

## **A Trade Union input for an Action Plan to Implement the European Pillar of Social Rights**

Adopted at the Executive Committee Meeting of 22-23 October 2019.

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### **Drawing up an Action Plan Implementing the 20 Principles of the European Pillar of Social Rights.**

This Resolution sets a common understanding which leads to the definition of the trade union input to the Action Plan for the implementation of the European Pillar of Social Rights (EPSR) by the European Commission. It identifies challenges and provides policy options for each of the 20 principles of the EPSR.

The trade union input to the Action Plan is based on the ETUC Action Programme 2019-2023.

The President-elect of the European Commission confirmed that the European Pillar of Social Rights will drive the social agenda of the EU for the next four years. The European Parliament supports this view. In October 2019, the Economic and Social Committee of the EU adopted an important opinion on the EPSR – Evaluation of the initial implementation and recommendations for the future.

The EPSR will remain an overarching policy of the EU. THE EPSR forces the single market and the monetary union to cater for social progress. ETUC proposals will be organised around two main concepts:

#### **Setting a minimum floor of rights at EU level**

The implementation of the EPSR needs a set of minimum rights that can resist the effects of market competition and competition between countries. It is about setting minimum standards that the single market and economic governance can fall. The ETUC Action Plan identifies areas where workers' protection is under pressure from the single market and the monetary union.

#### **A booster of upward convergence**

Upward convergence will be the result of strengthened cooperation among Member States that want to achieve similar social progress. They will be assessed based on the equality of their outputs, while respecting the specific features of national systems. The booster includes the use of the EU budget EPSR, as well as a massive investment plan that respects the golden rule for investments.

Multiple forces are changing our societies, including the way we produce and distribute wealth. Such forces have been largely explored: technological change, planetary boundaries and climate change, demographic trends, globalisation and the movement of people. The EPSR should be supported by an Action Plan through which Member States can address the aforementioned challenges, move forward in the same direction, adopt common legislation and/or agree on common objectives within the framework of strengthened cooperation.

The European Semester of economic governance in particular proved that cooperation is more successful if social partners are involved in the planning, implementation and monitoring of policy framework and actions. This increases governments' accountability and commitment to social objectives, including sanctions for when they fall short.

Interpretation of the Preamble of the European Pillar of Social Rights

The EPSR is politically binding because legitimate national governments signed it during the Council meeting in Gothenburg in November 2017. As such it politically commits each Member State via the EU institutions to their citizens.

As the social and environmental agenda are intrinsically linked, the EPSR should be aligned with the planned new “European Green Deal”. This means that the Preamble should be interpreted to mean that the EPSR supports the ecological transition while, at the same time, protects workers affected by change, defends them against unfair dismissals, offers them new and better opportunities, improves labour market institutions (especially active labour market policies (ALMPs)) and increases access to training. The latter should become a worker’s right and thus covered by several principles of the EPSR. Paragraph 13 of the Preamble should be interpreted along these lines.

Collective bargaining is key to provide for efficient employment and social outcomes when responding to current and future challenges which are directly aimed at fulfilling people’s essential needs, and towards ensuring better enactment and implementation of social rights. The EPSR (especially when interpreting paragraph 12) should ensure that workers’ rights to collective bargaining and fair remuneration are fully respected in all Member States. It is necessary to set a level playing field within the internal market and trigger an upward convergence of wages through the European Semester.

The EPSR should create a legal environment that is conducive to the fair and balanced movement of people within the EU. Since social and economic differences have deepened over the last decade, the number of people who exercise their right to free movement has doubled, however, the flow of people has mainly been from the periphery to the core regions of the single market. Reinforced social rights would facilitate the free movement of workers with the logic of providing opportunities for workers as well as the cross-fertilisation of cultures, thereby creating more dynamic societies and economies.

More should be done to fight irregular employment. Cases of exploitation, often associated with human trafficking, are increasingly common and are reported in conjunction with the movement of people, such as EU mobile workers, immigrants and seconded workers. In cases of abuse at work, the status of the worker should prevail above all other status (i.e. migration status). Any worker who falls victim to irregular employment should have full access to their rights and be able to maintain his/her job. Paragraph 7 of the preamble has to be interpreted to mean that the Union fights irregular work and the exploitation of all Europeans, regardless of their status. In particular, the EU and non-EU migrants and minors need to be protected against unlawful or irregular forms of employment and benefit from a case-by-case regularisation of their positions. Paragraph 15 should be interpreted so that the principles enshrined in the EPSR concern Union citizens and third-country nationals “who are at work in legal activities or” with legal residence.

As the Agenda 2030 of the United Nations is going to become a mainstream EU policy, it is necessary to link the EU agenda for development with high standards of social and environmental protection that Europeans deserve. The EPSR should focus primarily on Goal 8 and exploit the capacity of policies within the Goal to further progress in the other goals. It is important to combine fiscal and economic objectives of the Economic and Monetary Union with environmental and social sustainability. Paragraph 13 of the Preamble should be interpreted in a way that the concept of “social performance” includes income distribution and a stronger focus on worker protection for those involved in technological and green transitions. Just labour transitions should appear in the challenges of the 21st century as in paragraph 14 of the Preamble.

Social dialogue is an important tool in achieving upward convergence. Social partners should be involved in the EU Semester in a structured way. As a precondition, social dialogue needs to be carried out at national level in order to realise its potential. Despite provisions in Regulation 1175/2011 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies, national

governments did not implement measures enshrined therein. Furthermore, certain features should ensure the involvement of social partners under points c and d of paragraph 2 of article 2(a) of the Regulation 1175/2011. These criteria should refer to the timing, meaningfulness and appropriateness of the consultations. Employment guidelines may continue to encourage social partners and governments to participate in the semester, as well as the allocation of ESF+ resources for capacity-building and improving the consultation processes.

