, depending on how well they are embedded in labour law and social security, as well as the provision of lifelong learning and training opportunities, can contribute to the dual goal of increasing economic performance in the EU*, but will also cater for the differing needs of workers, related to a particular stage of life they are at and their job prospects; at the same time recognises that *atypical forms of work* must go hand in hand with support for workers who find themselves in *situations* of transition from one *job to another, or from one* employment status to another;

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 214

Paragraph 3

3. Notes that *consolidating certain flexible forms of work, maintaining the necessary guarantees in terms of security and fundamental rights, can contribute not only to improving the EU's economic competitiveness but (deletion) also to responding to the specific* needs of workers, bearing in mind the stage of life they are at and their job prospects; at the same time recognises that flexibility must go hand in hand with support for workers who find themselves in a period of transition from one employment status to another;

Or. it

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 215

Paragraph 3

3. Notes *that certain forms of negotiated internal flexibility such as the provision of lifelong learning or education and training opportunities should be properly embedded in labour law and social protection legislation, thus they can not only contribute to improved economic performance, innovation and employment security*, but will also cater for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects; at the same time recognises that *such measures* must go hand in hand with support for workers who find themselves in a period of transition from one employment status to another;

Or. en

Amendment by Iles Braghetto

Amendment 216
Paragraph 3

3. Notes that supporting flexible labour law is not only key for improving the EU's economic competitiveness but will also cater for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects; at the same time recognises that flexibility must go hand in hand with **active policies of** support for workers who find themselves in a period of transition from one employment status to another;
In order to make this transition rapid and sustainable, it is necessary to focus on active intervention allowing workers who have to re-enter the labour market to rely on income support during the period strictly necessary to become more employable through experience of training and requalification;

Or. it

Amendment by Elizabeth Lynne

Amendment 217
Paragraph 3

3. Notes that supporting flexible labour law is not only key for improving the EU's economic competitiveness but **may** also cater for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects; ***but considers it vital that workers must be adequately protected from established risks and*** that flexibility must go hand in hand with support for workers who find themselves in a period of transition from one employment status to another; ***Recognises that in many Member States individuals are provided with a safety net guaranteeing a minimum income and believes by exchange of best practice that Member States who do not operate this can be encouraged to do so;***

Or. en

Amendment by Kyriacos Triantaphyllides

Amendment 218
Paragraph 3

3. Notes that supporting flexible labour law ***while fully respecting the rights of workers*** is not only key for improving the EU's economic competitiveness but will also cater for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects; at the same time recognises that flexibility must go hand in hand

with support for workers who find themselves in a period of transition from one employment status to another;

Or. el

Amendment by José Albino Silva Peneda

Amendment 219

Paragraph 3

3. Notes that supporting flexible labour law is ***one factor that can contribute both for*** improving the EU's economic competitiveness but also ***for catering*** for the differing needs of workers, bearing in mind the stage of life they are at and their job prospects; at the same time recognises that flexibility must go hand in hand with support for workers who find themselves in a period of transition from one employment status to another;

Or. en

Amendment by Elizabeth Lynne

Amendment 220

Paragraph 3 c (new)

- 3c. Urges the Commission to focus on both collective and individual labour law as the means to increase both flexibility and security for workers and employers, thereby ensuring a practical reflection of the current situation in all member states;***

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 221

Paragraph 3 a (new)

- 3a. Is of the opinion that the various models of flexicurity in Europe, combined with different degrees of internal flexibility and security, and external flexibility and security in accordance with the Member States' legal traditions and industrial systems are broader than the definitions used in the green paper,***

Or. en

Amendment by Elspeth Attwooll

Amendment 222

Paragraph 3 a (new)

3a. *Considers that the predominance of women in part-time work and in occupations that have been traditionally undervalued is a major contributor to the gender pay gap; believes that this situation must be properly addressed if the Lisbon targets are to be met;*

Or. en

Amendment by Elisabeth Schroedter

Amendment 223

Paragraph 3 a (new)

3a. *Regrets the Commission's focus on individual labour law, and urges the Commission to integrate and promote collective labour law into the process of the consultation as collective labour law has proved itself as efficient tool to regulate both flexibility and security for workers and employers;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 224

Paragraph 3 c (new)

3c. *Regrets the Commission's focus on individual labour law, and urges the Commission to focus on and promote collective labour law as the means to increase both flexibility and security for workers and employers;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 225

Paragraph 3 a (new)

3a. *Stresses that the Green Paper should focus on labour law itself;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 226
Paragraph 3 b (new)

3b. *Notes that the Commission will publish a communication on flexicurity, and stresses that flexicurity can only be achieved by effective and modern labour law that reflects the changing realities of work; and that a decisive component of flexicurity is collective labour law;*

Or. en

Amendment by Richard Howitt

Amendment 227
Paragraph 3 a (new)

3a. *Calls on the Commission to propose further measures to provide improved work-life balance, in particular for workers with caring responsibilities;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 228
Paragraph 3 d (new)

3d. *Calls on the Member States to put in place specific measures and actions to ease professional transitions by combining active labour policies and life long training and by promoting co-responsibility of the social partners in the allocation and redistribution of resources and costs;*

Or. en

Amendment by Elizabeth Lynne

Amendment 229
Paragraph 3 d (new)

3d. *Notes that a decent minimum wage, set at Member State level should be encouraged and can help to make work financially viable; but recognising that in many Member States that it is set at a very low level;*

Amendment by Elizabeth Lynne

Amendment 230
Paragraph 3 b (new)

- 3b. *Calls on the Commission and Member States to effectively implement the Employment Directive 78/2000/EC which provides a legal framework for equal treatment in employment;***

Or. en

Amendment by Ilda Figueiredo

Amendment 231
Paragraph 4

- 4. *Stresses that improving working conditions is an essential aspect of ensuring the quality of work; is deeply concerned at the flexible work arrangements to adapt the workforce to the production cycle, the effects of schemes like lean production and the speeding-up of work on workers' health and accidents at work; considers that the Commission's proposal on the revision of the Working Time Directive, if carried, will aggravate the present situation; calls on the Commission to produce a communication on the impact of current EU proposals concerning labour on workers' health;***

Or. pt

Amendment by Elizabeth Lynne

Amendment 232
Paragraph 4

- 4. *Firmly believes that flexible and fair employment should be based on minimum basic rights('a floor of rights') ensuring that every worker is free from discrimination, threats to their health and safety, and receive adequate leave and holiday. Any proposed legislation in this field at European level must be subject to a comprehensive impact assessment and should take into account the different traditions of member states. Health and safety legislation should only be brought forward at European level if the scientific and medical evidence proves the need and that it can't be better done at member state level;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 233
Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on working time (***deletion***);

Or. en

Amendment by Ona Juknevičienė

Amendment 234
Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on working time (***deletion***);

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 235
Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health safety protection , provisions on working time ***and equal treatment of employees and temporary employees***;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 236
Paragraph 4

4. Firmly believes ***that any form of atypical*** and fair employment ***should enjoy a core of rights regardless of the specific employment status***, which should include: non-discrimination, workers' health and safety protection and provisions on working time

protection, freedom of association and representation, and the right to collective bargaining and collective action, and training; at the same time stresses that these matters should be *adequately enforced* at Member State level, *taking into account the* different traditions and social and economic circumstances *in each country*; *underlines that European legislation is not in contradiction to national legislation, but should be viewed as complementary*;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 237

Paragraph 4

44. Firmly believes that *any* employment *relationship should - regardless of the specific employment status – enjoy the same set of equal rights*, which should include: non-discrimination, workers' health and safety protection and provisions on working time *protection, freedom of association and representation, the right to collective bargaining and collective action, the right to training and lifelong learning, and the right to equal hourly pay for equal work*; at the same time stresses that these matters should be *adequately enforced* at Member State level, taking account of different traditions and social and economic circumstances *in each country*; *points out that this approach is already supported by complementary EU legislation (e.g. on equality of part-time workers etc.) which nevertheless could be further improved*;

Or. en

Amendment by Thomas Mann

Amendment 238

Paragraph 4

4. Firmly believes that *the question of* minimum basic rights ('a floor of rights') *for all employees* should be decided at Member State level, on the basis of different traditions and social and economic circumstances, but also with due regard for proportionality and without jeopardising the creation of new jobs;

Or. de

Amendment by Elspeth Attwooll

Amendment 239

Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on working time; at the same time stresses that **legislation at EU level should respect** different traditions and social and economic circumstances, but also **have** due regard **to** proportionality and **not jeopardise** the creation of new jobs;

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 240

Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on working time. **Reaffirms that, while national regulatory responsibility should be maintained on these issues, in view not least of the different traditions and socioeconomic circumstances in the Member States, European legislation is not incompatible with national legislation but performs a complementary role and guarantees basic fundamental rights;**

Or. it

Amendment by Iles Braghetto

Amendment 241

Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on working time (**deletion**);

Or. it

Amendment by Ana Mato Adrover

Amendment 242

Paragraph 4

4. Firmly believes that flexible *(delete)* employment should be based on *(delete)* basic rights ('a floor of rights'), which should include: non-discrimination **and equal opportunities**, workers' health and safety protection and provisions on working time; at the same time stresses that these matters should be decided at Member State level, on the basis of different traditions and social and economic circumstances, but also with due regard for proportionality and without **standing in the way of** the creation of new jobs;

Or. es

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 243

Paragraph 4

4. Firmly believes that flexible and fair employment should be based on minimum basic rights ('a floor of rights'), which should include: non-discrimination, workers' health and safety protection and provisions on **reasonable** working time; at the same time stresses that these matters should be decided at Member State level, on the basis of different traditions and social and economic circumstances, but also with due regard for proportionality and without jeopardising the creation of new jobs;

Or. el

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 244

Paragraph 4 a (new)

- 4a. *Notes that a fundamental part of labour law in many Member States, and as enshrined in the Treaty, is the right to take collective action and that the Commission has stated in proceedings before the Court of Justice that the specific form of some Nordic collective actions is in accordance with the EC Treaty, and requests the Commission to respect collective agreements as a specific type of labour law as recognised by the Court of Justice;***

Or. en

Amendment by Elisabeth Schroedter

Amendment 245

Paragraph 4 a (new)

4a. requests, that all workers have access to the same level of protection and that certain groups are not excluded by default from the broadest level of protection, such as is currently often the case for seafarers, workers on vessels and offshore workers as well as workers in road transport; requests that efficient legislation should apply to all persons regardless of the place where they work;

