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European Federation of Public Service Unions (EPSU)

EPSU Press Communication – 14 April 2011

**Public service unions stress need to address
opt-out and on-call time in working time debate**

Meeting yesterday in Brussels the Executive Committee of the European Federation of Public Services Unions (EPSU) confirmed its position on the Working Time Directive and in particular the need to abolish the individual opt-out and codify key European court rulings on on-call time at work.

The Federation has made it clear that it would take part in cross-sectoral negotiations if specific conditions were met. The European Commission claims that it is not realistic to talk about abolition of the individual opt-out but EPSU, along with the ETUC, continue to argue that it is wholly inappropriate to allow individual workers to opt out of health and safety legislation and therefore this has to be addressed in any legislative or negotiated revision.

The other conditions focus on codifying the European court rulings on on-call time at work (SIMAP, Jaeger and Dellas) and compensatory rest and retaining the current reference periods for calculating the average working week.

EPSU general secretary *Carola Fischbach-Pyttel* said: "We are clearly disappointed that the European Commission's communication in the second phase of consultation failed to take account of trade union contributions to the first phase.

The impact assessment report by the Deloitte consultancy provides some compelling arguments that support the trade unions' views on working time but these again appear to have been ignored by the European Commission".

EPSU President, *Anne Marie Perret*, added: "As the main trade union organisation in the health and emergency services sectors we are acutely aware of the importance of negotiating working time arrangements that guarantee a 24-hour service as well as ensuring the health and safety not just of our members but also of the patients and members of the public who rely on those services.

There are major recruitment and retention challenges to be met particularly in the health sector. EPSU believes that new approaches to working time should be part of the solution but these need not and should not rely on long working hours and long periods on-call. Our affiliates report that these are factors that are driving workers away from the sector not attracting them to it."

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EPSU is the European Federation of Public Service Unions. It is the largest federation of the ETUC and comprises 8 million public service workers from over 250 trade unions; EPSU organises workers in the energy, water and waste sectors, health and social services and local and national administration, in all European countries including in the EU's Eastern Neighborhood. EPSU is the recognized regional organization of Public Services International (PSI).