It is also necessary that the social scoreboard be integrated into more extensive monitoring of the 20 principles of the Pillar as well as to develop two new dimensions. The first is to detect regional disparities in order to determine the effects of the single market on the actual enforcement of the rights and principles outlined in the EPSR. The second is to detect any overlap between the different principles so that positive or negative correlations between pillars, synergies, spill-over effects, etc. can be better assessed when making policies.

The identification of social imbalances should automatically lead to country-specific recommendations in order to correct such imbalances within a given period of time. This can also be done through the definition of Medium-Term Social Objectives which are specified in Stability/Convergence Programmes and, for reasons of policy consistency, into the Budgetary Plans. In this regard, it is necessary to improve consistency and timing between the different steps of the Semester.

The distribution of competences in the implementation of the Pillar is often misconstrued as who is entitled to do what. On the contrary, the EPSR requires effective decision-making and adequate resources. While the Preamble (specifically paragraph 18) is clear in the use of shared competences, experience shows that, when enforcing the rights enshrined in the EPSR, adopting legislative measures for a qualified majority better contributes towards EU integration and makes the decision-making process more efficient.

Paragraph 19 should be interpreted in a way that does not prevent Member States from committing to common objectives in order to increase government spending for the enactment of the principles of the EPSR. Paragraph 19 does not prevent the EU from optimising the use of its own resources and financial investment programmes in order to reinforce the allocation of financial resources for the implementation of the EPSR (for instance introducing predefined social investment rates).

As the social scoreboard demonstrates, governments' expenditure for social investment is declining. The EPSR should activate social investment in order to maximise the role of public services which still represent the backbone of the European social model. High-quality, sustainable and accessible public services and common goods provision are a fundamental right. They are essential to combat inequalities and social exclusion, to guarantee equal treatment and to tackle the social, economic demographic and environmental challenges facing Europe.

If social dialogue plays a central role in reinforcing social rights, then the main implementation of the EPSR must fully respect the horizontal dimension of subsidiarity. It should be made clear that it gives additional responsibilities to social partners who should deliver as much as possible and at all levels. It means that the concept of social dialogue should include better information, consultation and participation rights for employees. Employee involvement at company level and in the workplace is a key factor in enforcing the principles of the EPSR, especially when it comes to ensuring a fair transition in the event of productive and corporate changes imposed by technological and environmental transitions and globalisation.

## **ANNEX – 20 Principles: Actions aimed at setting a minimum floor of rights at EU level and boosting the upward convergence**

Adopted at the Executive Committee Meeting of 17-18 December 2019

### **PRINCIPLE 1 Education, training and lifelong learning**

Efforts in the area of education and skills are crucial. This is part of the policy package for fairer technological and green transitions. Common projects run by the EU social partners and a Joint Statement provide proof that accessibility to employee training varies massively across the Single Market: small/large enterprises; East/West; industry/services; urban/rural areas; male/female. Adoption of this principle should also look at the removal of discrimination based on employment status and take into consideration the effect it has on fighting inequality and in promoting inclusion of women in the labour market.

The link between ESF+ and implementation of the EPSR is clear but financial commitment on its own is not sufficient. In the negotiations for the next MFF (2021-2027) there is a proposal that would potentially lead to a double cut in spending by the European Social Fund+ (ESF+), as a result of scrapping the existing 23.1% minimum share of Cohesion Policy funding that has to be spent by the Member States in ESF+ projects. ESF+ should be used in a way that all workers, at all skill levels, may benefit from high-quality, inclusive employee training and paid educational leave leading to qualifications.

The rights in Principle 1 may include an EU initiative to set up “Individual Learning Accounts” for people of working age. However, since the topic impacts working conditions and collective bargaining in many Member States, the European Commission should not proceed with drafting a proposal without having involved the social partners in the process. This initiative should be aimed at enhancing the ability of workers to access quality training relating to professional and basic skills and key competences, including digital skills, throughout their working lives. Best practice shows the added value of trade unions in designing a right-based approach to training and further education of workers, irrespective of employment status, and having regard to gender perspectives. Any initiative should combine individual access to training with collective rights to ensure that Individual Training Accounts fall under the joint responsibility of employers and authorities, in accordance with national practices. An EU initiative should set minimum standards without altering the national systems and the role of social partners and must fully respect existing collective agreements and national practices in the sector. Social protection may intervene to establish funding for Principle 1, but it should go hand-in-hand with more protection at work, including greater protection against (collective) dismissal. Otherwise, employers would be incentivised to opt for dismissals instead of investing in their own workforce to get through the transition together.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
1. EU initiative setting up Individual Learning Accounts for people of working age, including the right to training and training entitlements, and the right to fair and equal treatment and access to training for all workers regardless of their employment status.	1. Monitor and measure employees' access to training with the aim of achieving a minimum number of days for each worker during the year; the implementation of current EU programmes, including joint statements from social partners,	P12 - Because social protection changes access to rights.  P5 - Because protection against dismissal encourages employers to

