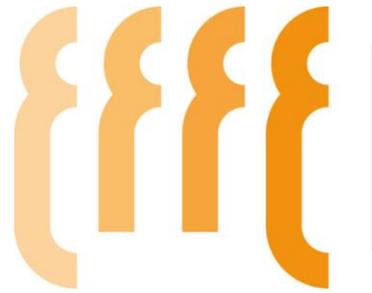


# FEDERATION EUROPEENNE DES EMPLOIS DE LA FAMILLE



EUROPEAN  
FEDERATION  
FOR FAMILY  
EMPLOYMENT  
& HOME CARE

## SUMMARY

JANUARY 2018

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### ■ EUROPEAN POLICY FRAMEWORK

1. **INSTITUTIONS:** Bulgaria takes the lead in the rotating EU Presidency, which priorities for employment and social affairs ?

#### **EUROPEAN SUMMIT:**

2. Symbolic commitment of Member States to social Europe in Göteborg (Sweden)
3. The French President makes proposals on the convergence of the minimum wage
4. **EUROPEAN COUNCIL:** conclusions adopted on the social dimension
5. **EUROPEAN ELECTIONS:** in France, a bill for a single European constituency

### ■ SOCIAL EUROPE

6. **EUROPEAN PILLAR OF SOCIAL RIGHTS (EPSR):** news item
7. **EMPLOYMENT:** Commission wants to update EU framework for contractual relations between employers and employees

### ■ EUROPEAN FUNDING

8. **POST-2020:** A European fund to promote "human capital"

### ■ PUBLIC CONSULTATIONS

9. **SOCIAL PROTECTION:** Commission launches second phase of consultation

### ■ EUROPEAN AGENDA

### ■ APPOINTMENTS

## ■ EUROPEAN POLICY FRAMEWORK

### 1. INSTITUTIONS: Bulgaria takes the lead in the rotating EU Presidency, which priorities for employment and social affairs ?

#### WHAT YOU MUST REMEMBER

1. Since the 1<sup>st</sup> of January, Bulgaria has succeeded Estonia as President of the Council of the European Union.
2. Unlike other Eastern European countries, Bulgarians are predominantly pro-European but the country is very corrupted. He will therefore have six months to prove itself.
3. The work program has been unveiled. In matters of employment and social affairs, the subjects early childhood and disability will be put on the agenda.
4. More concretely, the Bulgarian presidency wishes to advance on certain issues which we will follow attentively:
  - The work-life balance of parents and carers.
  - An international conference will be organized on "The future of work"
  - Implementation of the principles of the European Pillar of Social Rights.

▪ Bulgaria entered the EU 10 years ago and the country has 7 million inhabitants who unlike other Eastern European countries, are very pro-European and aspire to join the Schengen Area and the Eurozone. However, the country is highly criticized for its inefficiency in the face of endemic corruption and will therefore have six months to improve its image at European level and convince for its integration in the Schengen area and, on longer term, in the Euro zone...

▪ The assumption of power of Boyko Borisovk, the centre-right Prime Minister, in April 2017, has restored the country's political stability. However, the 18 months to come of rotating presidency are complicated. Indeed, after Bulgaria, Austria, which since the elections of December 2017 saw its key positions entrusted to members of the far right, will take over in July 2018, then Romania, in a year.

⇒ However, unlike the Visegrad Group countries (Poland, the Czech Republic, Hungary and Slovakia), Bulgaria did not oppose the relocation of refugees to the EU.

#### Among the hot topics that the country will have to deal with:

⇒ to unblock **the reform of the Dublin Regulation**, which confers responsibility for the treatment of asylum on the first country where the applicant has set foot. A particularly heavy task for Europe's gateways, such as Bulgaria. The government is also calling for improved relations with Turkey, with whom a migration agreement was concluded in 2016.

⇒ The **reform of detached work**, or the enlargement of the European Union to the whole of the Balkans. An EU-Balkans summit is planned for May. Of the countries of the former Yugoslavia and Albania, only Serbia and Montenegro are now conducting accession negotiations with the EU.

⇒ But also: Brexit, migration flows, the reform of the governance of the Eurozone, the future multiannual budget of the EU, among others. In the context of Brexit, the likely reduction in the EU budget after 2020 is of particular cause of concern for Eastern European countries, which are major beneficiaries of European funds.