Or. en

Amendment by Elisabeth Schroedter

Amendment 246

Paragraph 4 b (new)

4b. Believes that the creation of a separate legal category of contractual arrangements for workers with a limited set of basic rights would inevitably create an unfair segregation of the Labour market and lead to the watering-down of employment rights and downwards pressure on all terms and conditions; therefore, demands that there be a statutory presumption of labour law coverage for all people working for someone else; points to the necessity under such conditions to place the burden of proof in the event of a legal dispute on the employer to show that an individual is not a worker entitled to protection;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 247

Paragraph 4 b (new)

4b. Stresses that freedom of association and the right to collective bargaining should be guaranteed for all workers, including economically dependent and self employed workers; calls on the Commission and on Member States to remove all existing obstacles to the full and free exercise of these rights, and calls in particular on the Commission to clarify that collective bargaining with a view to improving the living and working conditions of these workers cannot be subject to the Community rules on competition as foreseen in particular by Articles 81 and 82 of the EC Treaty;

Or. en

Amendment by Richard Howitt

Amendment 248

Paragraph 4 a (new)

4a. *Calls for a review of and improvements to existing regulations designed to provide workers with protection during restructuring and outsourcing, including the directives on collective redundancies, acquired rights and insolvencies;*

Or. en

Amendment by Elspeth Attwooll

Amendment 249

Paragraph 4 a (new)

4a. *Also believes, however, that part-time employment, disguised employment, fixed-term contracts, home and temporary working should not operate to the prejudice of good working conditions and/or adequate social security benefits, including the provisions of adequate income upon retirement;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 250

Paragraph 4 c (new)

4c. *Is of the opinion that flexibility and security requirements are not opposite, but instead mutually supportive as being in interests of both employers and employees and can therefore be seen as a joint and mutual risk management for workers and employers;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 251

Paragraph 4 d (new)

4d. *Recalls that flexibility allows workers to conciliate working and private life conditions and allows companies to anticipate and respond to changing market demands and circumstances; recalls that security build and preserve worker's skills to enter, remain and progress in labour markets throughout the life-cycle improve*

the market position in a growing competitive environment;

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 252
Paragraph 4 a (new)

4a. Is aware that the flexicurity principle is an answer to the globalization challenges which, to be tackled, implies often deep changes requiring an appropriate social protection;

Or. en

Amendment by José Albino Silva Peneda

Amendment 253
Paragraph 4 d (new)

4d. Recognises that, in the 'flexicurity' approach, creating and maintaining adequate and secure social protection mechanisms is an indispensable prerequisite of flexibility;

Or. en

Amendment by José Albino Silva Peneda

Amendment 254
Paragraph 4 a (new)

4a. Is aware that the flexicurity principle is an answer to the globalization challenges, which, to be tackled, implies often deep changes requiring an appropriate social protection;

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 255

Paragraph 4 c (new)

4c. *Insists that, in the 'flexicurity' approach, creating and maintaining adequate and secure social protection mechanisms are indispensable to meet the goal of flexicurity in the labour market;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 256

Paragraph 4 b (new)

4b. *Encourages Member States to apply flexicurity principles in their national labour markets, work organization and labour relationship in accordance both with their traditions and their national “starting position”, leading in practice to different forms of flexicurity from country to country, reflecting the EU diversity and respecting that Members States can define their own flexicurity pathway;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 257

Paragraph 4 b (new)

4b. *Encourages Member States to apply flexicurity principles in their national labour markets, work organization and labour relationship in accordance with their traditions;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 258

Paragraph 4 e (new)

4e. *Recalls therefore that flexibility allows workers to better conciliate working and private life and allows companies to anticipate and respond to changing market demands and circumstances; recalls that security built and preserve worker's skills to enter, remain and progress in labour markets throughout the life-cycle and that*

due to security companies improve market position by counting on the loyalty and productivity level of the working forces within a ever growing competitive environment;

Or. en

Amendment by José Albino Silva Peneda

Amendment 259
Paragraph 4 f (new)

4f. Points out that Member States should intensified at EU level the benchmarking exercise and exchange of best practice with a view to developing and implementing flexicurity principles;

Or. en

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 260
Paragraph 5

deleted

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 261
Paragraph 5

deleted

Or. it

Amendment by Csaba Öry

Amendment 262
Paragraph 5

deleted

Or. fr

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 263
Paragraph 5

deleted

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 264
Paragraph 5

deleted

Or. en

Amendment by Ilda Figueiredo

Amendment 265
Paragraph 5 a (new)

5a. *Calls on the EU for a strong commitment to working-time reduction, without lowering wages, to create new employment and increase productivity; calls, therefore, on the Commission to withdraw its proposal on the revision of the Working Time Directive; calls on Member States to coordinate efforts to gradually reduce working time by 2010 and stresses the short-term objective of a 35-hour week; considers that the reduction of working time, without lowering wages, should be seen as an aim in itself and a measure of societal well being;*

Or. pt

Amendment by Elizabeth Lynne

Amendment 266
Paragraph 5

5. Considers that *an administrative burden created by unworkable or unnecessary legislation* could deter employers from taking on new workers even during times of economic growth, thereby worsening job prospects, particularly for women, workers entering the labour market and older workers wishing to continue working after

retirement age;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 267

Paragraph 5

5. Considers that *excessive wage costs* could deter employers from taking on new workers even during times of economic growth, thereby worsening job prospects, particularly for women, workers entering the labour market and older workers wishing to *extend their working life*;

Or. el

Amendment by Elizabeth Lynne

Amendment 268

Paragraph 5 a (new)

- 5a. *Stresses that the Green Paper should focus on labour law, but cannot be de-coupled from wider debates about flexicurity.*

Or. en

Amendment by Csaba Óry

Amendment 269

Paragraph 5 a (new)

- 5a. *Calls on the Member States to reflect together on the emergence of a multitude of new forms of employment and the need to adapt labour law to the changes that have taken place;*

Or. fr

Amendment by Csaba Óry

Amendment 270
Paragraph 5 b (new)

5b. *Considers that the adaptation of labour law must primarily help to approximate the national laws of the Member States and strengthen the European legislative framework;*

Or. fr

Amendment by Csaba Óry

Amendment 271
Paragraph 5 c (new)

5c. *Is convinced that European legislation has a very important role to play in the process of approximation of the Member States' labour laws and that progressive approximation of those laws is vital for European enterprises and their employees;*

Or. fr

Amendment by Anja Weisgerber

Amendment 272
Paragraph 5 a (new)

5a. *Considers that the provisions of European law concerning working time must be flexible in order to safeguard competitiveness and improve the employment situation in Europe, without neglecting the health of employees;*

Or. de

Amendment by Ria Oomen-Ruijten

Amendment 273
Paragraph 6

deleted

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 274
Paragraph 6

deleted

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 275
Paragraph 6

deleted

Or. it

Amendment by Iles Braghetto

Amendment 276
Paragraph 6

deleted

Or. it

Amendment by Ria Oomen-Ruijten

Amendment 277
Paragraph 6

6. *Is aware of the existence of a wide variety of contractual forms and business models in Member States, however insists that only by guaranteeing equal treatment of those contracts, workers and labour organisations will benefit of the requested flexibility of the labour market,*

Or. en

Amendment by Ilda Figueiredo

Amendment 278

Paragraph 6

6. ***Stresses that there is a contradiction between promoting a flexible labour market and precarious jobs and the need to promote the quality of work in all its aspects; notes that labour market reforms have been followed by a decline in productivity growth; calls on the Commission to produce a communication on the connection between the quality of work and productivity;***

Or. pt

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 279

Paragraph 6

6. ***Deplores the growing informal economy and especially the labour exploitation of undocumented workers and considers that the best way to combat this phenomenon is to focus on instruments and mechanisms to tackle exploitation, including more and better enforcement of labour law and labour standards, and of fundamental human rights of workers including migrants and disadvantaged workers and social groups;***

Or. en

Amendment by Csaba Óry

Amendment 280

Paragraph 6

6. Notes that ***excessive wage costs are hindering job creation in most Member States;*** insists therefore that all Member States should ***(deletion)*** reduce excessive ***(deletion)*** wage ***(deletion)*** costs;

Or. fr

Amendment by Elspeth Attwooll

Amendment 281

Paragraph 6

6. Notes that ***overly-bureaucratic*** employment contracts are a major factor ***encouraging*** employers ***(deletion)*** to resort to clandestine employment and therefore considers that

the best way to combat this phenomenon is to make legal employment easier; insists therefore that all Member States should remove unwarranted and over-restrictive bureaucratic requirements *(deletion)*;

Or. en

Amendment by Elizabeth Lynne

Amendment 282

Paragraph 6

6. Notes that *over-prescriptive* employment contracts are *one of the reasons why* employers and workers resort to clandestine employment and therefore considers that the best way to combat this phenomenon is to make legal employment easier, *effectively implement employment legislation, focus on fundamental human rights of workers, including working to end asylum seekers' dependence on benefits, by allowing them to work and to consider the development of more legal immigration routes; Calls on Member States to bring forward legislation to prevent the exploitation of vulnerable workers by gangmasters and to sign and ratify the UN Convention on the Protection of the Rights of All Migrant Workers and their Families and to sign and ratify the Council of Europe Convention on trafficking in human beings; urges Member States and the European Commission to reject the misleading blurring of economic migration with asylum-seeking, and of both with illegal immigration and to clamp down on the use of forced labour.*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 283

Paragraph 6

6. *(deletion) Considers* that the best way to combat this phenomenon is to make legal employment easier; insists therefore that all Member States should remove unwarranted and over-restrictive bureaucratic requirements for employment and reduce excessive non-wage labour costs.

