

Contents

<i>List of figures</i>	<i>page</i>	ix
<i>List of tables</i>		xi
<i>Preface</i>		xiii
1 Introduction: flexible EU governance in domestic practice		1
2 Theorising the domestic impact of EU law: the state of the art and beyond		11
3 EU social policy over time: the role of Directives		41
4 The Employment Contract Information Directive: a small but useful social complement to the internal market		56
5 The Pregnant Workers Directive: European social policy between protection and employability		73
6 The Working Time Directive: European standards taken hostage by domestic politics		94
7 The Young Workers Directive: a safety net with holes		118
8 The Parental Leave Directive: compulsory policy innovation and voluntary over-implementation		140
9 The Part-time Work Directive: a facilitator of national reforms		159
10 Voluntary reforms triggered by the Directives		178
11 The EU Commission and (non-)compliance in the member states		201
12 Beyond policy change: convergence of national public-private relations?		229

13	Implementation across countries and Directives	260
14	Why do member states fail to comply? Testing the hypotheses suggested in the literature	277
15	Three worlds of compliance: a typology	317
16	Conclusions: myth and reality of social Europe	342
	<i>References</i>	366
	<i>Index</i>	395

Figures

1.1	Directives in the European multi-level system	<i>page</i> 6
2.1	Forms of non-compliance	12
2.2	Motives for non-compliance	13
2.3	Possible 'roads' to transposition failure	24
3.1	Substantial Regulations and amendments in the co-ordination of social security systems	46
3.2	The EC's social Directives	47
3.3	New EC social Directives and amendments to Directives, expressed in decades	48
3.4	EC social Directives in different subareas	49
3.5	Non-binding social policy measures adopted by the Council	50
3.6	Issue areas covered by non-binding social policy acts	51
3.7	Stock of Directives and non-binding acts adopted by the EC Council in the field of social policy	53
4.1	The Employment Contract Information Directive and timing of adaptation	68
5.1	The Pregnant Workers Directive and timing of adaptation	89
6.1	The Working Time Directive and timing of adaptation	112
7.1	The Young Workers Directive and timing of adaptation	135
8.1	The Parental Leave Directive and timing of adaptation	153
9.1	The Part-time Work Directive and timing of adaptation	173
9.2	Part-time workers as a share of total employment (2000)	175
11.1	The EU infringement procedure	206
11.2	Presumed and actual levels of non-compliance	214–215

14.1	Average degrees of misfit and transposition performance	291
14.2	Veto players and transposition performance	297
14.3	Type of social partner involvement and transposition performance	304
15.1	A socio-political mechanism reinforcing good compliance	329

Tables

1.1	The six sample Directives	<i>page 8</i>
2.1	Establishing the policy misfit of a Directive	29
2.2	The aggregation system applied to establish the total misfit	32
2.3	Viable types of enforcement as a prerequisite of successful compliance	39
3.1	The attribution of explicit social policy competences to the EU in formal treaty reforms	42
4.1	The Employment Contract Information Directive and misfit in the member states	60
4.2	Overview of the Employment Contract Information Directive and its implementation	70
5.1	The Pregnant Workers Directive and misfit in the member states	79
5.2	Overview of the Pregnant Workers Directive and its implementation	92
6.1	The Working Time Directive and misfit in the member states	100
6.2	Overview of the Working Time Directive and its implementation	116
7.1	The Young Workers Directive and misfit in the member states	125
7.2	Overview of the Young Workers Directive and its implementation	138
8.1	The Parental Leave Directive and misfit in the member states	146
8.2	Overview of the Parental Leave Directive and its implementation	156
9.1	The Part-time Work Directive and misfit in the member states	165
9.2	Overview of the Part-time Work Directive and its implementation	176

10.1	Three logics of reaction to flexible European law	179
11.1	Infringement procedures initiated by the EU Commission	209
11.2	Mismatch between compliance of a member state and infringement procedure initiated by the EU Commission	216–217
12.1	Potential Europeanisation effects on national public–private interaction	233
12.2	Forms of interest group involvement in labour law decision-making	235
12.3	Impact of Europeanisation on domestic public–private interaction I: the upstream phase	238
12.4	Impact of Europeanisation on domestic public–private interaction II: the downstream phase	243
13.1	Categories of potential costs arising from six labour law Directives	261
13.2	Overall costs triggered by six Directives in fifteen member states	262
13.3	Total misfit created by six Directives in fifteen member states	263
13.4	Different degrees of overall misfit arising in the fifteen member states	264
13.5	Different degrees of overall misfit created by six labour law Directives	265
13.6	Total delays until essentially correct transposition: country ranking (in months after deadline)	271
13.7	Effectiveness of national enforcement systems (1990s and early 2000s)	272
14.1	Degrees of misfit and transposition performance	290
15.1	Three worlds of compliance	322
15.2	Law-abidingness of administrative and political systems in the three worlds of compliance	325
16.1	Voluntarist and non-voluntarist standards contained in the six Directives examined	349