<p>2. Recommendation to establish a right to receive high-quality, inclusive employee training leading to qualifications and validation/recognition of skills and competences for workers in employment.</p> <p>3. Effective follow-up of implementation of the Council recommendation on a European Framework for Quality and Effective Apprenticeships to provide a right on the part of apprentices to quality and inclusive apprenticeships, fair pay, working conditions, and a contract.</p> <p>4. A traineeship measure that obliges employers to sign an internship contract at the start of the internship.</p> <p>5. Promote collective bargaining to establish organisational matters around the right to receive employee training and paid educational leave and establish employers' financial contributions to the right of employees to receive training.</p>	<p>which can provide euro-Area Recommendations or investment guidance for Member States. The objectives should include:</p> <ul style="list-style-type: none"> <li>- adequate economic and/or guidance measures so that the right to paid educational leave (in line with enforcing implementation of the ILO's Paid Educational Leave Convention, 1974 (No. 140) at EU level) could be effective;</li> <li>- ensure actual access by all workers to a right to training for: basic skills, key competences and professional skills, including digital and green skills, via legislation at European level and collective agreements at sectoral level;</li> <li>- actual access by non-standard workers to the right to training as well;</li> <li>- enforcing implementation of effective systems for validating the skills and competences acquired by workers within non-formal and informal learning, including work experience;</li> </ul> <p>2. Sufficient EU funds to support skills development and lifelong learning, especially through ESF+, but also the European Global Adjustment Fund and a European Transition Fund.</p> <p>3. Indicators: investments per employee compared to wage aggregates for vocational training available to employees, supported by research.</p> <p>4. Provide government support to trade unions to provide information to workers at company level on training opportunities, e.g. via "training reps/ambassadors"</p> <p>5. Provide effective support to low-skilled workers to access training on key competences, basic skills, and professional skills, particularly to those most at risk of losing their jobs</p>	<p>invest in vocational training.</p>
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## PRINCIPLE 2 Gender equality

While recent trends show that employment disparities are decreasing, large differences between Member States persist. Aggregate improvements in employment disparities are matched with increasing divergence in wage and pension gaps. Eurostat and SDG monitoring shows the disadvantages that women experience as they bear the burden of care within the household. While women achieve better results in education, their professional careers are less successful than those of men. Populist forces are endangering the progress that European society has achieved over the last few decades. This could endanger women's participation in the labour market (already quite uneven across the EU) and take its toll on potential EU growth. The aim of the EU is to achieve full gender equality and an equal sharing between men and women of professional and family responsibilities.

Against this backdrop, ETUC is advocating a legislative initiative to fight gender pay-gaps that would resolve deficiencies in the current EU acquis. ETUC is confident that an approximation of laws would better tackle the gender pay-gap and be more conducive to legally binding pay-transparency measures.

It is also advisable to issue a Guide for implementation of the Work-Life Balance Directive. Such a guide should encourage transposition of the EU Directive through interprofessional agreements in a way that would reduce the amount of time between adoption of the directive and its subsequent application.

Based on the 2030 Agenda - and the SDGs concerning poverty, gender equality and decent work - the European Semester should monitor and support investments in work-life balance, fill the gender gap concerning the number of days of work lost due to family care and focus on reducing the gender-gap in pension income. Euro Area Recommendations and country-specific guidance should create the optimal conditions for public investments in affordable and high-quality childcare facilities.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Directive on gender pay transparency - equal pay for equal work and work of equal value (wage transparency).</p> <p>2. Early and effective implementation of the Work-Life Balance Directive, including standards of paid leave at the same level of compensation as for sick leave, and at a level of at least 66% of earnings. Develop a Guide for implementation of the Work-Life Balance Directive.</p> <p>3. Develop systematic gender mainstreaming, to be enshrined in EU economic social and financial policy. Consider the gender dimension in a systematic manner via use of gender-based data and a gender equality index; evaluate</p>	<p>1. Target and remedy imbalances in pension income.</p> <p>2. In relation to Sustainable Development Goals (SDGs) 5 and 8, creating new benchmarks for the post-2020 strategy on work-life balance, such as childcare facilities and days of work lost due to family care. Promote CSRs in the EU Semester. Promote Euro Area Recommendations and investment guidance for Member States. This includes promotion of women to high executive positions in enterprises.</p> <p>3. Within the Semester, using the gender equality index, establishing and monitoring links between investment policies in education, services and infrastructure, and their gender-sensitive impact. In particular, monitoring gender segregation in the labour market by sector, position, professional experience, salaries, hours of work. Evaluating Country Specific</p>	<p>P6 - Wage-setting</p> <p>P8 - Collective bargaining</p> <p>P11 - Childcare</p> <p>P12 - Social protection</p> <p>In particular, Principles 9 and 11 should also be aligned with P2.</p>

<p>the policy impact from a gender-sensitive perspective.</p> <p>4. Support EU accession to the Istanbul Convention combating violence against women; violence against women (including online violence) to be added to the list of EU crimes; ratification and implementation of ILO convention 190 by all EU MS</p>	<p>Recommendation (CSRs) implementation from a gender-sensitive perspective.</p> <p>4. Exchange of experience from campaigns and communication strategies for overcoming gender stereotypes in education with impact in job segregation (also in a sectoral perspective, i.e. IT). The aim is to limit gender segregation in the labour market.</p>	
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### PRINCIPLE 3 Equal opportunities

Access to opportunities more often than not depends on the specific group to which a worker belongs. The objective is to incorporate a policy aimed at removing discrimination (ex-post) along with proactive policies that provide equal opportunities (ex-ante). Reducing protection in the workplace increases discrimination at work. Measures that soften sanctions against unfair dismissals, reduce the power of trade unions (or works councils) in the workplace, or spread non-standard working contracts, weaken the current anti-discrimination acquis that provides for strict sanction systems.

Labour market exclusion or the underperformance of specific groups jeopardises economic and social stability. Discrimination therefore has to be monitored and reported, especially LGBTQI\*, for which there are loopholes in terms of protection in national laws. Equal opportunities should be promoted using economic performance indicators. Remedies should come from a reinforced legal framework. They should remove discriminatory practices on labour platforms. Such practices may be deterred as a result of trade union surveillance. Trade unions have already denounced such tendencies, mainly within the context of discriminating against workers in relation to their access to “gigs” after they have undertaken any kind of collective action. Collective bargaining points the way ahead for better LGBTQI\* protection in the workplace.

