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## EU RAMPS UP RIGHTS OF ‘NONSTANDARD WORKERS’

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13 Feb 2019*

European Union (EU) [proposals](#) that would strengthen the rights of all workers, especially those in “nonstandard employment,” have been approved by the EU’s Council of Ministers and will replace the current written statement directive. Nonstandard employees include those on temporary, part-time and short-term contracts, individuals who do on-demand, casual; and digital platform work, and workers engaged through temporary agencies.

### HIGHLIGHTS OF PROPOSALS

The proposed directive must be approved by the European Parliament, but its provisions are unlikely to change. Highlights include the following:

**Covered employees.** Member states could exclude from the directive’s scope casual workers and individuals who work fewer than 12 hours a month or for periods of less than one month.

**Required information.** Workers would be entitled to certain information about their working conditions, including details about probation arrangements, employer-provided training, and paid overtime arrangements. Employers also would have to provide more precise information about working time for workers on variable schedules and the social security institution to which contributions are paid. Temporary agency workers would have to be told about the organizations to which they will be assigned. The current directive’s notice provisions will remain in force.

**Format and timing.** Required notices would need to be in written or electronic form. An individual would have to receive essential information by the seventh calendar day after starting work, with supplementary information following within one month. The current directive requires information to be provided in writing within two months of the start of employment.

**Probation.** Probationary periods would be capped at six months unless a longer period is objectively justified.

**Nonstandard workers’ rights.** Nonstandard workers would have the:

- **Ability to work for other employers.** Employers couldn’t impose exclusivity and incompatibility clauses.
- **Right to request more stable forms of employment.** Employers would have to respond in writing by a certain deadline.

- ***Right to cost-free mandatory training.***
- ***Right to advance notice of variable working schedules.*** Workers on variable working schedules determined by the employer would need advance notice of scheduled work time, and they would be protected against unfair treatment for refusing to work outside the agreed schedule.

**Enforcement.** To address missing information, member states could either grant the worker a contract with more protective measures or allow the worker to appeal to a specialized authority. The current directive leaves decisions on enforcement options — including legal proceedings — to member states.

## RELATED RESOURCES

- [European Commission Announcement](#) (European Commission, 7 Feb 2019)

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