



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

The Director-General

Brussels,
EMPL/F1-F2/BB-MR/fpr D(2010)

For the attention of the Social
Partners' organisations consulted
under Article 154 of the Treaty

Subject: Reviewing the Working Time Directive: second-phase consultation of the social partners at European Union level under Article 154 of the TFEU

Dear Sir, Dear Madam,

On 21 December 2010, the Commission adopted the Communication COM (2010) 801 '*Reviewing the Working Time Directive*'. This Communication constitutes the consultation paper for the second stage in consulting the social partners at EU level, in accordance with Article 154(3) TFEU, on the possible content of EU action regarding the Working Time Directive¹.

The consultation paper brings together the main results of the first stage consultation (replies of the social partners to COM (2010) 106 of 24 March 2010). It summarises the main evidence gathered from recent studies about working time trends and patterns and the social and economic impact of the Directive.

It goes on to set out the key options for the content of an amending legislative proposal, as they appear to the Commission in the light of the social partners' replies to the first stage, and to ask for the social partners' views on those options.

The specific questions on which the Commission wishes to hear the opinions of the social partners are contained in Section 7 of the consultation paper.

Please find enclosed the English, French and German versions of the Communication.

The Commission's Report on the legal implementation of the Directive in the Member States (COM (2010) 802) was adopted at the same time as the consultation paper, and the consultation paper asks the social partners to consider the Report jointly with the consultation paper.

As you know, the Commission is also undertaking a detailed assessment of the social and economic impact of the Directive. In order to facilitate the social partners in replying to

¹ Directive 2003/88/EC concerning certain aspects of the organisation of working time

this consultation, the Commission will also publish the results of the studies it is using for the impact assessment.

The documents relating to this consultation are thus as follows:

COM (2010) 801: Consultation paper
SEC (2010) 1610: Working Paper setting out detailed results of first stage consultation

COM (2010) 802: Report on legal implementation of the Directive
SEC (2010) 1611: detailed Working Paper on legal implementation of the Directive in the Member States

Copies of all these documents, together with the studies used by the Commission for the social and economic impact assessment, are available on the Commission's website at the following link: <http://ec.europa.eu/social/main.jsp?catId=522&langId=en>

I would be grateful for your views and comments in response to this consultation, allowing for the Christmas break, by **28 February 2011**.

Please send your replies to Ms Madeleine Reid (Madeleine.Reid@ec.europa.eu) and to Ms Bianca Busuioc (Bianca.Busuioc@ec.europa.eu).

Yours truly,



PO Robert Verrue