A horizontal directive on non-discrimination may be more appropriate, even though there has been no consensus from the Council to date. Equal opportunities should also be granted to asylum-seekers, currently excluded from the scope of anti-discrimination directives. Of particular importance is the use of material and immaterial resources to reinforce public discourse against xenophobia.

Social partners can, jointly or unilaterally, develop tools to recognise, prevent and sanction discrimination while focusing on active measures for disadvantaged groups. They can establish closer cooperation with national equality bodies and build on the developments of the Fundamental Rights Agency (FRA).

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Horizontal Directive on non-discrimination that recognises, prevents and sanctions discrimination.</p> <p>2. Remove derogations in the existing Anti-Discrimination Directive for third-country nationals who are seeking protection.</p>	<p>1. Trade Union Toolbox that helps the EU acquis recognise, prevent and sanction discrimination; support equality bodies and build on research and outcomes of the FRA.</p> <p>2. Innovative communication strategy and campaigns against xenophobia</p> <p>3. Highlighting links between trade union rights, labour legislation and</p>	<p>P5 - Secure employment</p> <p>P8 - Collective bargaining</p>

	equality and non-discrimination, starting from collective bargaining practices.	
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#### **PRINCIPLE 4: Active support to employment**

European economic governance has repeatedly overlooked the quality of work, despite the reference made to it within the employment guidelines. Employment/unemployment indicators are the only ones showing upward convergence. Activation measures are either poorly funded, ineffective or too selective, often excluding large portions of potential beneficiaries. Investment in labour market access facilities is not improving and this can be seen in the non-convergence in quality-of-employment indicators. ETUC has developed a definition of quality of work. Indicators for monitoring it should be aligned with this definition.

The European Commission is working on a proposal for a European Unemployment Benefit Reinsurance scheme. Principle 4 should be complementary to this proposal and be accompanied by harmonisation of performance criteria for ALMP in national systems based on universal coverage, adequacy of resources allocated to each unemployed person, equal opportunities (from temporary contracts to open-ended full-time contracts) and a reduction in transition periods (from unemployment to work) experienced in the region concerned.

However, it should be noted that the number of people exercising their right to free movement has doubled since the crisis. These are mostly young workers who are employed (contributing to good employment levels) but underperforming when it comes to job-quality indicators. Labour market performance in the Member States urgently needs to be harmonised through enhanced measurements that incorporate ETUC's definition of quality jobs (see P5). To this end, access to ALMP is crucial as well as an increase in equal opportunities through more ambitious public investment targets for activation measures and infrastructure. In this regard, the ESF+ resources should be better oriented towards these objectives.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Develop a common understanding of actions and instruments that fall under the ALMP concept, with the aim of improving the collection of statistical evidence; monitoring government spending, investment and outcomes of activation measures.</p> <p>2. The right to training entitlements should be ensured (see Principle 1).</p>	<p>1. Focus on labour market opportunities and working conditions of young workers exercising their right to free movement. Strengthen the involvement of social partners in the Youth Guarantee.</p> <p>2. Implementation of the Recommendation on Long-Term Unemployment.</p> <p>3. New benchmarks for the post-2020 strategy to monitor progress relating to ALMPs to encourage labour market transitions and access to skills and training, delivered as well-financed public services in order to promote Euro Area Recommendations, CSRs and investment guidance for Member States.</p>	<p>P1 - Especially to align the proposal for Individual Training Accounts.</p> <p>P6 - Right to equal pay for equal work or work of equal value.</p> <p>P12 and P13 - Social protection and access to labour market protections and complementarity with the European Reassurance Scheme.</p>

	4. Monitor and assess the impact of ESF+ based on the ETUC definition of quality jobs	
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## **PRINCIPLE 5 Secure and adaptable employment**

The dramatic expansion of non-standard and insecure work in recent decades is a direct result of a business model that shifts the risks from the employer onto the worker. Transitions toward open-ended contracts are limited because taxation and legislation create a negative economic bias against standard forms of employment. As a matter of fact, indicators show neither convergence nor improvement at EU level concerning the quality of work. It is time to introduce a set of indicators that measures the quality of jobs as a sub-section of the social scoreboard. When measuring job quality, a dashboard could check for the following elements: good wages; work security via standard employment and access to social protection; lifelong learning opportunities; good working conditions in safe and healthy workplaces; reasonable working hours with a good work-life balance; and trade union representation and bargaining rights (see also P4).

All workers, regardless of their employment status or work sector, should benefit from the protection provided by labour legislation (particularly effective protection against unfair dismissal or redundancy) and/or collective agreements. While fully respecting national labour market models and the autonomy of national social partners and their right to conclude collective agreements, this will be carried out through initiatives aimed at establishing and ensuring a comprehensive set of rights for all workers, including non-standard and self-employed workers, so that insecure workers have more power to negotiate working conditions that cater to their needs.

The legislative framework should be improved and ensure the coordinated transposition of the Transparent and Predictable Working Conditions Directive (TPWCD). Such a concerted effort should reduce the amount of time needed for transposition through the use of interprofessional agreements of national social partners.

Steps towards reducing fragmentation of the labour market will come from implementation and monitoring implementation of the EU Recommendation on Access to Social Protection (see also P13). In particular, the Social Scoreboard will monitor discrimination based on employment status (at the moment, discrimination is identified based on age, gender and educational attainment).

