

WRITTEN QUESTION E-4312/08
by Jan Cremers (PSE)
to the Commission

Subject: Directive 91/533/EEC on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship

Directive 91/533/EEC¹ was an integral component of the action programme resulting from the Community Charter of the Fundamental Social Rights of Workers, and had as its aim 'to provide employees with improved protection against possible infringements of their rights'.

The directive also states that 'it is necessary to establish at Community level the general requirement that every employee must be provided with a document containing information on the essential elements of his contract or employment relationship'.

It also requires 'Member States to guarantee that employees can claim the rights conferred on them by this Directive'.

The directive also applies to employees working temporarily abroad, on the grounds that 'in the case of expatriation of the employee, the latter must, in addition to the main terms of his contract or employment relationship, be supplied with relevant information connected with his secondment'.

Directive 91/533/EEC has never been reviewed, although its transposition into national law has been the subject of discussion.

1. Is the European Commission aware of any investigation (at national or European level) into compliance with the obligation to provide information as laid down in Directive 91/533/EEC? If it is, what were the results of that investigation?
2. Will the Commission be looking more closely at the transposition into national law of Directive 91/533/EEC?

¹ OJ L 288, 18.10.1991, p. 32.