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REGULATION (EEC) No 2395/71 OF THE COUNCIL

of 8 November 1971

on the organisation of a survey on the structure and distribution of wages and salaries in industry

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof;

Having regard to the draft regulation submitted by the Commission;

Whereas, in order to carry out the tasks entrusted to it under the Treaty, and in particular by Articles 2, 3, 117, 118, 120 and 122 thereof, the Commission must be kept informed of the position and trend of wages and salaries in the six countries of the Community both as regards fluctuations resulting from the structure of the labour force and as regards the distribution of workers among wage or salary levels;

Whereas, furthermore, paragraph 6 of the Resolution of the Conference of Member States of 30 December 1961 on equal pay for men and women provided for a survey on the structure of wages and salaries;

Whereas the surveys on wages and salaries carried out in implementation of Regulations No 10,[1] No 14,[2] No 28,[3] No 151,[4] No 101/66/EEC[5] and (EEC) No 1899/68[6] on the basis of statistical information for the years 1959-69 only supplied averages based on aggregate data and could not indicate what relation there is between salaries and the individual characteristics of the workers concerned (age, sex, occupational qualification, seniority, etc) nor how wages and salaries are distributed around an average;

Whereas statistical information in that field is available in some Member States only and does not provide a valid basis for comparison; whereas surveys on the structure and distribution of wages and salaries must therefore be based on uniform definitions and made according to a uniform method;

Whereas the best method of ascertaining the position and the trend of the structure and distribution of wages and salaries in industry is to carry out a specific Community survey as was done in 1966 in implementation of Regulation No 188/64/EEC[7];

Whereas, owing to changes which occur in the structure of the labour force and the distribution of wages and salaries, the results of the survey for the year 1966 can only be considered valid for a certain period of time; whereas it is consequently desirable to carry out a fresh survey based on data for the year 1972 in order to bring up to date the results of the preceding survey;

Whereas it is important to obtain, by means of a single uniform survey, a complete picture of the structure and distribution of wages and salaries for the whole of the employed labour force (manual and clerical workers; supervisory and executive staff) and for the whole of industry including the energy and water sectors and the building industry and civil engineering; whereas it is therefore necessary, in view of the scope of the investigation, to carry it out by means of random sampling, so that it does not constitute too heavy a burden on undertakings and on the budget of the European Communities;

HAS ADOPTED THIS REGULATION:

Article 1

The Commission shall carry out a survey on the structure and distribution of wages and salaries for the whole of the labour force in industry on the basis of statistical information for the month of October

[1] OJ No 56, 31.8.1960, p. 1199/60.
[2] OJ No 55, 16.8.1961, p. 1054/61.
[3] OJ No 41, 28.5.1962, p. 1277/62.
[4] OJ No 133, 13.12.1962, p. 2841/62.
[5] OJ No 134, 22.7.1966, p. 2540/66.
[6] OJ No L 289, 29.11.1968, p. 4.
[7] OJ No 214, 24.12.1964, p. 3634/64.

1972 in respect of manual workers, and for the year 1972 as a whole as well as October 1972 in respect of employees other than manual workers (clerical workers and supervisory and executive staff).

Article 2

The survey shall include all establishments in industry and, where appropriate, small craft industry. It shall cover the whole field of industrial activity, including the energy and water sectors, the building industry and civil engineering. The scope of the survey shall be restricted to Divisions 1 to 5 of the Nomenclature of Economic Activities in the European Communities (NACE). The statistical unit shall be an establishment, whatever its legal form, employing not less than ten workers.

The survey shall be carried out by means of random sampling.

Employers whose establishments are listed for random sampling shall supply, as provided below, the information needed to determine the structure and distribution of wages and salaries.

Article 3

The following individual data shall be gathered for purposes of the survey:

1. Gross earnings of employees (manual and clerical workers; supervisory or executive staff) for October 1972, or a minimum of one full salary or wage period during that month, including the various bonuses paid regularly and extra pay for overtime, night work, Sunday work or continuous shift working, also family allowances paid by the employer either of his own accord or under a collective agreement; there shall not be shown, however, the gross earnings of employees whose remuneration exceeds an amount fixed for each country by the Commission in agreement with the statistical offices of the Member States;
2. Deductions in respect of social security contributions payable by employees;
3. Sex, age, occupational qualification, seniority in the undertaking, basis for calculating wage or salary, system of payment of wage or salary, working hours, payment of wage or salary in case of absence;
4. Number of hours paid;
5. For each employee who is not a manual worker, the total amount of salary paid for 1972 including extra payments for overtime and all bonuses and allowances; there shall not be shown, however, the salary and bonuses paid to employees whose yearly remuneration exceeds an amount fixed for each country by the Commission in agreement with the statistical offices of the Member States.

Article 4

Information shall be gathered by the statistical offices of the Member States by means of questionnaires drawn up by the Commission in co-operation with those offices.

The Commission shall, in co-operation with the statistical offices of the Member States, determine the detailed procedure for the survey, and in particular the plan for random sampling. Furthermore, it shall lay down in the same way the starting and closing dates of the survey, the time limit for replying to the questionnaires and also the procedure for transmitting the results of the survey to the Commission.

Persons required to supply information shall reply to the questionnaire truthfully, fully, and within the time limit set.

Article 5

Individual items of information gathered for purposes of the survey shall be communicated to the Commission without details of any names involved. Such information shall be used for statistical purposes only. It shall be prohibited to use the information for taxation purposes or to communicate it to third parties.

In the case of an infringement of the provisions of the preceding paragraph, the laws in force in each Member State as regards statistical surveys in that State shall apply.

Article 6

The survey shall, where this Regulation does not otherwise provide, be carried out in accordance with the laws of each Member State on statistical surveys in that State.

Article 7

Expenditure incurred by Member States in connection with the survey shall be entered against appropriations provided for that purpose in the budget of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 1971.

For the Council

The President

A. MORO