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Introduce the right to fair and equal treatment and access to training for all workers regardless of their employment status in the initiative on access to training as in Principle 1.</p> <p>2. Monitor implementation of the Recommendation on Access to Social Protection and, in four years' time, decide whether a directive would be more effective.</p> <p>3. Ensure effective implementation of the TPWCD.</p>	<p>1. EU Programme for Quality Employment: monitor effects of labour market segmentation and measure progress toward secure and adaptable employment, activation measures, and remove gaps based on occupational status. It includes a Social Protection Scoreboard that links work paths with adequacy of social protection entitlements. In particular, monitoring gaps due to professional careers and gender-based gaps. It includes pro-wage indicators and benchmarks to</p>	<p>P1 - Right to access training and education</p> <p>P3 - Equal opportunities</p> <p>P12 - Social protection as part of the employment relationship.</p>

	<p>reinforce internal demand, offset macroeconomic imbalances and promote fairer working conditions. The scoreboard will break down data according to employment status in order to identify potential discrimination, especially in respect of the bogus self-employed. The Programme is implemented through Euro-Area Recommendations, CSRs and investment guidance for Member States.</p> <p>2. Assessment of the national and EU acquis in light of new forms of work and prepare for the future of work: labour guarantee, protection against unfair dismissal, right to full-time employment, workers' sovereignty over working time. it includes analysis of the effect of reforms promoted through CSRs on individual and collective dismissals and the effect on other individual and collective rights of workers, especially in light of the future of work, just transitions and modernisation of collective bargaining.</p>	
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## **PRINCIPLE 6 Wages**

Data on wages and collective bargaining show that wage trends remain subdued and non-converging. This is predominantly due to:

- Lack of collective bargaining and collective agreements due to attacks on collective bargaining mechanisms and processes as well as reduced coverage of collective agreements.
- Stability and Growth Pact (SGP) rules that impose excessive pressure on national systems and Troika programmes that destroyed collective bargaining.
- Statutory minimum wages which - where they exist - do not guarantee a decent standard of living for workers and their families and a lack of involvement by social partners in setting them.
- Too many workers not covered by collective agreements but only by personal contracts

Shortcomings in the institutional frameworks of collective bargaining penalise both employers and workers. Recent reforms proposed by the European Commission in the Semester process have attacked collective bargaining systems in a number of Member States.

Huge differences in wage levels and collective bargaining persist among and within Member States. This gives rise to a situation of social dumping and reduction in internal demand that has predominantly negative effects on the lowest segment of the labour market. In addition, inefficiencies in wage-setting, in particular for mid-wage earners, are related to non-respect of collective bargaining rights. This distorts macroeconomic dynamics and limits individual rights at work.

It is necessary to ensure that workers' rights to collective bargaining and fair remuneration are fully respected in all Member States. It is necessary to set a level playing field within the internal market and trigger an upward convergence in wages through actions and measures, including through the European Semester. A European initiative on a minimum wage and collective bargaining will need to ensure adequate statutory minimum wages, increase the capacity of trade unions so that they can bargain for fair wages and safeguard well-functioning collective bargaining and industrial relations systems.

Upward wage convergence in Europe would bridge the wage gaps between and within countries (particularly between East and West) and improve the wage share in the economy, reduce inequalities and enhance internal demand and productivity. This can be achieved through:

- Actions and measures that promote collective bargaining, including within the framework of economic and social governance tools, such as the European Semester, the Employment Guidelines, the EPSR and the Social Scoreboard;
- The launch of a tripartite partnership on wages and collective bargaining, involving European and national social partners and institutions.

An EU directive to address the gender pay gap and binding pay-transparency measures is also needed in order to bridge the gaps that enhanced coordination within the EU Semester has been unable to address.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Initiative to ensure adequate statutory minimum wages and increase the capacity of trade unions, so that they can bargain for fair wages, and which safeguards well-functioning collective bargaining and industrial relations systems</p> <p>2. An EU directive to address the gender pay gap and binding pay-transparency measures</p>	<p>1. The launch of a tripartite partnership on wages and collective bargaining, involving European and national social partners and institutions.</p> <p>2. EU Semester: programme of pro-wage measures for the EU or country specific. Pro-wage means:</p> <ul style="list-style-type: none"> <li>- Investments for productivity</li> <li>- Rights-based measures to rebalance bargaining powers</li> <li>- Collective bargaining Institutions/frameworks which ensure high collective bargaining coverage</li> <li>- Ensuring that MW are living wages.</li> <li>- Tackling wage gaps along different axes of discrimination</li> </ul> <p>Indicators and benchmarks to be moved towards the target:</p> <ul style="list-style-type: none"> <li>- Labour share of GDP</li> <li>- Collective agreement coverage</li> <li>- Institutional conditions for collective bargaining (i.e. to identify obstacles)</li> <li>- Compensation per worker per hour worked</li> <li>- In-work poverty rate</li> <li>- Gender pay gap in business sector</li> </ul>	<p>P2, P6, P7 &amp; P12 - Wages</p>

## **PRINCIPLE 7 Information about employment conditions and protection in case of dismissals**

The European Semester has promoted reforms that relax or reduce worker protection as well as the laws on individual dismissals at national level (for example, capping severance payments in case of unfair dismissal or eliminating the reinstatement of a worker in his/her job in case of illegal dismissal, etc.). There is a positive correlation between these reforms and reduced access to collective bargaining.

The impact assessment of the proposal for a TPWCD provides evidence of all major challenges concerning this principle (see P5.3).

New forms of work need to be legally covered so that workers have access to the protection they need, and that platform workers are recognised as workers. Some measures are already part of this Action Plan, such as the announced legal instrument on a minimum wage and collective bargaining, access to social protection, reducing gender pay gaps or implementing the Recommendation on Access to Social Protection.