Or. el

Amendment by Kyriacos Triantaphyllides

Amendment 284

Paragraph 6

6. Notes that over-stringent employment contracts are a major factor promoting employers and workers to resort to clandestine employment and therefore considers that the best way to combat this phenomenon is to make legal employment easier; insists therefore that all Member States should remove unwarranted and over-restrictive bureaucratic requirements for employment and reduce excessive non-wage labour costs; ***considers however that the competent authorities to judge whether employment contracts are over-stringent, or excessively slack, are the social partners in each Member State;***

Or. el

Amendment by Gabriele Stauner

Amendment 285

Paragraph 6

6. Notes that over-stringent employment contracts are a ***(deletion)*** factor promoting employers and workers to resort to clandestine employment and therefore considers that ***one possible*** way to combat this phenomenon ***could be*** to make legal employment easier; insists therefore that all Member States should remove unwarranted and over-restrictive bureaucratic requirements for employment and reduce excessive non-wage labour costs, ***albeit without one-sidedly abandoning tried and tested protective mechanisms to the detriment of employees;***

Or. de

Amendment by Thomas Mann

Amendment 286

Paragraph 6

6. Notes that, ***in addition to high taxes and social-security contributions, which are the major factor promoting employers and workers to resort to clandestine employment, inflexible employment contracts are also partly responsible,*** and therefore considers that ***one*** way to combat this phenomenon is to make legal employment easier; insists therefore that all Member States should remove unwarranted and over-restrictive bureaucratic requirements for employment and reduce excessive non-wage labour costs;

Or. de

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 287
Paragraph 6 a (new)

6 a. *Stresses that further information is required with regard to the problem of undeclared work and the consequences of the phenomenon for both employers and workers and for society in general; stresses that a cooperative structure must be created involving the actors concerned at national and European level, and indicators must be developed to assess the situation, so that there can be a regular, constructive exchange of opinions and best practice to combat undeclared work;*

Or. el

Amendment by José Albino Silva Peneda

Amendment 288
Paragraph 6 a (new)

6a. *Welcomes the wide variety of labour traditions, contractual forms and business models existing in labour markets;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 289
Paragraph 6 b (new)

6b. *Is conscious that permanent contracts are becoming rarer and obsolete and that instead, non-permanent employment is increasing;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 290
Paragraph 6 c (new)

6c. *Calls for the creation of flexible and secure contractual arrangements in the context of modern work organizations;*

Amendment by Elizabeth Lynne

Amendment 291
Paragraph 6 a (new)

- 6a. *Believes that, whilst an employment contract of an indefinite nature may in some cases be beneficial for employers and employees alike, in other cases it may not be, for others more flexible working is often preferable.***

Or. en

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 292
Paragraph 6 a (new)

- 6a. *Highlights that small and medium enterprises are recognised as a major driver for creating and increasing employment in Europe as well as fostering social and regional development; believes therefore that it is vital to increase SME's role in the modernisation and strengthening of labour law;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 293
Paragraph 6 d (new)

- 6d. *Defends the reduction of the gap between standard and non-standard employments by introducing more flexibility in the standard contract and more security on the non-standard ones, which can be done namely by turning standard contract more attractive for companies and non-standard fully covered under national labour laws;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 294
Paragraph 6 e (new)

6e. *Believes that the solution can be achieved by a system where certain entitlements (except basics ones) and elements of protection are being built up in a gradual form, with smooth and timely transitions from one step to another until full protection is achieved;*

Or. en

Amendment by Csaba Óry

Amendment 295
Paragraph 6 a (new)

6a. *Considers that for more effective application of European law it is necessary to strengthen the industrial relations system and respond appropriately to the absence of employee representation in certain sectors, where most economic activity is undertaken by SMEs employing fewer than 10 people (this absence of representation being particularly pronounced in the new Member States);*

Or. fr

Amendment by Csaba Óry

Amendment 296
Paragraph 6 b (new)

6b. *Calls on the Member States to work together to alleviate the tax, social and administrative burdens on the self-employed and SMEs which hold back the development of these actors and their recruitment of new staff, given that job creation is a priority European objective in accordance with the decisions taken by the Council in Lisbon in 2000;*

Or. fr

Amendment by Csaba Óry

Amendment 297
Paragraph 6 c (new)

6c. *Recommends that Member States integrate into labour law a nuanced approach*

which takes into account the very specific situation of small and micro enterprises, whose financial and administrative resources are extremely limited; believes that in terms of flexibility of organisation and working conditions it would be justifiable to grant these very vulnerable economic actors greater margin for manoeuvre;

Or. fr

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 298
Paragraph 6 a (new)

6a. *Stresses the need to develop a stronger role for EU in promoting more and better cooperation and coordination between national labour social inspectorates and/or trade unions to fight in a more efficient way labour exploitation of migrant workers;*

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 299
Paragraph 7

deleted

Or. en

Amendment by Ilda Figueiredo

Amendment 300
Paragraph 7

7. *Calls on the Spring European Council to establish as a target that half of the percentage of EU employees with fixed-term contracts will have a permanent contract by 2010 and to create a special scheme of incentives to promote job stability, complemented by the EU budget; asks the EU and the Member States to develop measures through labour market policies to create opportunities for full-time jobs for involuntary part-time workers; calls for an EU commitment to reducing involuntary part-time work;*

Or. pt

Amendment by Elizabeth Lynne

Amendment 301

Paragraph 7

7. Endorses the Council's aim of mobilising all appropriate national and Community resources to develop a skilled, trained and adaptable workforce and labour markets responsive to the challenges stemming from the combined impact of globalisation and of the ageing of European societies; ***observes that a vital component in this skilled, trained and adaptable workforce is the body of people who choose to work for themselves on a commercial basis and do not wish to be employees, who offer the EU a significant competitive advantage in meeting the challenges of globalisation;***

Or. en

Amendment by Kyriacos Triantaphyllides

Amendment 302

Paragraph 7

7. Endorses the Council's aim of mobilising all appropriate national and Community resources to develop a skilled, trained and adaptable workforce and labour markets responsive to the challenges stemming from the combined impact of globalisation and of the ageing of European societies; ***considers that by the nature of the unequal relationship between employer and employee, employers always have the option of not recruiting if the worker makes what the employer considers excessive demands, hence the great need for collective agreements and negotiations to equalise to some extent the imbalance in this relationship;***

Or. el

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 303

Paragraph 7 a (new)

- 7a. ***Notes that in a great deal of atypical contracts, there is little or no access to education and training, occupational pensions and professional development; job security is very low and employment more unstable; underlines that such developments increase economic insecurity and opposition to globalization in general, while undermining Europe's labour standards;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 304
Paragraph 7 a (new)

7a. *Is aware that due to labour market segmentation, a large share of European workers lack of training as the underinvestment in human capital is still high;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 305
Paragraph 7 a (new)

7a. *Is aware that due to the labour market segmentation, a large share of European workers lack of training as the underinvestment in human capital is still high;*

Or. en

Amendment by Elizabeth Lynne

Amendment 306
Paragraph 7 a (new)

7a. *Notes that flexible forms of working can help to facilitate life long learning, education and training and professional development; job security may be lower, but employment security is higher and unemployment lower, in line with the flexicurity approach; underlines that such developments increase economic growth and personal choice, but must not lead to lower labour standards;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 307
Paragraph 7 b (new)

7b. *Notes that, in many Member States, because no adequate social security exists, it is also impossible to obtain a pension in the second pillar, bringing extra pressure to bear on old-age pensions in the first pillar;*

Or. nl

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 308
Paragraph 8

deleted

Or. en

Amendment by Ilda Figueiredo

Amendment 309
Paragraph 8

8. ***Considers that the on-going revisions of labour law, atypical work contracts, the mobility of capital and high unemployment undermine the power of trade unions; stresses the importance of guaranteeing strong trade unions and their rights as an indispensable process to balance the uneven relationship between capital and labour and supporting any employment-targeting objective in economic and monetary policies;***

Or. pt

Amendment by Elizabeth Lynne

Amendment 310
Paragraph 8

8. Believes ***access to life long learning programmes as well as information as to the availability these programmes*** are the most important factors as regards participation in the process of lifelong learning; ***Calls on the Commission and Member States to provide adequate resources to facilitate access to lifelong learning programmes as a means to limit the exclusion of elderly people among others from employment and to foster their continuous participation in social, cultural and civic life;*** urges that entrepreneurial studies and personal career management be included in school syllabuses;

Or. en

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 311

Paragraph 8

8. Believes that ***a combination of*** individual motivation, ***employers' support, accessibility and availability of facilities*** are the most important factors as regards participation in the process of lifelong learning and calls for the development of an education market and schools which meet labour market requirements and workers' and employers' individual expectations; urges that entrepreneurial studies and personal career management be included in school syllabuses;

Or. en

Amendment by Ana Mato Adrover

Amendment 312

Paragraph 8

8. Believes that individual motivation and ***effective accessibility*** are the most important factors as regards participation in the process of lifelong learning and calls for the development of ***the*** education ***sector*** which meet labour market requirements and workers' and employers' individual expectations; ***stresses the need for proper linking of professional careers and*** school syllabuses;

Or. es

Amendment by Elspeth Attwooll

Amendment 313

Paragraph 8

8. Believes that individual motivation and willingness are ***(deleted)*** important factors as regards participation in the process of lifelong learning and calls for the development of and education market and schools which ***pay attention to*** labour market requirements and workers' and employers' individual expectations; ***believes*** that entrepreneurial studies and personal career management be included in school syllabuses;

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 314

Paragraph 8

8. Believes that individual motivation and willingness are **(deletion)** factors as regards participation in the process of lifelong learning and calls for the development of an education market and schools which meet labour market requirements and workers' and employers' individual expectations; urges that entrepreneurial studies and personal career management be included in school syllabuses;

Or. it

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 315

Paragraph 8 a (new)

- 8a. *Stresses the need to establish targeted policies for action, to include action on training, further training, and promoting employment, so as to facilitate the transition from unemployment to employment or from flexible forms of employment to stable employment;***

Or. el

Amendment by Elisabeth Schroedter

Amendment 316

Paragraph 8 a (new)

- 8a. *points to the need for European Labour Law that can serve to provide a level playing field in the internal market; restates parliament's position that the working conditions derive from the place where the work is delivered to ensure both equal treatment and equal pay; reiterates the notion of equal pay for equal work at the workplace;***

Or. en

Amendment by Csaba Óry

Amendment 317

Paragraph 8 a (new)

- 8a. *Recommends to Member States to adopt a common approach promoting the spirit of***

entrepreneurship, and offering a more vigorous support to citizens setting up new ventures and assuming the risks inherent to the status of self-employment; invites Member States to launch information campaigns at national level with the aim to present in a balanced way the risks and advantages of self-employment as a better alternative compared to inactivity;

Or. en

Amendment by Csaba Óry

Amendment 318
Paragraph 8 b (new)

8b. *Recommends to Member States to further integrate into their legislation the aspects of the freedom of self-employed workers to carry out complementary activities, to decide about their replacement, and to manage their working time when defining mandatory legal presumption rules with regards to the distinction between employment contracts and service provision contracts;*

