**Key European Union policy areas**

The United Kingdom is a member of the European Union but isn't part of the single currency, the Euro.

**Free trade** - The EU is a trade bloc which means there are no quotas or tariffs for companies exporting goods and services within the EU.

European officials say the European legislation is meant to make it easier for UK businesses to trade across the EU's 27 states.

There are still border controls in the UK, unlike in most parts of the EU

**Common commercial policy** *-* these are rules put in place to protect EU businesses using things like tariffs, subsides and quotas on imports from outside the Eurozone. Those are essentially extra payments or restrictions.

**EU competition law** - this means that if you have a company you should have the opportunity to do business across the EU.

The law is designed to stop bigger firms abusing their power by setting up cartels and monopolies.

**The internal market** *-* the single market means UK citizens are free to move, live, study and trade anywhere within the EU.

This also affects you when you go on holiday within the European Union because there are no customs limits.

There are also no border controls across most of the EU either - the UK is one exception to that rule.

**Other EU policy areas**

**Trans-European networks** *-* many areas of Europe have benefited from this policy with new roads and transport networks designed to make it easier for the different countries to transport goods and services across the EU.

**Energy** - this is a common policy for European energy needs and proposals for making energy greener.

It also means when you sell or rent a property you have to provide a home energy performance rating chart such as an energy efficiency rating.

Light bulbs across the EU now have to be energy-efficient and have ratings

EU energy labels have also been introduced on all electrical goods like washing machines and even light bulbs to try to make us all more aware of what energy we're using.

**Area of freedom, security and justice** *-* this is designed to make it easier for police across the EU to cooperate but also to ensure fair treatment in different judicial systems for all EU citizens.

There is a European arrest warrant that means you can be arrested anywhere in the EU for more serious crimes committed in another EU country.

**Common fisheries policy** *-* every EU state must stick to rules on fishing set by Europe.

This affects fishermen in the UK, who are only allowed to fish for certain types of fish at certain times of the year to conserve stocks.

There are also understandings on public health, the environment, consumer protection, transport, social policy, plus economic, social and territorial cohesion.

There are common foreign, security and defence policies which run alongside the policies of member states although there is no European army or single European foreign policy.

**Non-EU policy areas**

In certain areas such as *tax, defence, health, industry, culture, tourism, education, youth, sport and vocational training, civil protection (disaster prevention), administrative cooperation and many others* - the EU has the right to support, coordinate or supplement the actions of member states like the UK.

**The European Parliament**

Euro MPs don't set our taxes or decide if a local school or hospital's going to close, but they do have a big influence on how we live our lives.

They make decisions in Brussels that directly affect our jobs, our family lives, the health care we get, rules about recycling and energy.

* MEPs passed a law a few years ago significantly cutting the cost of texting from abroad. Roaming rates were also cut.
* They also stopped airlines from using misleading adverts that suggest we can fly to Spain for 50p.
* There has been criticism of certain EU directives though.
* The Working Time Directive - which gives workers the right to certain amounts of rest, stops excessive night work and gives people a minimum amount of holiday every year - means nurses and doctors are limited to a 48-hour working week.
* Unions say it has damaged the amount of training junior doctors get, while some hospitals have reported difficulties filling rotas.

**What have the Europeans ever done for us?** It's a question you may be mulling over following [David Cameron's pledge to hold a referendum](http://www.guardian.co.uk/politics/2013/jan/23/eu-referendum-speech-merkel-cameron) on the UK's membership. If you are an employee, the answers can be seen in your daily life.

The EU has had a massive influence over UK employment law rights. The following were introduced by virtue of our membership of the EU, and are at risk if we leave or renegoniate our membership terms (this is not an exhaustive list):

• Minimum paid annual leave (now 28 days a year including bank holidays)

• Additional rights for agency and temporary workers and for part-time workers

• Current pregnancy and maternity leave rights

• Parental leave

• Working time (which includes a maximum of a 48-hour week unless you agree otherwise, and minimum rest breaks each day)

• Equal pay

• Anti-discrimination rules on race, sex, disability, age and sexual orientation

• Data protection rights

Some of these reflect the "Social Chapter" of the Maastricht Treaty adopted by the new Labour Government in 1997, thus ending the opt-out negotiated by John Major in 1991.

It doesn't stop there. There are also employment laws derived from the EU regarding transfers of undertakings (when the business you work for is sold or taken over), collective redundancies, and works councils (giving employees the right to receive information about a business and be consulted about some of its activities).