Technological, green and demographic transitions are changing the productive fabric of the EU, but workers are rarely protected against the adverse effects that these changes may have on their individual positions. The majority of Member States are not recording progress; more effective measures that ensure fairer transitions are needed to reinforce the collective and individual rights of workers involved in technological or green transitions. These could include:

- the right to receive vocational training, or validation of skills, for workers in employment;
- the right to receive an ALMP package during professional transitions;
- an obligation on the employer to negotiate transition plans to anticipate change and define strategies that safeguard employment levels and limit externalities and negative impacts on the supply chain.
- the right of trade unions to be informed and consulted in case of decisions that concern more than 5 people, in one or more countries, as well as the obligation to start negotiations with representative trade unions in case of decisions connected to technological or environmental transitions that affect the working position of more than 5 people.
- SME transition plans at a local level, covering a territory or a group of companies.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Ensure early and effective implementation of the Transparent and Predictable Working Conditions Directive and provide support to ETUC members for a smooth and quick implementation.</p> <p>2. Reinforce collective and individual rights of workers involved in technological or green transitions, to drive change, protect workers, and offset trade-offs between environmental and social objectives where they exist.</p>	<p>1. Assessment of national and EU acquis in light of new forms of work and prepare for the future of work, as in Principle 5.</p>	<p>P1 P5 P6 &amp; P8 - Unfair dismissals P12</p>

3. Ratification of ILO Termination of Employment Convention, 1982 (No 158), and acceptance of Articles 24 and 29 ESC on protection against unfair dismissal as well as Article 2(6) ESC on written information by all Members States and their effective implementation		
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## PRINCIPLE 8 Social dialogue and involvement of workers

The ETUC Trade Union Involvement Index for the EU Semester shows that efforts aimed at establishing the right for social partners to be involved in the EU Semester are not delivering results. It especially concerns the national dimension of the European Semester. A European rule (possibly via a new Directive or via amendments to Regulation 1466/1997) could establish an obligation for national governments to consult social partners at the milestone of the Semester along with some quality criteria such as appropriate timing, appropriate level of dialogue, meaningful access to information and ensuring material and immaterial capacities of social partners (ETUC definition and TU-I index available [here](#))

At EU level, social partners are exploiting the leeway that the Treaty provides for social dialogue, including negotiations for autonomous European agreements in their working programmes. However, the lack of multi-employer collective bargaining in Member States makes it very difficult to implement autonomous European agreements (see also P6). This requires greater efforts to ensure the enforcement of autonomous agreements through enhanced capacity-building. In this regard, both resources and tools for capacity-building should be *ensured* (and not *encouraged* as stated in P8). The European Semester may establish benchmarks to measure progress in the implementation of autonomous collective agreements.

Employee involvement in company decision-making processes is at risk due to corporate mobility within the Single Market. Evidence shows that corporate decisions are often taken to avoid employee involvement. For example, flaws in national laws transposing EU directives and, in particular, the recast EWC Directive, impede rights to information and consultation. Sanctions provided in national laws are rarely proportionate, effective and dissuasive. Information and consultation rights do not allow for the involvement and protection of workers. EU legislation should trigger upwards convergence in Europe.

Under principle 8, a case should be made for the right of workers (independently of the nature of their work contract) to bargain collectively.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Reinforced framework for social partners' involvement in the EU Semester, possibly via a legislative initiative.</p> <p>2. Revision of the EWC Directive in order to ensure that workers' right to establish an EWC and to be informed and consulted before relevant decisions are taken, are fully respected; as well as to ensure effective enforcement and dissuasive</p>	<p>1. Strategic plan to create capacities and opportunities for social dialogue at national level (not connected to the Semester). Earmarking ESF+ resources by creating a dedicated EU fund or budget line for social partner capacity-building.</p> <p>2. Measure implementation of autonomous European agreements in the EU Semester.</p>	<p>P7 - Just transitions.</p> <p>P1, P3, P10 &amp; P11 - Rights to workplace democracy.</p>

<p>sanctions in case of violation of workers' rights.</p> <p>3. Legislative initiative on information, consultation and participation, including legally-binding minimum standards on workers' board-level representation for European company forms (such as SE, SCE) based on the ETUC proposal for an escalator. It would also apply to companies wishing to use EU company law instruments enabling company mobility, such as cross-border mergers, cross-border divisions or cross-border transfers of a registered office.</p> <p>4. Ratification of ILO Workers' Representatives Convention, 1971 (No. 135), and acceptance of Article 28 ESC on the right of workers' representatives to protection in the undertaking and facilities to be accorded to them by all Member States, and their effective implementation.</p> <p>5. Legal initiatives to ensure gender equality and diversity in company boards, including approval of the Directive on Women on Supervisory Boards.</p> <p>6. A European directive on due diligence, focusing on the respect, promotion and enforcement of human rights and responsible business conduct.</p>	<p>3. Increase resources in the MFF for training of worker representative bodies. Increase resources for initiatives to support the establishment and the correct functioning of EWCs and other transnational bodies for worker information and consultation.</p>	
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## **PRINCIPLE 9 Work-life balance**

As part of the larger fight against gender-based discrimination, work-life balance is one of the challenges of the century. While the position of women in the labour market is deteriorating, populist forces are turning a blind eye to the difficulty women face in the labour market and in society. Innovative solutions within and without the employment relationship may support households and increase equal opportunities among the working members of a family. SDG monitoring is particularly effective in identifying these gender-based disadvantages.

It is important to monitor implementation of the Work-Life Balance Directive, provide guidance to social partners and encourage interprofessional agreements that reduce the time needed to transpose the directive. The "ETUC Toolkit on the implementation and transposition of the Work Life Balance Directive" - guidelines for ETUC affiliates - could be useful in this phase.