**ON EMPLOYMENT AND SOCIAL AFFAIRS**, the Bulgarian Presidency presented its work program for the next six months. It seems, the country wants to remain in the political line of its predecessors "to find solutions in terms of productive employment and sustainable and balanced economic growth". Also on the agenda are early childhood development and "providing answers to the problems faced by people with disabilities". She also says she wants to "focus on youth and better match the needs of education, skills and the labour market". However, the possible measures are not specified.

More concretely, this means that the Bulgarian government wishes to advance certain issues that we will follow carefully.

- ⇒ The coordination of social security schemes.
- ⇒ The European Parliament and Council Directive on the **work-life balance of parents and carers**.
- ⇒ An **international conference will be organized on "The future of work"** (the development of knowledge and practical skills from an early age, skills corresponding to new jobs, new forms of work organization and job security .
- ⇒ Adoption of the proposal for a Council Recommendation on a European framework for **effective and quality learning**.
- ⇒ Implementation of the principles of the European Pillar of Social Rights.

## 2. EUROPEAN SOCIAL SUMMIT

### WHAT YOU MUST REMEMBER

1. In November 2017, a European Social Summit brought together Member States, civil society and institutions.
2. European Pillar of Social Rights (EPSR) has been formally proclaimed.
3. The French President made a number of proposals, including the introduction of conditions aimed at strengthening the convergence of minimum rates of pay between Member States. It also proposes to put social conditions on the allocation of Structural and Investment Funds (FESI) in the next European budget (introduction of one or two social indicators).

### Symbolic commitment of Member States to social Europe in Göteborg (Sweden)

- On 17 November in Göteborg (Sweden), Member States and the European institutions met to formally adopt the Interinstitutional Proclamation on the European Pillar of Social Rights (EPSR). This is the first time in 20 years that a summit has been specifically dedicated to social issues (the last one was held in November 1997).
- Commissioner Thyssen was reassuring, explaining that this would not mean "centralization of powers". These comments were addressed to certain Member States, such as Hungary, which had expressed until the very last minute concerns about the legal status of this Base.
- **Absences:** German Chancellor Angela Merkel was not present due to ongoing talks to form a government coalition. The Finnish and Cypriot leaders did not attend either.
- **Thematic working sessions:** The working sessions were organized around three themes: access to the labour market, fair working and employment conditions and transition periods between jobs (periods of unemployment).

**PLEASE NOTE:** the European Commission and the Swedish Government presented the final report on the European Summit in Gothenburg on 28 November. It served as a basis for the December European Council. It is available [here](#)

### 3. The French President makes proposals on the convergence of the minimum wage

- At the Göteborg Summit, French President Emmanuel Macron get back on the proposals he made during the Sorbonne speech, notably the introduction of conditions aimed at strengthening the convergence of minimum wage rates between the Member States.
- He presented his proposals for a social Europe to the third working group on the transition between two jobs. He proposes to put **social conditions** on the allocation of Structural and Investment Funds (FESI) in the next Multiannual Financial Framework 2021-2027 (European budget). It would involve introducing one or two **social indicators**. Even if they have not yet been decided, they could be minimum wage rates that Member States should respect.

### 4. EUROPEAN COUNCIL: conclusions adopted on the social dimension

#### WHAT YOU MUST REMEMBER

1. The conclusions of the last European Council of December 2017, include a social component. It also mentions the implementation of the EPSR at national level, the promotion of social dialogue and the creation of a European Employment Agency.
2. More concretely, they return to: the fight against gender inequalities; the new European skills agenda (strengthening adults' skills by targeting people in difficulty) and creating a network of European universities to increase mobility and exchanges

- On 14 December, the Heads of State and Government adopted the conclusions on social dimension, education and culture. This formalizes the discussions that took place at the Göteborg Social Summit last November. They also committed to regularly return to the topic of the social dimension, particularly in March and June 2018.
- Regarding to the social dimension, Member States stressed the need to **implement the European pillar of social rights at national level**, while respecting the respective competencies and promoting social dialogue "at all levels".
- Member States announced their support to the European Commission's 2018 program, which intends, among other things, to present the plan for the creation of a **European Employment Agency**.
- The following subjects are included in the conclusions:
  - the continuation of the fight against gender inequalities;
  - The reinforcement of European competences on the basis of the new European skills agenda;
  - Recommendations on building adult skills by targeting people with daily difficulties. tasks, such as reading, writing, math or using everyday digital tools.
  - The Council's desire to increase mobility and exchanges by strengthening the Erasmus + program and partnerships between higher education institutions.

