



Introducing Chapter 19

Social Policy & Employment

Screening – explanatory meeting

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8 February 2006

Brussels





A key chapter with interdependent areas

- Labour Law
 - working time
 - working conditions
 - information and consultation of employees
- Health & Safety at Work
- Social dialogue
- Employment policy
- Social inclusion
- Social protection
- People with disabilities
- Anti-discrimination
- Equal opportunities





The European Social Model

The ESM reflects "European values in the globalised world"

Hampton Court - October 2005

- National differences of policy do exist and are likely to continue to exist, given the Member States differing traditions and practices
- The EU adds value by setting minimum social standards at the workplace and beyond and by providing political and technical support for national efforts to reform work and welfare
- The ESM is based on good economic performance, a high level of social protection, education and social dialogue.





The Social Agenda (2006-2010)

Two priority areas

1. *Moving towards full employment:*

making work a real option for all, increasing the quality and productivity of work, and anticipating and managing change

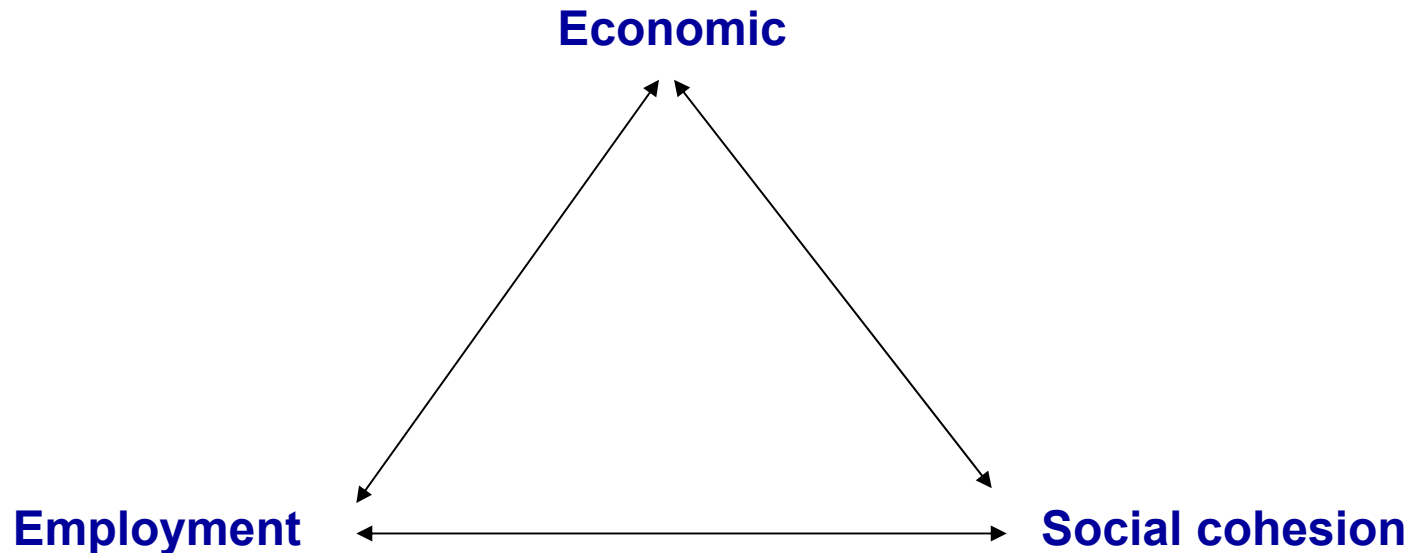
2. *A more cohesive society:*

equal opportunities for all
promoting diversity and non-discrimination





The Lisbon Triangle



Economic policy, employment policy and social policy
have to be **mutually supportive**.

Employment and social policy are no longer flanking but **core policies**.



Mobilising different instruments

- Promotion of rights through EU **legislation** (*more than 50 directives*) supported by Case Law
- Convergence of national policies **policy co-ordination** (*Open method of co-ordination*)
- **Social Dialogue** (*bipartite, tripartite, sectorial*)
- **Financial intervention** (*European Social Fund*)





The acquis in Chapter 19

- Political objectives of the Treaties referring to **social development (article 3 TCE)**
 - (i) the promotion of coordination between employment policies of the Member States with a view to enhancing their effectiveness by developing a coordinated strategy for employment;
 - (j) a policy in the social sphere comprising a European Social Fund;
 - (k) the strengthening of economic and social cohesion;
 - (2) eliminate inequalities, and promote equality, between men and women
- Legislation and decisions adopted pursuant to **Title VIII on Employment (art. 125 to 130), Title XI on Social Policy, Education, Vocational training & Youth (art. 136 to 148) as well as article 13 TCE,** and the case law of the Court of Justice;





The acquis in Chapter 19

- Other acts, legally binding or not, such as resolutions, recommendations, guidelines; and their translation in policy processes, strategies, programmes and actions
 - e.g. **Community's Strategy on Health and Safety at Work, the Employment Strategy's Integrated Guidelines**
- International agreements to be considered
 - e.g. **relevant ILO Conventions**
 - e.g. Future UN Convention on the Rights and Dignity of Persons with Disabilities





Our objectives

- Present extensively the **acquis** in our area
- Provide information on the **objectives and core provisions** in specific domains
- Highlight the **difficulties** encountered in transposing our acquis
- Stress the need for an **appropriate preparation** (administrative capacity) in candidate countries leading, beyond the correct transposition, to full implementation of the acquis
- Introduce **future developments** when appropriate





Transposition difficulties

- Transposition by a new text
 - Could be the easiest solution, but...
 - Make sure to repeal previous texts when necessary
 - Ensure adequate information for all stakeholders (employers, employees, trade unions)
- Transposition by amending existing text(s)
 - Analysis of the existing legislation to avoid possible double standards, mis-matching definitions and scope
 - Need to ensure regular updates of information for all stakeholders



Ensuring implementation

2 examples (1)

- Training of Labour Inspectors & judges – why?
 - Essential for the application of the Labour Law and Health & Safety at Work regulations
 - Need for a strong number of qualified personnel aware of latest legislation (administrative capacity)
 - Need to ensure regular information on new legislation and guidelines (e.g. training center)





Ensuring implementation

2 examples (2)

- Creation of fully-fledged structures (e.g. Equality body) – how?
 - Legal creation of the structure
 - Set up of the structure: funding/budget, appropriate staff recruited & infrastructure
 - Activities started (first complaints received and processed)
- **It is essential to plan & schedule all the necessary steps**



How we can further co-operate

- Exchange with colleagues from DG EMPL
- TAIEX funds (seminars, peer reviews, twinnings)
- Possibility to consult our services before adopting key texts
- Before the bilateral meeting
 - Gaining more information on the **state of play of the transposition** in your country (questionnaire from the Commission)
 - Gaining factual input on national legislative texts (tables of concordance from you)