The UK has traditionally been among the most active opponents of European employment rights, only grudgingly accepting many of the social aspects and only when it has had to. In many cases, such employment rights have been seen by the government to frustrate a flexible workforce and add red-tape to businesses.

In some cases the government has managed to block the introduction of European rights altogether through its vote on the Council of Ministers. But in other cases the European workplace agenda carries on. The government is, for example, presently being forced to adopt a EU directive for additional parental leave – its preferred option is to increase leave to up to 18 weeks a year, which is the minimum implementation of EU requirements.

In 2009 the European court of human rights ruled that [workers who are sick during their holiday period](http://www.guardian.co.uk/money/work-blog/2012/mar/09/sickness-employment-law-save-holiday?INTCMP=SRCH) can claim back their time, and this was adopted as part of UK law in 2012. And in a separate case the European court said [you cannot be discriminated against for your political beliefs](http://www.guardian.co.uk/money/work-blog/2012/nov/12/employment-law-political-arena) (this is not presently covered by existing UK employment law).

However, with Cameron [welcoming last week's European ruling](http://www.telegraph.co.uk/news/politics/pmqs/9392150/David-Cameron-I-will-change-the-law-to-allow-crosses-at-work.html) that a policy which banned wearing religious symbols was an infringement of human rights, there are indications that not every employment ruling emanating from Europe is bad. And it is hard to see that the anti-discrimination laws now in force would ever significantly be watered down.

Yet the government does seem intent on eroding employment rights where they are viewed as being bad for business (even if businesses themselves don't always agree).

Unfair dismissal rights have been watered down, and soon it is likely that workers will face fees for issuing a claim in an employment tribunal. There is also the proposed "employee-owner employment contract" where you give up your employment rights for a share in the business. Most parties were against this idea when consulted, but the government is going ahead nevertheless.

The difficulty with changing existing EU directives is that once adopted they are almost impossible to remove, as repeal requires the consent of the other EU member states. So an exit or renegotiation of terms will be the only way. If this really is on the cards, you may want to make the most of your holiday time and other extended rights courtesy of the EU while you still can. Perhaps a nice trip to Brussels?

# • [Philip Landau is an employment lawyer at Landau Zeffertt Weir Solicitors](http://www.lzwlaw.co.uk/documents/philip_landau.htm)

# Introduction to International Labour Standards

"*The rules of the global economy should be aimed at improving the rights, livelihoods, security, and opportunities of people, families and communities around the world*." - World Commission on the Social Dimension of Globalization, 2004 ([Note 1](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/lang--en/index.htm#P2_707))

Since 1919, the International Labour Organization has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity. In today's globalized economy, international labour standards are an essential component in the international framework for ensuring that the growth of the global economy provides benefits to all.

 Note 1 - ILO: *A Fair Globalization: Creating opportunities for all*, Report of the World Commission on the Social Dimension of Globalization (Geneva, 2004), p. 143.

The benefits of International Labour Standards

The challenges of globalization have made international labour standards more relevant than ever. What benefits do they provide today?

A path to decent work

International labour standards are first and foremost about the development of people as human beings. In the ILO's Declaration of Philadelphia of 1944, the international community recognized that "labour is not a commodity". Indeed, labour is not like an apple or a television set, an inanimate product that can be negotiated for the highest profit or the lowest price. Work is part of everyone's daily life and is crucial to a person's dignity, well-being and development as a human being. Economic development should include the creation of jobs and working conditions in which people can work in freedom, safety and dignity. In short, economic development is not undertaken for its own sake but to improve the lives of human beings; international labour standards are there to ensure that it remains focused on improving human life and dignity.

An international legal framework for fair and stable globalization

Achieving the goal of decent work in the globalized economy requires action at the international level. The world community is responding to this challenge in part by developing international legal instruments on trade, finance, environment, human rights and labour. The ILO contributes to this legal framework by elaborating and promoting international labour standards aimed at making sure that economic growth and development go along with the creation of decent work. The ILO's unique tripartite structure ensures that these standards are backed by governments, employers, and workers alike. International labour standards therefore lay down the basic minimum social standards agreed upon by all players in the global economy.

A level playing field

An international legal framework on social standards ensures a level playing field in the global economy. It helps governments and employers to avoid the temptation of lowering labour standards in the belief that this could give them a greater comparative advantage in international trade. In the long run such practices do not benefit anyone. Lowering labour standards can encourage the spread of low-wage, low-skill, and high-turnover industries and prevent a country from developing more stable high-skilled employment, while at the same time making it more difficult for trading partners to develop their economies upwards. Because international labour standards are minimum standards adopted by governments and the social partners, it is in everyone's interest to see these rules applied across the board, so that those who do not put them into practice do not undermine the efforts of those who do.

