

Common format for reports by the social partners on the practical implementation of Directive 2003/88/EC concerning certain aspects of the organisation of working time

1. TRANSPOSITION

Do you consider that the Working Time Directive has been transposed in a satisfactory way in the EU Member States?

If you consider that there is room for concern about transposition in specific sectors or concerning specific provisions, please give details.

If you consider that transposition of the Directive has been particularly satisfactory in any respect, please give details.

Do you consider that any particular issues arise regarding implementation as concerns the previously excluded sectors (implementation of Directive 2000/34/EC)? If so, please give details.

2. FORMERLY EXCLUDED SECTORS

Concerning the scope of former Directive 2000/34/EC (the 'excluded sectors directive'), please reply as follows:

➔ Do you consider the transposition and application of Directives 2000/34/EC and 2003/88/EC satisfactory, as regards doctors in training¹?

➔ Has this aspect been transposed in any Member States by way of collective agreement? Please give details.

➔ Please refer to any particular effects of transposition in this area, and to any positive or negative effects you perceive.

¹ Matters formerly covered by the 'excluded sectors' Directive 200/34/EC were outside the scope of the Commission's previous report in 2000 on application of the Working Time Directive. The situation as regards doctors in training is included here for that reason. The other formerly excluded sectors are subject to specific reporting requirements, either under sectoral Working Time Directives, or under articles 20, 25 or 26 of Directive 2003/88/EC, and therefore fall outside the scope of the present report. For example, the Commission services have already consulted the social partners recently in preparing the 2006 reports regarding working time of offshore workers and in the urban transport sector.

3. SOCIAL PARTNERSHIP

Do you consider that the social partners have been sufficiently consulted and involved by the national authorities, regarding the transposition and practical implementation of the Directive?

The Directive provides at Articles 17 and 18 for derogations by means of collective agreements or agreements concluded between the two sides of industry. Please indicate how you evaluate the experience in this regard. Are there any examples which you consider as providing possible models of good practice?

4. MONITORING OF IMPLEMENTATION

Please indicate whether you consider that the enforcement and monitoring of the Directive at national level is satisfactory.

If you see any problems, please indicate their overall impact and make recommendations for improvement.

Can you identify any examples of good practice as concerns monitoring and enforcement?

5. EVALUATION

Please list any positive and negative aspects of the practical implementation of the Directive.

Does the practical application of the Directive in the Member States, in your view, meet its objectives (to protect and improve the health and safety of workers, while providing flexibility in the application of certain provisions and avoiding imposing unnecessary constraints on SMEs)?

6. OUTLOOK

Please indicate:

- any priorities for your organisation, within this subject area.
- any proposal for additions or changes to the Directive, stating the reasons.
- any flanking measures at EU level which you consider could be useful.