- ⇒ The aim is to create around 20 European universities, with an "upward" network of universities throughout the European Union, allowing students to obtain a degree by combining several studies in different Member States.

**NEXT STEPS:**

The European Commission is expected to make new proposals in June to implement the commitments made at the Göteborg Social Summit last November. Several Heads of State and Government have stated that there is a real consensus among the Member States to strengthen the European pillar of social rights.

**5. EUROPEAN ELECTIONS: in France, a bill for a single European constituency**

**WHAT YOU MUST REMEMBER**

1. France launches a bill to merge the eight constituencies created in 2003 for the European elections
2. Displayed objective: better readability for the voter

In France, according to the communication on the draft law on the election of representatives to the European Parliament, the eight constituencies set since 2003 will be merged again into one. The voting system will not change and will therefore remain the list elected proportionally to the highest average with a threshold of access to the distribution of seats at 5% of the votes cast. The objective displayed by the French government is to "guarantee greater readability for the voter and an evolution consistent with the desire to strengthen the European character of the ballot". The bill also intends to align the obligations of new MEPs with those of French parliamentarians **for the law for confidence in political life**.

## ■ SOCIAL EUROPE

### 6. EUROPEAN PILLAR OF SOCIAL RIGHTS (EPSR): news item

#### WHAT YOU MUST REMEMBER

1. The EPSR has been adopted. It is non-binding and therefore has no legal force until the legislative and action steps have been taken to an "appropriate level". It has 3 chapters and 20 articles
2. Despite the facade agreement, many MEPs from the S & D Group have expressed serious reservations about the text. They call for "concrete measures". The debate at the last plenary session of the year was lively. Commissioner Thyssen defended herself and explained that it was "impossible to have a sustainable social policy without a sustainable fiscal policy".

- On the 17<sup>th</sup> of November in Göteborg, Member States and the European institutions met to formally adopt the Interinstitutional Proclamation on SEDS.
- In the European Parliament, in an open letter of the 7<sup>th</sup> of November, 30 Social Democrats expressed serious concerns about the text. It has been signed by the three Presidents who all belong to the EPP Group. The signatories of the letter were indignant, stressing that they could then appear as defenders of social Europe in the European elections. They made it clear that they wanted to avoid the enumeration of simple principles and called for concrete measures. This appeal was not heard by the Member States.
- During a heated debate in plenary session on the 13<sup>th</sup> of December, a large number of MEPs showed their willingness to put pressure on the Commission and the Council to translate this base into action. At the end of the debate, Commissioner Thyssen pointed out that this was the beginning of a process. She explained that the Commission would use "maximum flexibility" with the Stability and Growth Pact in order not to penalize Member States. She added that it was impossible to have a sustainable social policy without a sustainable fiscal policy.
- At the last **Employment and Social Policy Council (EPSCO)**, the Member States clarified the status of the text by underlining the fact that it had no legal force until the legislative measures and the actions had been taken. an "appropriate level" (Article 14) - definitively defining the non-binding nature of the proclamation. Many are disappointed and consider that a non-binding proclamation did not really meet expectations and that the public consultation of the European Commission produced 16,500 different responses. Although many of the different elements of the text do not fall within the competence of the European Union (education etc). Many criticize the fact that the Commission should have gone further and proposed a real roadmap.
- As a reminder, the European Parliament adopted **an own-initiative report** in January 2017, presented by Maria João Rodrigues (S & D, Portugal), which called for the adoption of a social protocol.
- The President of the Committee of the Regions (CoR), Karl-Heinz Lambertz, who also participated in the Summit, stressed the need for a Cohesion Policy that addressed socio-economic disparities, created around 420 000 new jobs, helped out 7.4 million people to get out of unemployed and formed 8.9 million people. The CoR adopted an opinion on the pillar, presented by Mauro D'Attis (EPP, Italy), which called for the creation of a **European Insurance Fund**.

