



[Nouvelles de Bruxelles - Notizie de Bruxelles – Novidades de Bruselas – News from Brussels](#)
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European Parliament and Council failed to reach a deal on revised working-time Directive

Despite a long meeting running into the night between MEP's and the Czech Presidency of the EU on 17 March in Brussels, both parties failed to achieve a breakthrough on revising limits to working time.

Working time is a long-standing issue at EU level. The 1993 Working Time Directive (93/104/EC) stipulates that workers must not work more than an average of 48 hours a week, although it allows for broad derogations.

The need for a revision of the Directive in question became obvious following a number of European Court of Justice Rulings. The European Commission presented its proposal for a revised Directive back in May 2004, but Member States only managed to reach a compromise on the issue in June 2008.

This compromise limits working hours to a weekly maximum of 48, but allows social partners to find 'flexible arrangements'. The insertion of this opt-out clause, under which workers could effectively put in up to 60-65 hours per week, was one of the UK government's main demands, while Spain and other nations lobbied heavily against it.

In December 2008, the European Parliament voted to scrap national opt-outs to the Working Time Directive and enforce an EU-wide maximum working week of 48 hours, sending the issue to a Council-Parliament conciliation committee, which took place on the 17th of March in Brussels.

This meeting was the first formal conciliation negotiation on the dossier between the Parliament and the Council of Ministers. According to the Treaty, the two institutions dispose of two months to reach a deal. However, the fact that

European elections are to be held in June means that MEP's' last chance to vote on an agreement is the plenary session of 4-7 May in Strasbourg. The next conciliation meeting is scheduled to take place on April the 1st.

The European Commission underlined that if no deal was reached at the EP plenary session of 4-7 May, the draft Directive will have to be cancelled. The Commission has also hinted that it may bring a number of EU Member-States to court for failure to implement properly working-time rules. The European Commission has sent letters to all Member-States except Romania and Bulgaria expressing concern over how they implement existing EU rules on working time. A spokesperson for **Vladimír Špidla**, the Commissioner for employment and social affairs, said: *"the European Commission would have to reflect on what to do, while taking into account its position as guardian of the (EU) Treaties."*

MEP Mechtild Rothe (ESP), the European Parliament's negotiator on the issue, said that *'MEPs and Member-States were divided on whether national governments should be allowed to opt out of the EU's maximum 48-hour week'*.

The UK, which applies an opt-out across its entire economy, is opposed to the gradual phasing out of these existing opt-outs, as are other Member-States, including Germany, Poland, Estonia and Bulgaria. **A total of 15 governments currently apply opt-outs, although in many cases they cover only specific sectors, notably healthcare, where as you know, the nurses are especially subject to heavy working schedules.**

On behalf of the Czech Presidency of the EU Council, Mr. **Petr Necas**, the Czech labor Minister, said that failure to reach a deal *"would be regarded as a joint failure"*.

If no deal is reached by the European Parliament's plenary session of the 4-7 May, the European Commission could present a new proposal focused solely on on-call time. The European Court of Justice ruled in 2003 that on-call duty performed by physicians must count towards the calculation of 48 hours, if the physician is required to be present in the hospital.

The FEPI Secretariat will of course keep you informed on this important issue for all the nursing professionals of the EU.

The Pharmaceutical Forum

The European Commission, in close collaboration with the European Patient's Forum organized the third plenary meeting of the Pharmaceutical Forum the 25/03/09, in Brussels. As you know, the Pharmaceutical Forum was set up in 2005 as a three year process by European Commission Vice-President

Verheugen and former Commissioner for Health **Kyprianou**, in order to find relevant solutions to public health considerations regarding pharmaceuticals, while ensuring the competitiveness of the industry and the sustainability of the national health-care systems.

The meeting of 25/03/09 gathered officials from Czech and Swedish Ministries, as well as many stakeholders' representatives and was especially centered on the information to patients. Chairing the morning session, **Mrs. Georgette Lalis**, Director of the Consumer Goods Unit of the European Commission Directorate General on Enterprise and Industry stated that *'this conference shows that Europe has the potential to involve all key actors, and primarily patients, in a crucial reflection on pharmaceuticals within the clinical pathway, to ensure better access to treatments, stronger health information and sustainable national healthcare budgets'*. The afternoon session of the conference was chaired by **Mr. Olaf Olausson**, President of the European Patient's Forum.