The EU Semester could investigate EU practices that fund work-life balance instruments (e.g. public means and collective bargaining measures) to trigger upward convergence. This Principle will be connected to innovation in labour laws such as working time

sovereignty, childcare guarantees and fair transitions towards open-ended and full-time working contracts.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Monitor early implementation of the Work-Life Balance Directive, including focus on leave pay.</p> <p>2. Development of ETUC pan-European framework for monitoring the impact of collective agreements on work-life balance at all levels.</p> <p>3. Assess the adequacy and effectiveness of the Maternity Directive.</p>	<p>1. Exchange of EU practices to fund work-life balance instruments (public means and collective bargaining measures)</p> <p>2. EU Semester should monitor: - female participation in the labour market, and provide a breakdown for full-time/part-time employment; - women and men not in work due to care responsibilities (SDG 5).</p> <p>Other indicators to be developed: men taking parental and paternity leave; number of persons using family leave; duration of the leave; position of the person using the leave; salary before and after such leave.</p> <p>3. Within the Semester, develop and monitor the links between public investment in education, activation policies and services (especially care) and women's employment; use the gender equality index.</p> <p>4. Support and encourage social partners to ambitiously negotiate and conclude agreements implementing the WLB directive. Develop tools and training for collective agreement on measures related to work-life balance. Specific focus to be put on flexible working arrangements and increased information on the effectiveness of work-life balance measures that improve the productivity of labour and quality of life.</p>	<p>P2 &amp; P11</p>

### **PRINCIPLE 10 Healthy, safe and well-adapted work environment and data protection**

Monitoring of SDG 3 and SDG 8 shows that accidents at work are, in general, decreasing but huge differences between countries persist. This means that the Single Market is placing excessive competitive pressure on employers that try to relax their commitment to health and safety measures. EU intervention is needed. The only option is to promote a “zero fatal accidents” approach and introduce the right of workers to benefit from the best technology available to prevent accidents at work. Lack of enforcement of existing directives is a challenge.

The Action Plan in the pillar should support increased collaboration with the International Trade Union Confederation (ITUC) for a global strategy on Occupational Safety and Health (OSH) and to include the recognition of ILO Health and Safety Conventions as fundamental Conventions. Other joint work will cover work-related cancer, nanomaterials and endocrine disruptors. Together with ITUC and through the ILO and its Member States, ETUC will promote the right to safety and health as a fundamental right at work

for all workers, regardless of their employment relationship or the kind of business model within which they work (including digital platforms, e-commerce and crowd work).

Continued attacks on social dialogue and employee representative bodies across Europe have a negative impact on health and safety at work. In some Member States, there is a need to safeguard and reinforce the means of trade unions to tackle issues regarding health and safety in the workplace.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Monitor and reinforce transposition of Directives 2017/2398, 2019/130 and 2019/983 and enforcement of the current EU acquis.</p> <p>2. Add to the list of substances with legally-binding occupational exposure limits, including a litigation strategy for lack of enforcement.</p> <p>3. Develop and pursue our demands for zero work-related cancer, including the development of risk assessments and a revision of the Asbestos Directive.</p> <p>4. Continue the pursuit of EU Directives on psychosocial risks (PSR) and musculoskeletal disorders (MSD). This includes, among other things, the protection of workers against psychosocial risks arising from the use of new information and communication technologies in the workplace and recognising the impact of organisational factors at work that increase such pathologies.</p>	<p>1. Develop and pursue our demands for zero tolerance of fatal accidents and the prevention of accidents at work. “Zero fatal accidents vision” in the forthcoming EU OSH strategy, which should be monitored by an indicator on fatal accidents in the social scoreboard</p> <p>2. Mapping role of employee representatives and assessing effectiveness of trade union rights to ensure actual enforcement of EU legislation on H&amp;S in the workplace.</p> <p>3. Develop a uniform/single standard methodology and a common information system in the EU on: reporting occupational accidents, information on insurance systems for occupational accidents and diseases, and sharing of good practices.</p>	<p>P7 - Workplace representation.</p>

## **PRINCIPLE 11 Childcare and support to children**

The majority of Member States underperformed in the EU2020 and Barcelona Objectives. Public investments in this field are decreasing instead of increasing. Poverty among children and opportunities for children strongly rely on the income and social assets of the household they grow up in. It is also important to ensure access to good quality and economically accessible childcare, together with access to quality education, in order for workers, particularly women, to be able to fully participate in the labour market, and in the long-term increased equality in society.

A child guarantee should cover all children without exception. The EU should reinforce the universality - and quality - of public services, which also benefits vulnerable children and their families. The child guarantee should be a way to achieve full application of the UNCRC, universality being a key principle.

As regards childcare facilities, these must be accessible (geographically and for children with disabilities), affordable and of high quality.

Actions aimed at setting a minimum floor of rights in the	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions

<b>EU, a level playing field in the Single Market</b>		
1. An EU Universal Child Guarantee for all children in order to combat child poverty	<p>1. Anti-Poverty Action Plan (see also principle 14) with specific focus on:</p> <ul style="list-style-type: none"> <li>- Ensuring accessible, affordable and quality public services, including social services and childcare facilities</li> <li>- Access to quality education for all children</li> <li>- Addressing household (including in-work) poverty</li> </ul> <p>The action plan should include the achievement of SDGs 1, 5, 10 and their targets.</p>	<p>P2 &amp; P9</p> <p>Overlap with all other principles related to poverty.</p> <p>Connection with the WLBD.</p>

## **PRINCIPLE 12 Social protection**

The impact assessment of the proposal for a Recommendation on Access to Social Protection aptly describes the challenges behind Principle 12. ETUC made a case for social protection in the 2019 EU Semester providing evidence of the biased approach of the EU, which takes sustainability of national systems as the main, and often, only, policy objective of country specific recommendations.

In four years' time, an impact assessment should draw conclusions on whether a Recommendation is the appropriate tool to obtain this objective or whether a Directive would be more suitable.