## 7. **EMPLOYMENT: Commission wants to update EU framework for contractual relations between employers and employees**

### **WHAT YOU MUST REMEMBER**

3. On the 21<sup>st</sup> of November, Commissioner Thyssen presented her proposal for a new Directive aimed at improving the transparency and predictability of working conditions. Domestic workers are concerned.
4. **Objective:** to enable all workers to benefit from basic information and to maintain a level playing field between employers.
5. Specifically:
  - The concept of worker is modified
  - The scope is extended (especially to domestic workers)
  - Introduction of new rights for workers
  - Modernization in communication
  - Introduction of the concept of "favorable presumption",
  - Possible exceptions: Member States will not be able to implement the Contract Directive for less than eight hours per month.

Commissioner Thyssen presented on the 21<sup>st</sup> of December her initiative to revise the Directive "Written Declaration" (91/533 / EEC), which is now 25 years old. Its aim is to modernize contractual relations between employers and employees and to make them more "transparent" and "predictable" and to extend the scope of application to new contractual forms. **Domestic workers are concerned here.**

Self-employed workers are not covered by the proposal.

#### **Which objective?**

- Allow EU workers who do not have basic information (which trial period, what working hours, right to training ...), especially the most vulnerable, to have access to it.
- Maintain a level playing field between employers.

#### **What are the proposals?**

- First of all, the Commission modifies the concept of "worker". Thus, a worker is a person who provides a service for a certain period of time for and under the direction of another person who provides remuneration in return. The definition of employer has also been clarified so that this function can also be performed by one or more entities.
- According to the Commission, this definition will help to ensure the same category for all workers.
- The scope of the Directive has been extended to temporary workers (casual and casual or intermittent workers), short-term workers, domestic workers, platform workers (Uber).
- Are mainly introduced, new rights for workers, requiring to include a whole series of new elements in contracts: trial period, overtime pay, information on working time for workers with very variable work schedules and social security system in which contributions are paid. The Commission has also modified the current two-month information provision schedule to make it mandatory from the first day of work.

- **Modernization in the way of communicating:** Member States will have to use defined formats in order to make information more accessible. The Commission also introduces a limit for six-month trial periods, except where a longer period is "objectively" justified. Exclusivity clauses are prohibited and the use of incompatibility clauses is restricted.
  - ⇒ In practice, this means that a worker can no longer be banned by his employer from working for another company. The worker will have the opportunity to seek a more stable job from his employer, who will be obliged to respond in writing and give reasons within one or three months in cases involving SMEs.
- **Implementation and application of the Directive:** the Commission foresees that, in addition to the legal means, an administrative procedure will also be put in place to remedy the lack of contractual information. The Commission also introduces the concept of "favourable presumption", a concept that considers that there is no probationary period or that the employment relationship is permanent or full-time, when it is not stipulated otherwise. It also includes the possibility of imposing sanctions on employers (the Commissioner specified here that sanctions would be defined by Member States).
- Contrary to the wishes of the trade unions, the Directive will not cover self-employed workers because, as the Commissioner explained, there is no contractual relationship between an employer and an employee. She added that the self-employed would be covered by a proposal scheduled for next spring as part of social equity.
- **Possible derogations from certain provisions.** Member States will not be able to apply the Contract Directive for less than eight hours per month. When working time is not indicated (zero hour contracts), the Directive applies. The text also states that member states cannot apply the rights to request a new form of work or to request free training. The Commissioner stated that Member States can develop alternatives to protect workers but provided that the level of protection is at the same level as that provided by the European Commission.
- The Directive has been renamed " transparency and predictability of working conditions " Directive

## ■ EUROPEAN FUNDING

### 8. POST-2020: A European fund to promote "human capital"

#### WHAT YOU MUST REMEMBER

1. The Commission wants to create a fund to oversee existing funding for social and employment policies.
2. The goal is to simplify and facilitate the implementation.
3. A sub-section of the European budget (called the Multiannual Financial Framework, MFF) would be created to focus solely on social inclusion and human capital development.
4. The aim is to move closer to Regional Policy where common rules have been applied to all Structural Funds.

