
The Swedish Union of Journalists hereby submits its comments to the Commission's Green Paper on Modernising Labour Law, COM(2006)708. The Swedish Union of Journalists is a professional and trade union organisation for journalists working with Swedish employers. We organize more than 18 000 members, of which about 1 800 are freelancers, and we are very much concerned about professional journalistic questions, such as the Code of Conduct, authors rights, education and media policies. Furthermore, we work to establish collective agreements for our members.

The Swedish Union of Journalists is a member of the EFJ, European Federation of Journalists, and, at a national level, the Swedish Confederation of Professional Employees (TCO).

We support the comments on the Green Paper submitted by EFJ and TCO but would like to elaborate on the issues of a floor of rights for all workers and a harmonized definition of "worker" (questions eight and twelve in the Green Paper).

Firstly, the scope of the Swedish legal concept "employee" is very wide. Consequently, Swedish journalists that might have a relatively independent relationship with an employer are, regardless of this, considered as employees when applying the labour law. We are therefore concerned that a harmonization on the EU level would narrow the national concept of employee and thus limit the group of workers who benefit from the protection given by the labour law. A narrow definition of "worker" would also hamper our efforts to deal with contracts falsely labelled as freelance contracts instead of employment agreements.
What we have stated above also has a bearing on the floor of rights. There is a risk that the floor of rights could create a third segment of the labour market, non existent in Sweden today, which after a while would harbour journalist today enjoying full legal protection, being deemed as employees under the labour law. EFJ has focused on this in their comments on the Green Paper and states that a third legal category of contractual arrangements would water down existing employment rights.

In addition to the criticism expressed by EFJ and TCO, the concerns described above make the Green Paper a poor base to further the European social model as a part of the Lisbon strategy.

Stockholm 2007-03-30
The Swedish Union of Journalists

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