Or. en

Amendment by Csaba Óry

Amendment 319
Paragraph 8 c (new)

8c. *Calls on the Commission and the Member States to look more specifically at the legal situation of self-employed people, small entrepreneurs and SMEs, who are highly dependent economically on companies placing orders, and to reflect together on the most appropriate legislative means to improve their level of social protection;*

Or. fr

Amendment by Csaba Óry

Amendment 320
Paragraph 8 d (new)

8d. *Welcomes the contribution of small and medium size enterprises to the creation of new jobs at European level; has the strong conviction that these efforts should be encouraged by further fiscal and legal measures by the Member States in line with the achievement of the main objectives of the Lisbon process;*

Or. en

Amendment by Ilda Figueiredo

Amendment 321

Paragraph 9

9. ***Stresses that policies are needed to achieve equality for women and men (e.g. equal pay, parental leave, access to quality employment) and to create better conditions for reconciling employment and private life; notes the need for enhanced educational and social infrastructures for young and elderly people alike, including increased (and better) facilities for learning, (affordable) childcare, nursing care and care for the elderly; reminds the Member States of the commitment that they entered into at the Barcelona Summit in 2002 whereby, by 2010, they are to provide day-care places for more than 33% of children under the age of three and for 90% of children between the age of three and school-starting age and asks for it to be fully enforced and upgraded;***

Or. pt

Amendment by Iles Braghetto

Amendment 322

Paragraph 9

9. ***Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and *the social partners to make good use of investment in lifelong learning as a factor in businesses' competitiveness and an opportunity for employees' professional and personal growth, supporting bilateral initiatives that make the social partners jointly responsible for promoting lifelong learning;****

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 323

Paragraph 9

9. ***Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and *the social partners to make good use of investment in lifelong learning as a factor in businesses' competitiveness and an opportunity for employees' professional and personal growth, supporting bilateral initiatives that make the social partners jointly responsible for promoting lifelong learning;****

Or. it

Amendment by Csaba Óry

Amendment 324

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and employers to view lifelong learning as a sound investment in the development of human capital and **an** effective means of overcoming long-term unemployment;

Or. fr

Amendment by José Albino Silva Peneda

Amendment 325

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and **social partners** to view lifelong learning as a sound investment in the development of human capital and the most effective means of overcoming long-term unemployment;

Or. en

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 326

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and employers to **invest in** lifelong learning **and** the development of human capital **as** the most effective means of overcoming long-term unemployment **and to introduce an individual right to training regardless of the employment status as a first step**;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 327

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and employers *to invest in* lifelong learning *and* in the development of *skills and competencies*; *calls for introducing an individual right for further education, training and lifelong learning regardless of the employment status as a first step*;

Or. en

Amendment by Thomas Mann

Amendment 328

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States, *employees* and employers to view lifelong learning as a sound investment in the development of human capital and the most effective means of overcoming long-term unemployment, *in which connection the development of skills and the acquisition of qualifications is in the general interest, as the European social partners jointly emphasise in the Framework of Action for the Lifelong Development of Competences and Qualifications*';

Or. de

Amendment by Anja Weisgerber

Amendment 329

Paragraph 9

9. Points to the urgent need to improve the educational level of the population in the EU and urges the Commission, Member States and employers to view lifelong learning as a sound investment in the development of human capital and the most effective means of overcoming long-term unemployment; *notes furthermore that the development of skills and acquisition of qualifications is in the mutual interest of employers and employees, as the social partners have indicated in the 2006 Framework of Action for the Lifelong Development of Competences and Qualifications*;

Or. de

Amendment by Elisabeth Schroedter

Amendment 330

Paragraph 9

9. Points to the urgent need to improve the educational level (*deletion*) in the EU and urges the Commission, Member States and employers to *invest in* lifelong learning *and* the development of human capital *as one of the* means of overcoming long-term unemployment *and to introduce an individual right to training regardless of the employment status as a first step; points to the urgent need to integrate into lifelong learning strategies those people at risk of exclusion from the society and the labour market;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 331

Paragraph 9 a (new)

- 9a. *Considers fundamental that active labour policy should give the means to the workers to adapt to change, to enter into employment, to stay on the job market and to make progress within and outside the companies in their working life;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 332

Paragraph 9 b (new)

- 9b. *Stresses the importance to have a reliable and responsive lifelong learning systems and vocational training to ensure the continuous adaptability and employability of all workers, enabling simultaneously firms to keep and improve the productivity;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 333

Paragraph 9 c (new)

- 9c. *Recognizes that the continuous upgrading of skills is the basis to facilitate the transitions between jobs;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 334
Paragraph 9 d (new)

9d. *Is of the opinion that reforms of labour law should facilitate companies' investment in the skills of their workers, stimulate workers to upgrade their own skills and guarantee the intervention of social security systems to ensure such approach;*

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 335
Paragraph 10

deleted

Or. it

Amendment by Ilda Figueiredo

Amendment 336
Paragraph 10

10. *Recalls the Commission strategy for new sources of jobs, in particular by promoting local Community-based services, public services, social services, personal services, cultural services and environmental professions; it is deeply concerned that this strategy could be used up to create sub-employment and 'mini-jobs' with low pay levels, to mask unemployment; considers that this strategy should have a focus on the quality and stability of the jobs created so that this does not result in the creation of 'mini-jobs';*

Or. pt

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 337

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development (*deletion*), **and stresses the lack of proper implementation and enforcement of existing legislation, and calls on the Commission to promote more and better jobs and coordination between national labour law and social inspectorates; stresses the need for new Member States to bring their health and safety legislation in accordance with European legislation, including provisions of the Working Time Directive;**

Or. en

Amendment by Csaba Óry

Amendment 338

Paragraph 10

10. **Notes that** vast differences *exist* in the labour market traditions and realities in the Member States, as well as *in* their (*deletion*) levels of development, **and stresses that stepping up the process of economic and legislative convergence between Member States is in the interests of both European citizens and economic actors;**

Or. fr

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 339

Paragraph 10

10. **Reminds** the Commission to take *due* account of the vast differences in the labour market traditions and realities in the Member States (*deletion*); **stresses the lack of proper implementation and enforcement of existing EU legislation e.g. on the rights of posted workers or on information and consultation;**

Or. en

Amendment by José Albino Silva Peneda

Amendment 340

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that harmonisation of labour law at European Union level is ***not adequate***; stresses that the introduction of new regulations is not a panacea for the failure to implement existing provisions properly;

Or. en

Amendment by Elspeth Attwooll

Amendment 341

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that harmonisation of labour law at European Union level ***must concentrate on the development of minimum standards***; stresses that the introduction of new regulations is not a panacea for the failure to implement existing provisions properly;

Or. en

Amendment by Philip Bushill-Matthews

Amendment 342

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that ***full*** harmonisation of labour law at European Union level is neither ***practical*** nor ***appropriate, especially given the clear Member State competences in this area***; stresses that the introduction of new regulations is not a panacea for ***(deletion)*** failure to implement existing provisions properly;

Or. en

Amendment by Thomas Mann

Amendment 343

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that harmonisation of labour law at European Union level is neither possible nor necessary; ***therefore attaches particular importance to the observation that labour law should continue to be regulated solely at national level; refers, in this connection, in particular to Articles 127 and 137 of the EC Treaty, which unambiguously assign responsibilities for employment and social policy to the EU and the Member States in such a way that the competence of the Community is confined to supplementing and supporting Member States' policies;*** stresses that the introduction of new regulations is not a panacea for the failure to implement existing provisions properly;

Or. de

Amendment by Elizabeth Lynne

Amendment 344

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that harmonisation of labour law at European Union level is neither possible nor necessary; stresses that the introduction of new regulations is not a panacea for the failure to implement existing provisions properly; ***Appeals to the Member States to note the Recommendation of the International Labour Organisation that employment law should not interfere with genuine commercial relationships;***

Or. en

Amendment by Iles Braghetto

Amendment 345

Paragraph 10

10. Urges the Commission to take account of the vast differences in the labour market traditions and realities in the Member States, as well as their different levels of development, which mean that harmonisation of labour law at European Union level is neither possible nor necessary; stresses that the introduction of new regulations is not a panacea for the failure to implement existing provisions properly; ***recalls that***

correct implementation of European legislation at national level, through laws and contracts effectively encouraging the growth of employment and not hindering it with quantitative and qualitative obstacles, plays an extremely important role and that the development of flexible legislation justified with reference to actual requirements contributes to simplifying implementation at national level;

Or. it

Amendment by José Albino Silva Peneda

Amendment 346
Paragraph 10 a (new)

10a. Recalls that reform of the labour market remain primarily a competence of the Member States in accordance with the EU Treaties and that EU scope of intervention is submitted to the subsidiarity principle;

Or. en

Amendment by Csaba Öry

Amendment 347
Paragraph 10 a (new)

10a. Calls on the Commission to relaunch the debate on the innate relationship which exists between the Lisbon Strategy, the creation of the internal market in services, the increase in the current level of economic growth, the removal of barriers to mobility, the reform of the Member States' labour markets and the need for progressive approximation of national labour laws;

Or. fr

Amendment by Csaba Öry

Amendment 348
Paragraph 10 b (new)

10b. Believes that it is becoming increasingly hard in the current context to define precisely the boundary between labour law and commercial law, and that this definition is causing problems particularly in relation to the free movement of workers and capital and the process of creating a single market, which presupposes increased activity by economic actors in Member States other than the one in which they are registered;

Or. fr

Amendment by Csaba Óry

Amendment 349

Paragraph 11

11. ***Believes it is now essential to have a standard definition of the concepts of ‘worker’ and ‘self-employed person’ and that this represents an important precondition for better application of the posting of workers directive (deletion);***

Or. fr

Amendment by Elspeth Attwooll

Amendment 350

Paragraph 11

11. Considers that ***although*** the rights of cross border workers ***have become increasingly*** protected under the ***current*** legislation, ***believes that further efforts need to be made, in this context, to improve the definitions*** of a worker and self-employed person under Community law ***(deletion)***;

Or. en

Amendment by José Albino Silva Peneda

Amendment 351

Paragraph 11

11. Considers that the rights of cross border workers are adequately protected under the legislation, but that the aim of adopting a single definition of a worker and a self-employed person under Community law ***seems inevitable despite*** of the very different social and economic realities and traditions in the individual Member States;