- On the 16<sup>th</sup> of November, Commissioner Thyssen stated that she wants to create an **umbrella fund for the development of "human capital" after 2020** in order to support social and employment policies as well as skills development for the next budgetary period. This would be based on the experience of the Erasmus + program, which has integrated seven funds in the field of education.
- **Three major reforms are proposed:**
  - Establish a direct link between the social fund and the priority reforms agreed with Member States and the budget process of the European Semester;
  - Ensure a significant simplification to facilitate the implementation of the future instrument;
  - Create a sub-section of the post-2020 multiannual financial framework, **which would focus exclusively on social inclusion and human capital development.**
    - ⇒ This section could include all European funds dedicated to human capital, including the Erasmus + program.
- The aim is to **reduce existing fragmentation** while increasing the complementarities of political actions targeting different socio-economic groups. All funds managed by DG EMPL could also be integrated into a common regulatory framework with a set of 'simplified' rules.
- **Common fundamental financial and control rules would be applied to all European funds**, while specific rules could be introduced for investment in human capital development.
  - ⇒ This proposal seems to be inspired by the Commission's regional policy services (DG REGIO), which aimed to create a single set of common rules for regional policy and cohesion funds in the next budget period.

## ■ PUBLIC CONSULTATIONS

### 9. SOCIAL PROTECTION: Commission launches second phase of consultation

#### WHAT YOU MUST REMEMBER

1. Launch on the 20<sup>th</sup> of November of the second round of discussions with the social partners on access to social protection and employment services for employees and the self-employed.
2. The consultation closes on January 15<sup>th</sup>, 2018 and can be viewed [here](#)
3. A proposal will be presented in the first half of next year. This file should be closely followed.

- On November 20<sup>th</sup>, the European Commission announced the launch of the second round of discussions with the social partners on access to social protection and employment services for employees and the self-employed. The social partners were consulted in the first phase concluded last June but the Commission wants to launch this public consultation because the self-employed are not covered by the social partners
- On this occasion, Commissioner Thyssen said: *"Today we are launching another concrete initiative within the framework of the European pillar of social rights".* She stressed the fact that workers with traditional or atypical contracts *"should be covered by social protection systems on the basis of their contributions"*. She believes that *"it is imperative if we want to have an appropriate, sustainable and equitable social protection system"*.
- According to the Commission, the labour market has changed considerably in recent years. In 2016, almost 40% of EU workers were self-employed or in non-standard jobs, with the risk of not having sufficient access to social protection and related services.
- The Commission therefore wants the social partners to inform it if they are ready to negotiate or not (they have seven weeks to reply).

#### Next steps:

- ⇒ The consultation closes on January 15<sup>th</sup>, 2018 and can be consulted [here](#)
- ⇒ A proposal will be presented in the first half of next year.

