



**Local & Regional
Europe**

Working time directive

No new initiative at this stage

CEMR's response to the public consultation on the review of the Working Time Directive

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*Council of European Municipalities and Regions
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Executive Summary

Following the two impact assessments conducted in 2014, the European Commission has launched a public consultation on the review of the Working Time Directive, submitting to social partners some options and proposals to modernise and adapt the provisions of the Directive to the current needs and challenges.

Unchanged since 2003, the Working Time Directive somehow requires being updated to match with realities and expectations from both employers and employees' sides, without going beyond what is necessary or could jeopardise Local and Regional Governments' missions of general public interests.

The Council of European Municipalities and Regions (CEMR), as the most representative organisation of Local and Regional Governments as employers, has responded to this consultation, after in-depth exchanges with its members and on the basis of the position paper adopted in 2011. As there has been no concrete action from the European Commission since 2011, the key messages expressed in the mentioned position paper still stand and remain accurate. However, CEMR is willing to take the opportunity of the public consultation to reaffirm its core positions.

CEMR believes that social partners at the local and regional level are best placed to negotiate suitable and tailored solutions that ensure the health and safety of workers as well as the continuity and efficiency of the public service delivery.

CEMR supports the mutual responsibility of the employer and the employee and therefore holds that the EU legislative framework must allow sufficient flexibility for social bargaining and/or collective agreement, depending on the respective specific powers at the local and regional level.

CEMR opposes any attempt to unduly extend the Directive's scope to issues which go beyond health and safety and are either outside the EU's competences or not directly relevant in the framework of the Directive (i.e new working patterns, wages, reconciliation, etc.).

CEMR is keen to engage in an open discussion on the future of the Directive to identify solutions within the scope of the legislation that allow for adequate flexibility to address realities and challenges, for the mutual benefit of employers and employees in the public sector at the local and regional level. Any review shall ensure legal certainty through a clearer and simpler Directive.

In the absence of the possibility to discuss satisfactory options in the public consultation, CEMR supports the position of having no new initiative at this stage, not before the publication of impact assessments results and the proper examination of the responses to this specific consultation.

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About CEMR

The Council of European Municipalities and Regions (CEMR) is the broadest organisation of local and regional authorities in Europe. Its members are over 50 national associations of municipalities and regions from 41 European countries. Together these associations represent some 150 000 local and regional authorities.

CEMR's objectives are twofold: to influence European legislation on behalf of local and regional authorities and to provide a platform for exchange between its member associations and their elected officials and experts.

Moreover, CEMR is the European section of United Cities and Local Governments (UCLG), the worldwide organisation of local government.

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