



COMMENTS OF THE EUROPEAN ASSOCIATION OF ELECTRICAL CONTRACTORS (AIE)

regarding the

Amended proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND THE COUNCIL
on **working conditions for temporary workers** (COM(2002) 701 final)

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The European Association of Electrical Contractors (AIE) is composed of associations representing electrical installation contractors.

The AIE comprises 20 national associations representing 165.000 contractors, a workforce of 860.000 and a turnover of 55 billion euros.

Electrical contractors design, install and maintain intelligent systems for all kinds of industrial, commercial and domestic purposes alongside the well-known power and lighting applications. They are active in domestic electrical installations, smart house installations, office networking, refrigeration installations, industrial electrical installations, high voltage overhead lines, underground cable networks, automation, industrial instrumentation, central management processing, telecommunications & information technology, safety and security systems (access control), design and engineering, energy management, maintenance and inspection, retail trade.

The AIE is concerned over the potential impact of the draft EU Directive on the Working Conditions for Temporary (Agency) Workers. In certain countries such as the UK, the Directive will introduce significant additional costs for companies who use agency electricians. Agency electricians are widely used by AIE association members and provide a means of topping up directly employed electricians during workload peaks and on fast-track projects.

This cost would need to be passed on to customers and clients and would be likely to lead to a loss of business for electrical contractors companies and will be likely to lead to the increased use of unregulated electricians operating within the 'black economy', with a reduction in quality for customers and unfair competition for our members in the market.

Whilst the AIE has concerns over a number of aspects of the draft Directive, its principal concerns cover four specific points:

1. In some Member States purely private/sector programmes of integration for vulnerable groups exist. The directive should not apply (article1) to training employment contracts concluded in the context of such programmes. The fact that those programmes are "public or publicly supported" is not relevant and will have a negative effect on private/sector initiatives.
2. The definition of pay should exclude the following:
 - Occupational pensions
 - Occupational sick pay
 - Occupational holiday pay (holiday pay under the terms of the Working Time Directive would continue to apply)

3. The possibility in article 5 not to apply the principle of non-discrimination to temporary workers with an assignment of less than 6 weeks should be extended to 12 or 18 months. Moreover this possibility should not be time limited to 5-years but be made permanently available.
4. With regard, to the provisions about the representation of temporary workers in article 7, the text should ensure the impossibility of double counting of the temporary workers for both the temporary agency and the user undertaking.

The AIE believes these amendments would provide reasonable protection to workers whilst retaining reasonable flexibility for its member companies in the use of agency electricians.

Brussels, February 2003.