## ■ EUROPEAN AGENDA - JANUARY TO JUNE 2018

JANUARY	FEBRUARY	MARCH
<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>15 to 18</b> - Plenary Session in Strasbourg  <b>22 and 23</b> - Committee EMPL<sup>1</sup> meeting</p> <p>■ <b>CONFERENCE</b>  <b>24</b> - "Work-life balance"  <b>Organised by</b> : Eurofound, the Center for European Policy studies (CEPS) and l'Institut national de recherche économique et sociale (NIESR)  <b>Information</b> available <a href="#">here</a></p> <p><b>30</b> - Youth employment impact on social cohesion in Europe  <b>Organised by</b>: CESE<sup>2</sup> et European Policy Centre  <b>Information</b> available <a href="#">here</a></p> <p>■ <b>EFFE</b>  <b>15 to 17</b> - European PRODOMÉ project partners meeting</p>	<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>5 to 8</b> - Plenary Session in Strasbourg  <b>21 and 22; 26 and 27</b> - Committee EMPL meeting</p> <p>■ <b>CONFERENCE</b>  <b>24</b> - "European Learning Forum on possible ways of improvement : a vision for the future"  <b>Organised by</b>: CEDEFOP and CESE  <b>Information</b> available <a href="#">here</a>  Invitation on demand <a href="#">here</a></p> <p>■ <b>EFFE</b>  <b>12</b> - EFFE Bureau meeting</p> <p><b>TO GO FURTHER:</b>  <b>11</b> - presidential elections in Finland and Cyprus</p>	<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>12 to 15</b> - Plenary Session in Strasbourg  <b>21 and 22, 27 and 28</b> - Committee EMPL meeting</p> <p>■ <b>EUROPEAN COUNCIL</b>  <b>22 and 23</b> - European Council  <b>15</b> - Council of Ministers in EPSCO<sup>3</sup></p> <p>■ <b>CONFERENCE</b>  <b>1</b> - Presentation of the European survey on life quality in 2016  <b>Organised by</b> : CESE  <b>Information</b> available <a href="#">here</a></p> <p>■ <b>EFFE</b>  <b>12</b> - 2<sup>nd</sup> meeting of contributors to the White Paper  <b>28</b> - General Assembly then Steering Committee</p> <p><b>TO GO FURTHER:</b>  <b>4</b> - legislative elections in Italy  <b>18</b> - presidential elections in Russia</p>
APRIL	MAY	JUNE
<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>16 to 19</b> - Plenary Session in Strasbourg  <b>25 and 26</b> - Committee EMPL meeting</p> <p>■ <b>EUROPEAN COUNCIL</b>  <b>17 and 18 and 23</b> - Council of Ministers in EPSCO</p>	<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>2 and 3</b> - small Plenary Session in Brussels  <b>16 and 17</b> - Committee EMPL meeting  <b>28 to 31</b> - Plenary Session in Strasbourg</p> <p>■ <b>EUROPEAN COUNCIL</b>  <b>17</b> - Informal European Summit in Sofia</p> <p>■ <b>EFFE</b>  <b>17</b>- Bureau meeting (morning)  <b>17</b> - Informal meeting of the Working group at the European Parliament (afternoon)</p>	<p>■ <b>EUROPEAN PARLIAMENT</b>  <b>7, 18 and 19 and 28</b> - Committee EMPL meeting  <b>11 to 14</b> - Plenary Session in Strasbourg</p> <p>■ <b>EUROPEAN COUNCIL</b>  <b>21 and 22</b> - Council of Ministers in EPSCO  <b>28 and 29</b> - European Council</p> <p>■ <b>EFFE</b>  <b>Date not yet defined</b> - Bureau meeting</p>

<sup>1</sup> Employment and Social Affairs Committee of the European Parliament

<sup>2</sup> European Economic and Social Committee

<sup>3</sup> Employment, Social Policy, Health and Consumer Affairs Council on social policy

## ■ APPOINTMENTS

### EUROPEAN COMMISSION

- ⇒ **Mariya Gabriel** is since this summer the new Bulgarian Commissioner in charge of the digital economy to replace Kristalina Gueorguieva, who left for the World Bank. She is the younger European Commissioner, and a perfect French-speaker (she studied at Sciences-Po Bordeaux and is married to French politician François Gabriel). She is close to the conservative Prime Minister Boyko Borissov.
- ⇒ **Christiane Canenbley** replaces **Pauline Rouch** in President Juncker's office to work on topics related to the digital single market.
- ⇒ **Mariana Mazzucato** is the new adviser to Commissioner Carlos Moedas (Research and Innovation).

### EUROPEAN PARLIAMENT

- ⇒ **Eva Maydell**, Bulgarian MEP of the EPP Group is the new President of the European Movement - International. She is the first woman from Eastern Europe to take up the position and she replaces the socialist Jo Leinen, who has held the position since 2011. Elected to the European Parliament before the age of 30, she represented the European integration of Bulgaria and as a rising star of Bulgarian politics in Brussels.
- ⇒ **Lilla Pinter** is the new assistant to the Director General of Communication and spokesperson of the European Parliament.
- ⇒ **Laurence Bégou**, Parliamentary Assistant to Kaja Kallas (ALDE), will leave the European Parliament in mid-January to work in the European and International Affairs Section of the National Agency for Information Systems Security (Anssi). The Estonian MEP also announced her intention to leave Brussels in 2019 to run in the parliamentary elections of her country.

### FRANCE

- ⇒ After the appointment of **Philippe Légise-Costa** as the new Permanent Representative of France to the EU to replace Pierre Sellal, **Sandrine Gaudin** has been appointed by the French government as head of the SGAE. She is also the European affairs adviser to Prime Minister Edouard Philippe.
- ⇒ **Guillaume Roty** becomes Head of Press & Media and spokesperson for the French representation of the European Commission. He was until then the attached economic governance.