EU Green Paper: Modernising labour law to meet the challenges of the 21st-century
PCS response March 2007

The Public and Commercial Services Union (PCS) represents 325,000 members, 90% of whom work in the civil service and the rest in the private sector.

We endorse the TUC’s thorough and detailed response to this consultation, and have kept our response brief.

We welcome the recognition in the green paper of the need for better protection for workers across the EU in precarious forms of employment. Increasing the security of their position, we believe, would reduce labour market segmentation and increase flexibility for employers and workers.

Workers on permanent contracts can also be vulnerable, as restructuring and contracting out increases including across the public sector. We believe that employment protection for those affected by restructuring or redundancies should be improved.

We would emphasise collective labour law as well as individual employment rights, but the green paper focuses mainly on the latter.

We strongly disagree with the argument in the green paper that increased flexibility and weakened employment protection are necessary for improved employment and a dynamic labour market.

Instead weak employment protection and higher turnover lead to worse productivity, loss of knowledge, loss of loyalty and commitment of employees and lower training investment.

Future EU labour law would be best focused on trying to achieve an efficient labour market, with more and more jobs being good jobs with fair pay, security, and that are compatible with family life and involvement in the community. The labour market should be fair, with safe and healthy workplaces and an end to discrimination and inequality. And it should encourage a participating workforce with unions taking a key role through collective bargaining to give a voice to employees and to participate in social dialogue.

EU priorities in order to promote employment, improved living and working conditions and an end to social exclusion, should include:

- Introducing equal treatment rights for agency workers, in line with those for fixed term and part-time workers
- Providing all workers with employment protection regardless of their employment status
- Protection of migrant workers from exploitation and discrimination
- Providing improved work life balance specially for workers with care and responsibility
- Protecting and promoting fundamental rights, including the right to freedom of association and for trade unions to organise, bargain collectively and take industrial action
- Ensuring that EU employment legislation is implemented and enforced across the EU, including the Working Time Directive.