Or. en

Amendment by Ole Christensen, Stephen Hughes, all Member of PES Group

Amendment 352

Paragraph 11

11. Considers that *(deletion)* the aim of adopting a single definition of a worker and a self-employed person under Community law is **complex** because of the very different social and economic realities and traditions in the individual Member States, **but on the other hand convergence is necessary to promote coherence and more effectiveness in the implementation of the Community acquis, especially as regards the concept of 'employee' and 'self-employed worker'**; **calls therefore on the Commission to promote such convergence by developing clear guidelines with regard to the concept of employee and self employed worker, but that this convergence should respect the rights of the Member States to determine the existence of an employment relationship;**

Or. en

Amendment by Elizabeth Lynne

Amendment 353

Paragraph 11

11. Considers that the rights of cross-border workers **could be adequately protected under the relevant legislation if it were effectively implemented**, but that **any suggestion** of adopting a single definition of a worker and a self employed person under Community law is unrealistic because of the very different social and economic realities and traditions in the individual Member States **and would not help to promote coherence or more effective implementation of Community legislation.**

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 354

Paragraph 11

11. Considers that the rights of cross-border workers **must be more** adequately protected under the legislation, **and** that the aim of creating **more convergence between Member States'** definitions of a worker and a self-employed person **should be more thoroughly pursued in order to improve transparency and legal certainty, especially with a view to better combat bogus self-employment;**

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 355

Paragraph 11

11. Considers that *the adoption* a single definition of a worker and a self-employed person under Community law is *not possible* because of the very different social and economic realities and traditions in the individual Member States, *but considers that convergence is needed to promote coherence and effectiveness in the implementation of the Community acquis, as regards the concept of employee and self-employed worker*

Or. en

Amendment by Elisabeth Schroedter

Amendment 356

Paragraph 11

11. Considers that *(deletion)* the aim of adopting a single definition of a worker and a self-employed person under Community law is *complex* because of the very different social and economic realities and traditions in the individual Member States, *but on the other hand might be necessary in the long run to provide for a level playing field of all actors on the Labour market; strongly restates Parliaments position that any definition of a worker should be based on the de facto situation at the place and time of work;*

Or. en

Amendment by Iles Braghetto

Amendment 357

Paragraph 11

11. Considers that the rights of cross-border workers are adequately protected under the legislation. *Considers* that the aim of adopting a single definition of a worker and a self-employed person under Community law is *premature* because of the very different social and economic realities and traditions in the individual Member States. *At the same time, there needs to be an initiative aimed at raising the level of convergence necessary to guarantee that the implementation of the Community acquis is coherent and more efficient, with particular reference to the concept of employees and self-employed persons;*

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 358

Paragraph 11

11. Considers that the rights of cross-border workers are adequately protected under the legislation. **Considers** that the aim of adopting a single definition of a worker and a self-employed person under Community law is **premature** because of the very different social and economic realities and traditions in the individual Member States. ***At the same time, there needs to be an initiative aimed at raising the level of convergence necessary to guarantee that the implementation of the Community acquis is coherent and more efficient, with particular reference to the concept of employees and self-employed persons;***

Or. it

Amendment by Thomas Mann

Amendment 359

Paragraph 11

11. Considers that the rights of cross-border workers are adequately protected under the legislation, but that the aim of adopting a single definition of a worker and a self-employed person under Community law is unrealistic, ***unnecessary and counterproductive*** because of the very different social and economic realities and traditions in the individual Member States;

Or. de

Amendment by Thomas Mann

Amendment 360

Paragraph 11 a (new)

- 11a. Takes the view that economically dependent self-employed people are genuine self-employed people, not only formally but in all respects, and that they should not be assigned either to a third category intermediate between self-employed persons and employees or classified as employees, and acknowledges therefore that, as a rule, business starters and micro-entrepreneurs are economically dependent, as they initially participate in the economy with one principal and without any employees of their own; stresses that even dependent self-employment should be regarded as an opportunity, particularly as micro-entrepreneurs are currently creating the majority of jobs in the EU and making it possible for older people, the long-term unemployed, migrants and single parents to find employment, either for the first time or as returnees to the labour market;***

Amendment by Anja Weisgerber

Amendment 361
Paragraph 11 a (new)

11a. Draws attention to the positive development in the field of temporary work, which imparts greater flexibility to the labour market and makes it easier for the unemployed to find work; considers that the principle of equal treatment should apply to temporary work; considers that the regulation of multi-party employment relationships, such as temporary work and subcontracting, is a matter for which Member States are responsible, which also applies to the definition of the employment status of temporary workers; in this connection, calls for businesses, particularly SMEs, to be spared additional bureaucratic and administrative burdens;

Or. de

Amendment by Elisabeth Schroedter

Amendment 362
Paragraph 11 a (new)

11a. Notes that the Court of Justice has, on several occasions, formulated detailed criteria that enable a distinction to be drawn between "workers" and "self-employed persons"; considers that, taking account of the Member States' competence for determining status with regard to employment law, the Commission should ensure that a distinction be drawn in compliance with the guidelines laid down by the Court of Justice;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 363
Paragraph 11 b (new)

11b. Calls on the Commission to ensure that a distinction be drawn in compliance with the guidelines laid down by the Court of Justice; calls on the Commission to initiate negotiations with the Member States as a matter of urgency, with the aim of establishing transparent and consistent criteria for determining the status of "workers" and "self-employed persons" in employment law;

Amendment by Elisabeth Schroedter

Amendment 364
Paragraph 11 b (new)

11b. *Calls on the Commission to ensure that a distinction be drawn in compliance with the guidelines laid down by the Court of Justice; calls on the Commission to initiate negotiations with the Member States as a matter of urgency, with the aim of establishing transparent and consistent criteria for determining the status of "workers" and "self-employed persons" in employment law;*

Or. en

Amendment by Csaba Óry

Amendment 365
Paragraph 11 a (new)

11a. *Recommends to Member States to further integrate into their legislation the aspects of the freedom of self-employed workers to carry out complementary activities, to decide about their replacement, and to manage their working time when defining mandatory legal presumption rules with regards to the distinction between employment contracts and service provision contracts;*

Or. en

Amendment by Csaba Óry

Amendment 366
Paragraph 11 a (new)

11a. *Recommends to Member States to develop a set of essential rights, with particular regard to the right to freedom of association and to the right to collective bargaining, ensured to all working people regardless of their employment relationship, in order to achieve a better, more efficient and in no way discriminative protection of all citizens exercising professional activities;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 367

Paragraph 11 a (new)

11a. Considers that the Community concept of "worker" must be defined broadly and in accordance with objective criteria which distinguish the employment relationship by reference to the rights and duties of persons concerned. The essential feature of an employment relationship, however, is that for a certain period of time a person performs services for and under the direction of another person in return for which he receives remuneration;

Or. en

Amendment by José Albino Silva Peneda

Amendment 368

Paragraph 11 a (new)

11a. Highlights that the Green Paper does not sufficiently consider the self-employment, underpinning the key role of the entrepreneurship spirit and the direct impact in the creation of new jobs; considers in this context that self-employment should not be disadvantaged by labour law reforms;

Or. en

Amendment by Csaba Óry

Amendment 369

Paragraph 11 a (new)

11a. Considers that views according to which commercial contractual relations would represent a threat to labour law, and the growing role of self-employment would be a direct consequence of the wish to circumvent labour law are not justified;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 370

Paragraph 11 a (new)

11a. Calls on the Commission to promote the implementation without delay by the Member States of the 2006 ILO Recommendation on the scope of the employment

relationship;

Or. en

Amendment by Philip Bushill-Matthews

Amendment 371
Paragraph 11 a (new)

11a. Appeals to the Member States to note the Recommendation of the International Labour Organisation that employment law should not interfere with genuine commercial relationships;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 372
Paragraph 12

deleted

Or. en

Amendment by Elisabeth Schroedter

Amendment 373
Paragraph 12

deleted

Or. en

Amendment by José Albino Silva Peneda

Amendment 374
Paragraph 12

12. Recognizes that the open method of coordination is an useful instrument for emulating active labour policies by taking the full profit of exchanging best practice so as to respond to joint challenges in a flexible and transparent manner (deletion);

Or. en

Amendment by Gabriele Stauner

Amendment 375

Paragraph 12

12. Urges that the open method of coordination be used in the sphere of employment policy and social policy as a useful instrument for exchanging best practice so as to respond to joint challenges in a flexible and transparent manner and taking into account the diverse conditions which are of crucial importance for labour markets in individual Member States, ***although it is essential to respect the powers of the Member States and the principles of subsidiarity and proportionality in this context;***

Or. de

Amendment by Elisabeth Schroedter

Amendment 376

Paragraph 13

deleted

Or. en

Amendment by Ana Mato Adrover

Amendment 377

Paragraph 13

13. Calls on the Commission to continue collecting and analysing information on national labour markets so as to ensure that exchanges of good practice in connection with the employment policies pursued in individual Member States are based on reliable data, ***particularly homogeneous and comparable statistics;***

Or. es

Amendment by Csaba Óry

Amendment 378

Paragraph 14

deleted

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 379

Paragraph 14

14. ***Calls on the Member States to strengthen and update social protection systems for those entering the job market;***

Or. el

Amendment by Iles Braghetto

Amendment 380

Paragraph 14

14. ***Calls on the Member States to take all steps necessary to facilitate professional transitions, including through possible revisions of social security systems, strengthening a network of protection on the labour market that combines income support, active employment policies and lifelong learning; In this regard, good use must also be made of mutual aid and the joint responsibility of the social partners must be promoted as regards allocation of resources;***

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 381

Paragraph 14

14. ***Calls on the Member States to take all steps necessary to facilitate professional transitions, including through possible revisions of social security systems, strengthening a network of protection on the labour market that combines income support, active employment policies and lifelong learning; In this regard, good use must also be made of mutual aid and the joint responsibility of the social partners must be promoted as regards allocation of resources;***

Or. it

Amendment by Elisabeth Schroedter

Amendment 382

Paragraph 14

14. Calls on the Member States to review, ***adapt and strengthen*** social security systems ***to new work biographies and to complement active labour market policies***, particularly ***training and life long learning with a view to supporting and facilitating employment transitions***;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 383

