

Permanent Representatives to the
European Union

[Letter sent by e-mail]

Urgent request to all Member States to support the right of every worker to be protected under the Transparent and Predictable Working Conditions Directive

Dear Ambassadors,

Tomorrow, Friday 25th January you will discuss the Transparent and Predictable Working Conditions Directive in Coreper. It is a decisive meeting steering the Council position in the trilogue negotiations.

We are asking you to do the decent thing for the most vulnerable workers and make the Directive apply notwithstanding their working time or the sector they are working in. It will be unacceptable to workers if the discussions tomorrow resulted in workers with zero hour or low hour contracts being excluded from protection. The Directive will lack all credibility if groups of workers who need the protection most end up outside the scope of protection. Likewise, no justification can be found to exclude workers in the public sector, emergency services, armed forces, police authorities, and seafarers.

The second major sticking point we are asking you to help with is to ensure an end to the abuse of zero-hour workers and workers on contracts with low working hours by preventing unscrupulous employers from abusing flexibility: in particular cancelled shifts for which notice had been given needs to be paid and a right for the worker to a contract guaranteeing their right to have their established work pattern recognised needs to be taken up in the final text.

The European Parliament had voted a very far reaching report, which has the full support of the ETUC. The ETUC is calling on the Member States to stop cutting back on the rights agreed in the Parliament and ensure real advancements in the working lives of the EU workers. Member States should recognise the large majority of votes in favour in the European Parliament and stop calling for a 20 hours threshold for the application of the Directive and protect workers from abused flexibility. Abuse of flexibility is undermining all EU employment rights and it is essential that the Member States at the meeting tomorrow allow the EU to take the necessary action to remedy the loopholes.

I look forward to hearing your positive response.

Yours sincerely



Esther Lynch
ETUC Confederal Secretary