A means of improving economic performance

International labour standards are sometimes perceived as entailing significant costs and thus hindering economic development. A growing body of research indicates, however, that compliance with international labour standards often accompanies improvements in productivity and economic performance. Higher wage and working time standards and respect for equality can translate into better and more satisfied workers and lower turnover of staff. Investment in vocational training can result in a better-trained workforce and higher employment levels. Safety standards can reduce costly accidents and health care fees. Employment protection can encourage workers to take risks and to innovate. Social protection such as unemployment schemes and active labour market policies can facilitate labour market flexibility; they make economic liberalization and privatization sustainable and more acceptable to the public. Freedom of association and collective bargaining can lead to better labour-management consultation and cooperation, thereby reducing the number of costly labour conflicts and enhancing social stability. ([Note 1](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/the-benefits-of-international-labour-standards/lang--en/index.htm#P22_8204) )

The beneficial effects of labour standards do not go unnoticed by foreign investors. Studies have shown that in their criteria for choosing countries in which to invest, foreign investors rank workforce quality and political and social stability above low labour costs. At the same time, there is little evidence that countries which do not respect labour standards are more competitive in the global economy. ([Note 2](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/the-benefits-of-international-labour-standards/lang--en/index.htm#P22_8333))

A safety net in times of economic crisis

Even fast-growing economies with high-skilled workers can experience unforeseen economic downturns. The Asian financial crisis of 1997 showed how decades of economic growth could be undone by dramatic currency devaluations and falling market prices. Unemployment doubled in many of the countries affected. The disastrous effects of the crisis on workers were compounded by the fact that in many of these countries social protection systems (notably unemployment and health insurance), active labour market policies and social dialogue were seriously wanting. After examining the social impact of the crisis, an ILO study concluded that strengthening social dialogue, freedom of association, and social protection systems in the region would provide better safeguards against such economic downturns. ([Note 3](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/the-benefits-of-international-labour-standards/lang--en/index.htm#P22_8477))

A strategy for reducing poverty

Economic development has always depended on the acceptance of rules. Legislation and functioning legal institutions ensure property rights, the enforcement of contracts, respect for procedure, and protection from crime - all legal elements of good governance without which no economy can operate. A market governed by a fair set of rules and institutions is more efficient and brings benefit to everyone. The labour market is no different. Fair labour practices set out in international labour standards and applied through a national legal system ensure an efficient and stable labour market for workers and employers alike.

Of course, in many developing and transition economies a large part of the workforce is active in the informal economy. Moreover, such countries often lack the capacity to provide effective social justice. Yet international labour standards can be effective tools in these situations as well. Most standards apply to all workers, not just those working under formal work arrangements; some standards, such as those dealing with homeworkers, migrant and rural workers, and indigenous and tribal peoples, actually deal specifically with areas of the informal economy. The extension of freedom of association, social protection, occupational safety and health, vocational training, and other measures required by international labour standards have proved to be effective strategies in reducing poverty and bringing workers into the formal economy. Furthermore, international labour standards call for the creation of institutions and mechanisms which can enforce labour rights. In combination with a set of defined rights and rules, functioning legal institutions can help formalize the economy and create a climate of trust and order which is essential for economic growth and development. ([Note 4](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/the-benefits-of-international-labour-standards/lang--en/index.htm#P22_8575))

The sum of international experience and knowledge

International labour standards are the result of discussions among governments, employers and workers, in consultation with experts from around the world. They represent the international consensus on how a particular labour problem could be tackled at the global level and reflect knowledge and experience from all corners of the world. Governments, employers' and workers' organizations, international institutions, multinational companies and non-governmental organizations can benefit from this knowledge by incorporating the standards in their policies, operational objectives and day-to-day action. The standards' legal character allows them to be used in the legal system and administration at the national level, and as part of the corpus of international law which can bring about greater integration of the international community.

[A fair globalization - Creating opportunities for all](http://www.ilo.org/public/english/fairglobalization/report/index.htm) Report of the World Commission on the Social Dimension of Globalization, 2004

* [Working out of Poverty](http://www.ilo.org/public/english/standards/relm/ilc/ilc91/pdf/rep-i-a.pdf) Report of the Director-General to the 91st Session of the International Labour Conference June 2003 (pdf 380KB)