Paragraph 14

14. Calls on the Member States to ***improve*** social security systems, particularly those granting unemployment benefits, considers that ***social protection schemes and labour law should be made more supportive as regards labour market transitions (e.g. from education and training towards employment, from part time to full time employment or vice versa, from fixed term to indefinite employment, from employment towards retirement etc.)***; ***considers that this should also apply to securing temporary career breaks linked to care for dependents, to further education and training or to improving job rotation schemes etc. and complemented by collective bargaining***; ***considers that such measures must be based on an approach of introducing new and enhancing existing rights of employees and of unemployed persons***;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 384

Paragraph 14

14. Calls on the Member States to review social security systems ***to complement active labour market policies***, particularly ***training and life long learning with a view to supporting employment transitions***;

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 385

Paragraph 14

14. Calls on the Member States to review social security systems, ***by complementing active labour market policies, in particular by facilitating and stimulating training and life long learning to support employment transitions;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 386

Paragraph 14

14. ***Recommends*** on the Member States to review ***and implement modern and ambitious reforms on their*** social security systems, ***namely by introducing an “employment friendly approach” which offers sufficient opportunities*** and incentives for employment, ***linked to the conditionality of benefits, to re-enter into labour markets, preventing as such long-term welfare dependence and working in the informal sector;*** considers that reducing periods spent without work is the most effective way of combating unemployment and therefore calls on the Member States to cut the average duration of job search in Europe;

Or. en

Amendment by Ana Mato Adrover

Amendment 387

Paragraph 14

14. Calls on the Member States to review social security systems, particularly those granting unemployment benefit, with a view to providing incentives for employment; ***(delete)*** that reducing periods spent without work is the most effective way of combating unemployment and therefore calls on the Member States to cut the average duration of job search in Europe;

Or. es

Amendment by Kyriacos Triantaphyllides

Amendment 388

Paragraph 14

14. Calls on the Member States to review social security systems, particularly those granting unemployment benefit, with a view to providing incentives for employment, ***but also practical support for the unemployed***; considers that reducing periods spent without work is the most effective way of combating unemployment and therefore calls on the Member States to cut the average duration of job search in Europe;

Or. el

Amendment by Elizabeth Lynne

Amendment 389

Paragraph 14

14. Calls on the Member States to review social security systems, particularly those granting unemployment benefit, with a view to providing incentives for employment, ***whilst securing a decent minimum income***; considers that reducing periods spent without work is ***one of the*** most effective ways of combating unemployment and therefore calls on the Member States to ***help*** cut the average duration of job search in Europe ***through the provision of personalised, targeted help and support to help people build confidence and learn new skills***;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 390

Paragraph 14 a (new)

- 14a. Notes that labour law and collective labour agreements aim to provide security for workers and reduce fragmentation of the labour market; in this context, considers that improving flexibility as well as security in employment and reducing fragmentation in the job market can be achieved, in line with the Integrated Guidelines for Growth and Jobs 2005-2008, through adjustments to labour law, so that all workers in every type of work will enjoy the same rights (on social security and working conditions ;***

Or. el

Amendment by Thomas Mann

Amendment 391

Paragraph 14 a (new)

14a. Stresses that regular employment is essential, because it gives employees security, is the foundation of social security systems and lastingly improves competitiveness; stresses that new forms of employment particularly facilitate a return to the labour market, make it possible to reconcile work with family obligations, and are essential to employers as a flexible response to economic conditions and the challenges of globalisation; considers it necessary, therefore, for modern labour law to combine greater flexibility with security to bring about flexicurity, which entails conditions conducive to employment, adequate protection in the event of unemployment and active support in finding a new job;

Or. de

Amendment by Thomas Mann

Amendment 392

Paragraph 14 a (new)

14a. Strongly condemns the abusive replacement of regular employment with new forms of employment without any imperative economic necessity, which is commonly resorted to in European media undertakings in particular, with the aim of maximising short-term profits to a far greater than normal extent, at the expense of the general public, employees and competitors; stresses that such action violates the European social model, as it lastingly destroys the consensus, fairness and trust between employers and employees; urges Member States and the two sides of industry to take action in this regard in order to halt irresponsible abuses;

Or. de

Amendment by José Albino Silva Peneda

Amendment 393

Paragraph 14 a (new)

14a. Calls on the Member States to reform social security systems in order to address new circumstances of modern societies, helping workers to better combine private and professional life;

Or. en

Amendment by Gunnar Hökmark

Amendment 394

Paragraph 14 a (new)

14a. *Calls for reforms that make it more important to stay on the labour market, reducing the risks of poverty-traps and segregation;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 395

Paragraph 14 a (new)

14a. *Stresses that there are various models of flexicurity in Europe, combining to different degrees internal flexibility and security within enterprises, and external flexibility and security in accordance with the Member States' historical pasts, legal traditions, economic situations, public finances and industrial relations systems, believes, however, that the definition of flexicurity in the Commission's Green Paper is too narrow;*

Or. en

Amendment by Elisabeth Schroedter

Amendment 396

Paragraph 14 a (new)

14a. *Stresses that there are various models of flexicurity in Europe, combining to different degrees internal flexibility and security within enterprises, and external flexibility and security in accordance with the Member States' historical pasts, legal traditions, economic situations, public finances and industrial relations systems, criticizes strongly, however, that the definition of flexicurity in the Commission's Green Paper is both harmful and inadequate;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 397

Paragraph 14 a (new)

14a. *Believes that despite various models of flexicurity, a general definition of flexicurity*

should be based on combining firms and workers adaptation ability with a high level of social protection, social security and unemployment benefits, health and safety protection; and that flexicurity combines flexibility and security; active labour market policies; training and lifelong learning opportunities, broad welfare provisions and access to services such as universal childcare, and recurrent and effective collective bargaining taking place in a tri-partite structure with strong and representative social partners;

Or. en

Amendment by José Albino Silva Peneda

Amendment 398
Paragraph 14 a (new)

14a. *Calls on Member States to review the financing of social security systems, in order to substitute the salaries, at least in part, as source of taxation;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 399
Paragraph 14 a (new)

14a. *Believes that older workers should be able to remain in the workforce on a voluntary and flexible basis, supported by appropriate training and healthcare at work; highlights the urgent need for positive action to encourage older workers re-enter the labour market, and the need for more flexibility in the choice of pension and retirement schemes;*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 400
Paragraph 14 a (new)

14a. *Believers that older workers should be able to remain in the workforce, supported by appropriate training and healthcare at work; highlights the urgent need for positive action to encourage older workers re-enter the labour market, and need for more flexibility in the choice of pension and retirement schemes;*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 401
Paragraph 14 a (new)

14a. Reminds that in order to take full advantage of social capital in a changing Europe, employment policies should take into account of the needs of families, households and children,

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 402
Paragraph 14 a (new)

14a. Recalls that in family friendly employment policies, issues of flexitime and flexicurity should be integrated with those of equal opportunity ,good quality and affordable childcare and care of the elderly; recommends that child care policies do not only respond to the need for reconciliation between family and paid work demands but should also represent an investment in the future generations of European citizens;

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 403
Paragraph 14 a (new)

14a. Reminds that flexicurity is defined as combining flexibility and security in the job market in a way that helps increase both productivity and the quality of jobs, by guaranteeing security and a family-work balanced life for individual workers, while at the same time allowing firms the flexibility needed to continue creating jobs;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 404

Paragraph 14 a (new)

14a. Considers that reducing levels and provisions of social protection as currently is the case with many types of atypical employment contracts risks to burden Member States with unbearable additional costs; therefore these additional costs should be avoided by keeping them within the level playing of employer liability;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 405

Paragraph 14 a (new)

14a. Considers that Member States should take adequate measures to phase out precarious and atypical employment; considers that one instrument could be to establish a system of progressively rising social security contributions, according to the principle ‘the lower the employment status (short period, weak perspectives, high risks), the higher contributions to social security’; considers that progressive contributions could motivate employers e.g. to issue a permanent contract rather than to prolong a temporary one and thus stimulate them to hire employees more favourably;

Or. en

Amendment by José Albino Silva Peneda

Amendment 406

Paragraph 15

15. Calls on the Commission and Member States to recognise that the law has an immense influence on the behaviour of enterprises, and that their confidence in stable, clear and sound provisions is a key element within the taking decisions *process and calls therefore on the Member States to implement and enforce properly all the existing EU legislation affecting labour markets;*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 407

Paragraph 15

15. Calls on the Commission and Member States to recognise that the law has an immense influence on the behaviour of enterprises, and that their confidence in stable, clear and sound provisions is a key element when taking decisions to create more jobs; ***points out therefore that each enterprise has the right to be flexible with regard to recruitment in accordance with its production needs and the general state of the economy;***

Or. el

Amendment by Csaba Öry

Amendment 408

Paragraph 15

15. Calls on the Commission and Member States to recognise that the law, ***particularly relating to employment security, reflects European values and is not an obstacle to enterprises*** when taking decisions ***on whether or not*** to create jobs;

Or. fr

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 409

Paragraph 15

15. Calls on the Commission and Member States to recognise that the law has an immense influence on the behaviour of enterprises, and that their confidence in stable, clear and sound provisions is a key element when taking decisions to create more ***and better*** jobs;

Or. en

Amendment by Roberto Musacchio, Gabriele Zimmer,

Amendment 410

Paragraph 15 a (new)

- 15a. Stresses that labour law has played an essential role by providing legal certainty for the most vulnerable sectors of society, often further strengthened by collective***

bargaining according to different traditions in the Member States; thus both labour law as generated by the state and collective labour law as a result of strong collective bargaining contribute to consolidate a more equal power balance between workers and employers;

Or. en

Amendment by Gabriele Stauner

Amendment 411
Paragraph 16

deleted

Or. de

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 412
Paragraph 16

deleted

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 413
Paragraph 16

deleted

Or. it

Amendment by Ria Oomen-Ruijten

Amendment 414
Paragraph 16

deleted

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 415
Paragraph 16

deleted

Or. en

Amendment by José Albino Silva Peneda

Amendment 416
Paragraph 16

deleted

Or. en

Amendment by Elizabeth Lynne

Amendment 417
Paragraph 16

16. Calls on the Commission to consider introducing into EU legislative practice an automatic mechanism for systematically reviewing the impact of Community laws on job creation within the EU ***as well as comprehensive impact assessments on all new proposed legislation as well as sunset clauses in all legislation passed;***

Or. en

Amendment by José Albino Silva Peneda

Amendment 418
Paragraph 16 a (new)

