

# Implications of the EU Working Time Directive (WTD) on the European Pillar of Social Rights (EPSR)

**Roundtable Discussion  
European Parliament  
November 23<sup>rd</sup> 2017  
09.00 - 11.00**

**EASPD**

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EASPD IS THE EUROPEAN ASSOCIATION OF SERVICE PROVIDERS FOR  
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ORGANISATIONS ACROSS EUROPE AND ACROSS DISABILITY.



## Summary document

# Working Time Directive in Social Care and Support Services for Persons with Disabilities

*based on the larger EOHR research report*

**“Implications of the Working Time Directive on working  
conditions in the Social Care and Supported Services for  
Persons with Disabilities: Cases from EU countries”**

***Important message!***

- 1. We support the principles underpinning the WTD!**
- 2. The sector needs a skilled, competent workforce,  
where it is attractive to work & is personally &  
financially rewarding**
- 3. There must be a sensible work/life balance**
- 4. Today is about finding ways forward...**

# Research in 4 countries representing 4 of the 5 different 'delivery models' of social support in the EU

- Austria (continental)
- Slovakia (Central European)
- Spain (Mediterranean)
- UK (Anglo-Saxon)

## What the researchers found....

The WTD is not working well in social care & support services for persons with disabilities.

- WTD working patterns are often inflexible/unworkable
- The WTD 48 hours average working limit is circumvented / exceeded, eg 'voluntary' work
- Size matters!
  - large institutions can comply with WTD
  - smaller services find it much more difficult
  - micro services find it impossible

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## **Micro services & the WTD -**

**‘I could become a prisoner in my own home...’**

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It's not EITHER the worker's health & safety OR  
the user's Human Rights!

This is a false dichotomy.

It should be **BOTH** workers' health & safety  
**AND** service users' Human Rights

## Solutions?

- 1. Greater flexibility by negotiation & social dialogue in the sector (including ALL stakeholders)**
- 2. Use WTD provisions for flexibility on ‘account of the specific characteristics of the activity concerned’ & also ‘where there is need for continuity of service (or production)’ in small services**
- 3. Various policies promoting ‘other objectives’ to consider *alongside* health & safety issues, eg. EPSR, UNCRPD, CFR, Disability Strategy etc.**



## **Dangers in doing nothing**

- 1. To see such a huge sector ignoring aspects of the WTD undermines its value**
- 2. It does not help the sector to improve its standing or image / attractiveness as a positive career choice**
- 3. ‘Inappropriate’ solutions will be found to get round the impasse, eg. the “domestic servants” / “family workers” route....**

## Possible actions in the future

1. **FESE & Unions to begin moves to establish social dialogue for our sector, the Commission could support this actively...**
2. **The voice of service users should be heard in any such talks**
3. **Further *supportive* 'clarification' of the WTD to help the sector**
4. **The European Parliament could inquire as to how the workings of the WTD, UNCRPD, CFR and the EPSR could be better harmonised to work in our sector.**

**Thanks for listening!**

**James Churchill**

**Chair: EASPD Interest Group,  
Workforce Development & Human Resources**

**For more information contact  
[www.easpd.eu](http://www.easpd.eu)**