The latter underlined that *'for us (European Patients' Forum) the objective of the Pharmaceutical Forum is to ensure that all patients, through the European Union can have access to information'*, **Mr. Olausson** added that *'patients throughout Europe want empowerment and independence, through quality information, equity of access to treatments and therapies and affordability. As the voice of patients across the European Union, we call on continued leadership, vision and ambition in both the political and practical follow-up to the Pharmaceutical Forum'*. President **Olausson** then stressed that his organisation *'will continue to exercise pressure on the EU Institutions to ensure that quality of life and treatment for the patients will remain one of the central points of discussion with regards to health issues at the EU level'*, stating that this was the core point of the manifesto recently published by the European Patients' Forum.

The meeting focused indeed on the information to patients and on the outcomes in this perspective from the beginning of the Pharmaceutical Forum project in 2005. The Members of the Pharmaceutical Forum recognised and emphasized that the:

- National authorities play an important role in the effort to make information available,
- Healthcare professionals and competent authorities are the primer sources of information,
- There is added value in common principles,
- There is a need of European methodologies and specific requirements,
- There is a need of mobilizing the knowledge and resources from different partners,
- Existing partnerships and other collaborative approaches can play an important role.

They also proposed some actions to the relevant stakeholders in order to enhance access and dissemination of information to patients:

- Mapping education needs
- Promoting best practices in healthcare settings
- Promoting multidisciplinary approaches among health professionals

According to the timetable of the Pharmaceutical Forum, the process will now enter its phase of implementation by all the interested parties with the objective to receive a first review in two years time by the European Commission.

New evolutions regarding the HPro Card Project

In FEPI News from Brussels number 22 (28/01/09), you have read a report on the plenary session meeting of the HPro Card Project, which, as you know, is aiming at establishing a European card for all the healthcare professionals. In this article it was mistakenly written that the meeting was chaired by **Prof. Tony Hazell**, Chair of FEPI's British member the NMC. The meeting was indeed chaired by **Mr. Patrick Fortuit**, one of the pioneers of the HPro Card Project; Prof. Hazell only gave a welcome speech to officially launch the event.

Following the London meeting, HPro Card Project held another informative event, in Dublin at the end of February. The first echoes we received from the responsible of the project were positive. According to them, four healthcare-related bodies, the Spanish Pharmacists' Chamber, the Czech e-Health Forum, the Swedish Ministry of Health and the Royal Pharmaceutical Society of Great-Britain, have officially joined the HPro Card Project as supportive members (see website of HPro Card).

The project is now entering its final phase at the end of which the European Commission will have to decide on the continuation of its support.

For further information on the project, please contact Mrs. Isabelle Baron (IBaron@ordre.pharmacien.fr) or our colleagues of the NMC.

Health-EU portal is now available in Romanian

European Commissioner responsible for Health, Mrs. **Androulla Vassiliou** has launched the Romanian version of the Health-EU website in Bucharest the 20 March. The website in question can be accessed at this link:
http://ec.europa.eu/health-eu/index_ro.htm

<i>Meetings and Events to come:</i>
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- 31/03/09:
 - **CEPLIS Working Group on Professional Training**
 - 14.00 – 17.30
 - European Economic and Social Committee
 - Rue de Trèves, 74, B – 1040 Brussels

- 31/03/09:
 - **European Parliament Environment, Public Health and Food Safety (ENVI) Committee meeting**
 - European Parliament, Brussels
 - 09.00 – 12.30
 - Room PHS 3c050
 - FEPI Delegation: Mr. Laurent Louette

- 08/04/09:
 - **FEPI Working Group on Education, Training and Competences**
 - An Bord Altranais
 - 18/20 Carysfort Avenue, Blackrock, co Dublin
 - 10.00 – 14.00