- 16a. Is of the opinion that the developing of blacked market is related with the massive burdening with taxation and social security contributions and therefore suggests that informal work can be regularized by offering flexible contracts, lower payroll taxes and skills perspectives;***

Or. en

Amendment by Elisabeth Schroedter

Amendment 419
Paragraph 16 a (new)

16a. *Calls on the Member States and the Commission to strengthen rights for parental leave and childcare provisions at both national and European level for both men and women;*

Or. en

Amendment by Iles Braghetto

Amendment 420
Paragraph 16 a (new)

16a. *Welcomes the approach taken to undeclared work and the underground economy which – although present to a varying extent in the different Member States – damage the productive system, are detrimental to consumers, reduce tax revenues and lead to unfair competition between firms;*

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 421
Paragraph 16 a (new)

16a. *Welcomes the approach taken to undeclared work and the underground economy which – although present to a varying extent in the different Member States – damage the productive system, are detrimental to consumers, reduce tax revenues and lead to unfair competition between firms;*

Or. it

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 422
Paragraph 16 a (new)

16a. *Welcomes the strategy outlined to fight against undeclared work and the underground economy, which - although present to a varying extent in the different*

Member States - damages the economy, are detrimental to consumers, reduces tax revenues and leads to unfair competition between firms; shares the Commission's approach to combat undeclared work through a strong coordination between government enforcement agencies, labour inspectorates and/or trade unions, social security administrations and tax authorities and calls on the Member States to use innovative methods based on indicators and benchmarks specific to the different business sectors in order to fight against fiscal erosion;

Or. en

Amendment by Gabriele Stauner

Amendment 423
Paragraph 17

deleted

Or. de

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 424
Paragraph 17

17. Calls on the Commission to launch an information campaign *directed at employers and workers* aimed at drawing attention to the *applicable EU minimum rules and regulations such as the Posted of Workers Directive and* adverse effects clandestine work can have on national social security systems, public finances, *fair competition, economic performance* and on workers themselves;

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 425
Paragraph 17 a (new)

- 17a. *Enhances the importance of social dialogue to contribute for a comprehensive and necessary support of labour markets reforms;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 426

Paragraph 17 a (new)

17a. Enhances the paramount importance of social dialogue, enshrined in the tradition of Member States, to contribute for a comprehensive and necessary support of labour markets reforms;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 427

Paragraph 17 a (new)

17a. Calls on the Commission to increase its efforts to monitor and enforce compliance with the Posted Workers Directive and its implementation in the Member States to fulfil the spirit of the Directive; and in consultation with the Social Partners to come forward with proposals to strengthen and improve the existing Directive and secure improved administrative co-operation and co-ordination between the Member States to ensure respect for the rights of workers;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 428

Paragraph 17 a (new)

17a. Calls on the Commission to review and modernise European legislation on information and consultation of workers and in particular to propose a revised European Works Council (EWC) Directive, adopted in 1994 and the revision of which is long overdue;

Or. en

Amendment by Philip Bushill-Matthews

Amendment 429

Paragraph 17 a (new)

17a. Calls for special attention to be directed to young workers who are most engaged in temporary work to ensure that their lack of experience on the job does not lead to

work-related accidents; encourages Member States to exchange good practice in this regard and calls on temporary employment agencies to raise awareness among employers and the young workers themselves;

Or. en

Amendment by Ona Juknevičienė

Amendment 430

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area . *(deletion)*

Or. en

Amendment by Csaba Óry

Amendment 431

Paragraph 18

18. Highlights the role of the social partners in informing *(deletion)* workers and employers *about* their rights and obligations in an employment relationship and *about (deletion)* existing law in this area *(deletion)*;

Or. fr

Amendment by Ole Christensen, Stephen Hughes and all members of the PSE group

Amendment 432

Paragraph 18

18. Highlights the role of the social partners in informing and *training* workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to *promote* technical support for the development of strong employers' associations *and trade union organisations.*

Or. en

Amendment by Ria Oomen-Ruijten

Amendment 433

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for *social partners and to encourage them to cooperate for the benefit of the labour organisation*;

Or. en

Amendment by Ana Mato Adrover

Amendment 434

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the *social agents* and *invite* them to cooperate with their counterparts in other EU countries in order to *encourage sharing of knowledge and experience*;

Or. es

Amendment by José Albino Silva Peneda

Amendment 435

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of *social partners* associations and encourage them to cooperate with their counterparts in other EU countries in order to highlight the benefits of employers meeting their obligations to their workers;

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia, Jan Jerzy Kułakowski

Amendment 436

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong employers' associations **and trade unions** and encourage them to cooperate with their counterparts in other EU countries in order to highlight the benefits of employers meeting their obligations to their workers;

Or. it

Amendment by Iles Braghetto

Amendment 437

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong employers' associations **and trade unions** and encourage them to cooperate with their counterparts in other EU countries in order to highlight the benefits of employers meeting their obligations to their workers;

Or. it

Amendment by Gabriele Stauner

Amendment 438

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong **and autonomous social partners** and encourage them to cooperate with their counterparts in other EU countries (*deletion*);

Or. de

Amendment by Elizabeth Lynne

Amendment 439

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong employers' associations **and trade union organisations**; **Observes that the current Social Dialogue structure fails to include many of the flexible workers discussed in the Green Paper, who are neither employers nor employees, and who must be consulted in addition to any discussions between the Social Partners**;

Or. en

Amendment by Thomas Mann

Amendment 440

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong **employees' and employers' associations** and encourage them to cooperate with their counterparts in other EU countries in order to highlight the benefits of employers meeting their obligations to their workers;

Or. de

Amendment by Roberto Musacchio, Gabriele Zimmer

Amendment 441

Paragraph 18

18. Highlights the role of the social partners in informing and educating workers and employers on their rights and obligations in an employment relationship and on the enforcement of existing law in this area and therefore calls on the Commission to provide technical support for the development of strong **trade unions and employers' associations** and encourage them to cooperate with their counterparts in other EU countries in order **to improve working conditions, the coverage of collective agreements, social security and social cohesion within the EU**;

Or. en

Amendment by Csaba Öry

Amendment 442
Paragraph 18 a (new)

18a. *Considers it necessary to strengthen the institutional framework of the social dialogue in the Member States in order to begin a genuine debate with the social partners with a view to approximating the provisions of national labour law;*

Or. fr

Amendment by José Albino Silva Peneda

Amendment 443
Paragraph 18 a (new)

18a. *Highlights the valuable role played by the social partners which already achieved some success in reforming labour markets, namely through the conclusion of agreements on parental leave, part time work and fixed-term contracts, as well as telework and lifelong learning;*

Or. en

Amendment by José Albino Silva Peneda

Amendment 444
Paragraph 18 a (new)

18a. *Recalls the responsibilities of social partners in analysing labour markets situation and drafting a large variety of instruments such as recommendations, guidelines, guides of best practices enabling Member States to take full profit of successful reforms applied within the EU;*

Or. en

Amendment by Csaba Öry

Amendment 445
Paragraph 18 a (new)

18a. *Believes that the Member States must demonstrate a spirit of openness in the dialogue with the social partners on the subject of modernising labour law and*

adapting it to the challenges of the 21st century, take account of the social partners' arguments and respond to their concerns;

Or. fr

Amendment by Ana Mato Adrover

Amendment 446
Paragraph 19

19. Points to the positive role that corporate collective bargaining can play in increasing the productivity of firms, thereby encouraging growth in employment *(delete)*;

Or. es

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 447
Paragraph 19

19. Points to the positive role that *(deletion)* collective bargaining *at national, sectoral and company level* can play in increasing the productivity of firms *and improving working conditions and employment security*, thereby encouraging growth in employment, and points to the possibility of changing the law so as to strengthen the role *and coverage* of *collective bargaining*;

Or. en

Amendment by Ole Christensen, Stephen Hughes and all other Members of the PES Group

Amendment 448
Paragraph 19

19. Points to the positive role that *(deletion)* collective bargaining *at national, sectoral and company level* can play in increasing the productivity of firms, thereby encouraging growth in employment, and points to the possibility of changing the law so as to strengthen the role of *collective bargaining*;

Or. en

Amendment by Elizabeth Lynne

Amendment 449

Paragraph 19

19. Points to the positive role that *(deletion)* collective bargaining can play, *where this is a Member State tradition*, in increasing the productivity of firms, thereby encouraging growth in employment;

Or. en

Amendment by Anja Weisgerber

Amendment 450

Paragraph 19

19. Points to the positive role that *(deletion)* collective bargaining can play in increasing the productivity of firms, thereby encouraging growth in employment, and points to the *importance of freedom of negotiation for parties to collective agreements, facilitating differentiated, individual arrangements close to the individual business*;

Or. de

Amendment by Iles Braghetto

Amendment 451

Paragraph 19

19. Points to the positive role that corporate collective bargaining can play in increasing the productivity of firms, thereby encouraging growth in employment, and points to the possibility of changing the law so as to strengthen the role of such agreements at company level; *considers that the law and collective contracts, in their respective areas of competence, have a fundamental role in implementing the specific and appropriate instruments that flexicurity policies require*;

Or. it

Amendment by Thomas Mann

Amendment 452

Paragraph 19

19. Points to the *fact that different models of relations between the two sides of industry exist, in accordance with traditions in the various EU Member States*; *stresses the*

positive role that **(deletion)** collective bargaining **at a level close to the business** can play in increasing the productivity of firms **in some Member States**, thereby encouraging growth in employment, and points to the possibility of changing **arrangements** so as to **open up** such **bargaining for solutions close to the business which benefit employees and employers**;

Or. de

Amendment by Luigi Cocilovo, Patrizia and Jan Jerzy Kułakowski

Amendment 453

Paragraph 19

9. Points to the positive role that corporate collective bargaining can play in increasing the productivity of firms, thereby encouraging growth in employment, and points to the possibility of changing the law so as to strengthen the role of such agreements at company **and production sector** level;

Or. it

Amendment by Gabriele Stauner

Amendment 454

Paragraph 19

19. Points to the positive role that **(deletion)** collective bargaining can play in increasing the productivity of firms, thereby encouraging growth in employment, and points to the possibility of changing the law so as to strengthen the role of such agreements **(deletion)**;

Or. de

Amendment by José Albino Silva Peneda

Amendment 455

Paragraph 19a (new)

- 19a. **Recalls the importance of collective bargaining acting as a “regulatory driving force” with employment relationships, work organization, as well as its role as democratic and participatory process for modernisation and change of labour markets**;

