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Mr László Andor
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Concern: Working Time Directive – Protection of a work-free Sunday

Vienna, February 25th, 2010

Mr Commissioner,

The Executive Committee of the Council of the Catholic Laity of Austria has learnt from various information, first of all by the Austrian Alliance for a Free Sunday, that a new draft of the Working Time Directive could be introduced shortly. Several times in the last years the KLRÖ, which is a member of the Austrian Alliance for a Free Sunday, addressed the demand to embody Sunday as a common day of weekly rest in directives of the EU to both Members of the European Parliament and Commissioners of the EU. The KLRÖ is the nationwide forum of a great number of Catholic lay organisations.

If after the failure of the negotiations on the new Working Time Directive last spring the European Commission should present a new proposal of a revised Working Time Directive this year or next year, we would like to once again point out to you the eminent importance of a free Sunday for the protection of workers' health, the compatibility of family and professional life and social life in general.

In an answer to a written question by the Member of the European Parliament Richard Seeber of Dec. 16th, 2008 concerning the topic of protection of Sunday, the then Commissioner considered an embodiment of Sunday as the regular day of weekly rest – as already determined in the Working Time Directive of 1993 - feasible, if it can be proved that Sunday must clearly be preferred to all other days of the week for reasons of the protection of the workers' health. There is now a series of scientific research (among others also by EUROFOUND) proving that the free Sunday is more important for the workers' health than any other free day of the week. We attach the results of research available to us to this letter. For us especially the contribution to psychic health and maturity of life realized by free time spent together in common seems to be important.

We are still firmly convinced that a common free Sunday – more than any other day of the week – serves both the shaping of private life and the compatibility of family and professional life – which is an aim emphasized again and again by the Commission, too. If father and mother have their weekly day of rest on (different) workdays and the children on Sunday

(when nurseries, schools and universities are closed), it won't be possible for parents and children to spend sufficient time together. According to valid EU law, Sunday is already the weekly day of rest for children and youngsters: Art. 10 of the Younger Workers' Directive of June 22nd, 1994 was also passed on the basis of the competence for protection of workers' health and safety. Last but not least, Sunday is the day of rest of EU institutions.

In the last weeks a new aspect was added to the discussion of this point: The German Constitutional Court ruled it unlawful according to German law to keep shops open in Berlin on all Sundays of Advent, because that would be incompatible with the function of Sunday as the day of weekly rest. That decision combined three arguments of fundamental rights in Germany to show the connection between weekly rest on Sunday, protection of the workers' health and protection of the family.

All in all, Sunday as a common day of weekly rest is indispensable for social, cultural, sports and other civil society commitment and activities of workers. Humans need time for things not subjected to economic or market-economic aims and measures. That contributes both to a responsible shaping of private life and to psychic health and personal maturing.

We therefore would like to ask you to intend embodying Sunday as the regular day of weekly rest in the future European Working Time Directive. We thank you in advance for all your efforts in this respect.

Sincerely yours,

Bgdr Mag. Rolf M. Urrisk

Secretary General of the KLRÖ

HR Mag. Wolfgang Rank

President of the KLRÖ