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 456
Paragraph 20

deleted

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of the PES Group

Amendment 457
Paragraph 20

20. Calls on the Commission to cooperate constantly with the social partners ***and relevant and representative civil society organisations, and recommends their consultation on any initiatives falling in the social policy field, including any future initiatives regarding modernisation of labour law;***

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 458
Paragraph 20

20. Calls on the Commission ***and the Member States*** under the programme to improve law-making to cooperate constantly with the social partners, ***with a view to simplifying administrative procedures, bureaucracy and administrative obstacles facing small and medium-sized undertakings in particular, making their financial situation easier and providing tax incentives, to increase their competitiveness;***

Or. el

Amendment by Elizabeth Lynne

Amendment 459
Paragraph 20

20. Calls on the Commission to cooperate constantly with the social partners, particularly under the programme to improve law-making and reduce administrative burdens on businesses, especially small and medium-sized undertakings and new firms, which

play a key role in creating new jobs; *and where appropriate other relevant, representative civil society bodies on any legislation in the labour law or social policy fields; believes that the Commission's list of social partners does not accurately represent the organisations affected by legislation; in particular SME's are currently under represented in the consultation process as too are workers who do not belong to a trade union;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 460
Paragraph 20 b (new)

20b *Calls on the Commission to promote the introduction by the Member States of a statutory presumption of an employment relationship for all people working for someone on a regular basis. In the event of a legal dispute, the burden of proof should, therefore, be on the presumed employer to show that an individual is not a worker entitled to protection;*

Or. en

Amendment by Csaba Öry

Amendment 461
Paragraph 20 a (new)

20. *Calls on the Council to set the basis for a European strategy concerning the challenges of the growing importance of atypical employment, and the threat of bipolarisation of European labour markets characterized by an increasing gap between the adequate level of social protection offered to workers disposing of traditional employment contracts and the insufficient level of social protection offered to workers under the constraint to work in atypical employment;*

Or. en

Amendment by Philip Bushill-Matthews

Amendment 462
Paragraph 20 a (new)

20a. *Notes the continuing impasse on the revision of the Working Time Directive: considers that fresh thinking is now needed;*

Or. en

Amendment by Elisabeth Schroedter

Amendment 463

Paragraph 20 a (new)

20. ***Points to the fact that the Working Time Directive is an essential instrument in the field of health and safety legislation concerning working conditions of all workers across Europe; reminds the Commission that the European Parliament has already adopted a position on the review of the Working Time Directive and calls on the Council to reach an agreement that respects the Parliament's position;***

Or. en

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kulakowski

Amendment 464

Paragraph 20 b (new)

- 20b. ***Reminds the Commission that the European Parliament has already adopted a position on the revision of the Working Time Directive, and calls on the Council to reach an agreement that respects Parliament's position;***

Or. it

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 465

Paragraph 20 e (new)

- 20e. ***Reminds the Commission that the European Parliament has already adopted a position on the review of the Working Time Directive and calls on the Council to reach an agreement that respects the Parliament's position;***

Or. en

Amendment by Iles Braghetto

Amendment 466

Paragraph 20 b (new)

20b. Reminds the Commission that the European Parliament has already adopted a position on the revision of the Working Time Directive, and calls on the Council to reach an agreement that respects Parliament's position;

Or. it

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 467

Paragraph 20 d (new)

20d. Calls on the member states and Commission to ensure that the draft directive on Temporary Agency work is adopted without further delay, guaranteeing equal treatment for temporary agency workers with comparable workers in the user enterprise; and, encourages the development and improvement of national rules, whether by law and/or collective agreement, guaranteeing worker protection and access to worker information and consultation bodies for temporary agency workers;

Or. en

Amendment by Iles Braghetto

Amendment 468

Paragraph 20 a (new)

20a. Calls on the Member States and the Commission to ensure that the draft directive on temporary work is adopted without further delay and respecting Parliament's position;

Or. it

Amendment by Luigi Cocilovo, Patrizia Toia and Jan Jerzy Kułakowski

Amendment 469

Paragraph 20 a (new)

20a. Calls on the Member States and the Commission to ensure that the draft directive on temporary work is adopted without further delay and respecting Parliament's

position;

Or. it

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 470
Paragraph 20 a (new)

20a. *Calls on the Commission to regulate joint and several liability for general or principal undertakings, in order to deal with abuses in the subcontracting and outsourcing of workers and to set up a transparent and competitive market for all companies on the basis of a level playing field regarding respect for labour standards and working conditions, in particular calls on the Commission and the Member States to clearly establish at European level who is responsible for compliance with labour law and for paying the associated wages, social security contributions and taxes in a chain of subcontractors;*

Or. en

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 471
Paragraph 20 a (new)

20a. *Calls on the Commission to regulate joint and several liability for general and principal undertakings in order to prevent abuses in the subcontracting and outsourcing of cross-border workers and concerning the involvement of agency work, thus creating a level playing field for all companies which ensures respect for and enforcement of legislation and collective agreements on labour standards, working conditions and social protection;*

Or. en

Amendment by Ole Christensen, Stephen Hughes and all Members of PES Group

Amendment 472
Paragraph 20 c (new)

20c. *Calls on the Commission to facilitate the establishment of a dispute settlement system, to enable the European agreements between social partners to develop into an effective and flexible tool that can foster a more effective regulatory approach at European level*

Amendment by Csaba Óry

Amendment 473

Paragraph 20 b (new)

20b. *Expresses its concern over the acceleration of outsourcing, which is growing ever bigger, and in many cases is accompanied by a lowering of the level of social protection for employees, who are often forced to accept less advantageous work contracts (non-standard contracts and fixed-term contracts) and poor-quality, poorly-paid jobs;*

Or. fr

Amendment by Csaba Óry

Amendment 474

Paragraph 20 c (new)

20c. *Expresses its deep conviction that creating insecure, poorly-paid jobs is not an appropriate response to the relocation trend affecting more and more sectors; considers, on the contrary, that it is investment in research, development, training and life-long learning which will be able to boost those sectors which are currently suffering from a lack of competitiveness;*

Or. fr

Amendment by Csaba Óry

Amendment 475

Paragraph 20 d (new)

20d. *Calls on the Council and the Commission to draw up a European strategy in response to the diversification of forms of employment in the Member States, the increase in insecure work and the growing pressures from enterprises, in the name of flexicurity, on national laws to achieve a significant reduction in the level of protection currently guaranteed to employees in the context of standard employment contracts;*

Or. fr

Amendment by Thomas Mann

Amendment 476
Paragraph 21

deleted

Or. de

Amendment by Gabriele Stauner

Amendment 477
Paragraph 21

deleted

Or. de

Amendment by Roberto Musacchio and Gabriele Zimmer

Amendment 478
Paragraph 21

21. Calls on the Member States to reduce the *discriminating* restrictions on access to their labour markets and thus improve worker mobility within the EU;*(deletion)*

Or. en

Amendment by Ona Juknevičienė

Amendment 479
Paragraph 21

21. Calls on the Member States to *remove* the restrictions on access to their labour markets and thus improve worker mobility within the EU, thereby enabling *growth and job creation and* the goals of the Lisbon Strategy to be achieved more swiftly;

Or. en

Amendment by Ana Mato Adrover

Amendment 480

Paragraph 21

21. Calls on the Member States to ***create a favourable atmosphere for*** worker mobility within the EU, thereby enabling the goals of the Lisbon Strategy to be achieved more swiftly;

Or. es

Amendment by Elizabeth Lynne

Amendment 481

Paragraph 21

21. Calls on the Member States to reduce ***any*** restrictions on access to their labour markets ***in line with the fundamental principle of Article 3 of the EC Treaty*** and thus improve worker mobility within the EU, thereby enabling the goals of ***the Single Market and the*** Lisbon Strategy to be achieved more swiftly;

Or. en

Amendment by Elisabeth Schroedter

Amendment 482

Paragraph 21

21. Calls on the Member States to reduce the restrictions on access to their labour markets and thus improve worker mobility within the EU, thereby enabling the goals of the Lisbon Strategy to be achieved more swiftly; ***points to the fact that free movement of labour as one of the fundamental principles of the EU should go hand in hand with efficient rules that ensure the principle of equal pay for equal work at the place of work;***

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 483

Paragraph 21 a (new)

- 21a. Considers that by giving indirect employers additional responsibilities, a more effective and more secure system for workers would be created, because the indirect***

employer is partly responsible for compliance with labour law; stresses that there is a need for sufficient clarification of the responsibilities of parties, both in the case of subcontractors and of loaned work;

Or. el

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 484
Paragraph 21 b (new)

21b. *Stresses that administrative cooperation must be reinforced between all the relevant authorities at local, national and European level, to ensure as far as possible compliance with labour and social security law; notes that the multidimensional and compound nature of the problem requires that all interested parties must be encouraged and made aware, and that a network of cooperation to combat illegal practices on the labour market must be set up;*

Or. el

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 485
Paragraph 21 c (new)

21c. *Calls on the Member States to promote strong and comprehensive systems that will combine active policies and financial assistance and will ensure a smooth transition from unemployment to employment;*

Or. el

Amendment by Ole Christensen, Stephen Hughes and all Members of the PSE Group

Amendment 486
Paragraph 21 a (new)

21a. *Regards the above as necessary preconditions for the effective operation of flexicurity and achieving consensus on strengthening and modernising labour law;*

Or. en

Amendment by Thomas Mann

Amendment 487
Paragraph 21 d (new)

21d. Considers that in practice subordinate liability of prime contractors for compliance with employment conditions vis-à-vis employees of other businesses is highly problematic and entails much bureaucracy and cost, so that incalculable risks could arise for the principal; accordingly rejects such liability;

Or. de

Amendment by Thomas Mann

Amendment 488
Paragraph 21 e (new)

21e. Observes that the responsibilities of the individual parties in multi-party employment relationships such as temporary employment are unambiguously regulated and that there is no need to clarify the employment status of temporary workers;

Or. de

Amendment by Thomas Mann

Amendment 489
Paragraph 21 f (new)

21f. Considers that flexible ways of organising working time - albeit without neglecting rest periods for employees - help to enable businesses which receive varying quantities of assignments to safeguard their jobs;

Or. de

Amendment by Philip Bushill-Matthews

Amendment 490
Paragraph 22

22. Instructs its President to forward this resolution to the Council and Commission, and the Parliaments of the Member States and candidate countries.

Or. en