Access to social protection is strongly correlated with quality of employment. That is why this principle will need to be consistent with Principle 5. As regards social protection, the following items should be monitored:

- coverage and adequacy of social protection benefits, irrespective of the form of employment;
- guarantee of effective minimum protection for all;
- the balance trade-off between employment flexibility features and access, duration and level of social protection benefits;
- the employment levels of the workforce;
- set adequate benefits (especially for pensions);
- improve access to training for workers;
- effective work-life balance instruments;
- ensure access to health care and prevent injuries at work.
- gaps due to professional careers, in case of long periods of unemployment, especially gaps that are gender-based or age-based, or stemming from precarious forms of employment.

Other elements can be investigated through social dialogue, such as the future of work, including protection against unfair dismissals, the right to full-time employment and working time sovereignty.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>

<p>1. Implementation of the Recommendation on Access to Social Protection. Priorities: extending formal (mandatory) and effective coverage, effectiveness and adequacy of benefit to employed and self-employed workers. Impact of the Recommendation should be closely monitored through the European Semester; also introducing indicators in the field of social protection, such as adequacy of pensions and coverage gaps in social protection systems. An impact assessment of the Recommendation should be carried out in four years' time, with the social partners being given the opportunity to confirm the most appropriate legal instrument for achieving the expected results.</p>	<p>1. Social Protection Scoreboard - Upward convergence with targets, as part of the Quality Jobs Programme - see Principle 5).</p>	<p>P4, P5 &amp; P6</p>
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### **PRINCIPLE 13 Unemployment benefits**

The Stability and Growth Pact (SGP) tends to reduce the adequacy and coverage of unemployment benefits schemes in favour of balancing government budgets, but to the detriment of workers' protection. Unemployment benefits have nevertheless decreased (replacement ratio, or duration of the benefits, obligations of the beneficiary not linked to participation in ALMP, etc.). The objective of aligning it to a greater extent with Active Labour Market Policies remains valid for a few countries. It is dependent on national models and the EU does not harmonise the performance of activation measures. The consequences of this can be seen in national accounts and poverty rates as part of the benchmarking process within the EU Semester.

An EU initiative on free movement of workers and the portability of rights in labour market transitions may trigger convergence in the field of workers' rights to adequate unemployment benefits and/or activation measures to transition from unemployment to employment, or from temporary to standard employment contracts.

The European Commission is working on a proposal for a European Unemployment Benefit Reinsurance scheme. It will likely be conceived as an instrument of fiscal stability rather than a labour market instrument, with the unwanted consequence that sustainability will be more relevant than adequacy of performance. The Reinsurance Scheme should not interfere with the rules and practices of national systems or serve as a new instrument for disciplining Member States and/or harmonising national systems for unemployment insurance.

Regarding benchmarking within the European Semester, more emphasis could be placed on young workers that are particularly affected by precariousness at the beginning of their career path and who are sometimes penalised even more within the existing national unemployment benefit scheme or even ignored. The same may apply to workers aged between 52 and 67. The question of penalties also seems relevant in view of the structural reforms spreading across Europe to reduce job seeker access to unemployment benefit schemes or to create more precariousness among job seekers through the prism of austerity. Furthermore, the growing tendency, in some Member States, of rendering job seekers "invisible" in order to serve short-term political gains - starting with young NEETs - should also be addressed.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Investigate the added value of a legal instrument that, under the framework of free movement of workers, would establish a right of access and portability of entitlements to both unemployment benefits and ALMP packages available to unemployed workers.</p> <p>2. Unemployment Benefit Reinsurance scheme.</p> <p>3. Reference to Title X of the Treaty on the Functioning of the European Union (TFEU), setting of legally-binding minimum standards for unemployment benefits in terms of coverage, adequacy, the right to training, and the duration of the entitlements.</p>	<p>1. Benchmarking systems that can be followed through the European Semester. Indicators: long-term unemployment and government expenditure for ALMP (other indicators may be: quality of benefits, welfare and contributory benefits, gender- and age-based data, duration of benefits).</p> <p>2. The European Employment Strategy and the European Network of Public Employment Services are two very important tools for convergence, and they should be further developed.</p> <p>3. Development of indicators and benchmarks that drive upward convergence in performance of unemployment benefit schemes, in support of the establishment of minimum standards and safeguarding features for national systems. (see also Principle 5 - Quality Jobs Programme)</p>	<p>P1 - Education as VET is part of the ALMP.</p> <p>P8 - Protection in case of collective dismissals.</p> <p>P14 - A minimum income.</p> <p>Connection with free movement of workers and portability of rights.</p>

## PRINCIPLE 14 Minimum income

The EU exhibits improvements only in combating absolute poverty (material deprivation). However, efforts are not being undertaken to keep people out of poverty or social exclusion: in-work poverty is increasing. The majority of minimum income schemes across the EU are far from providing sufficient coverage, duration and adequacy of benefits. This is resulting in growing social divisions and labour market and economic disruptions.

ETUC believes that European citizens should also have the right to receive a guaranteed minimum income throughout their entire lives. This can be achieved through a combination of social protection tools and public investments in training for unemployed people with public employment services and activation policies that help every single person in the EU who is at risk of poverty or of social exclusion. EU standards for a minimum income cannot be seen as a disincentive to work.

Minimum income schemes must guarantee sufficient income to meet the essential needs of people and their dependents and be highly inclusive and accessible; for those able to work, they must be combined with a series of services and embedded within a broader EU and national policy response to active inclusion. A European framework Directive should establish common principles, definitions and methods to grant this right across the EU. However, any legislative and/or soft law initiative in this field should ensure equivalent performance of national systems without altering their features, provided that the system ensures outcomes aligned to European standards. In many countries, trade unions are key players in the management of social security bodies, often with joint-body entities, and through collectively bargained tools for social inclusion and protection of vulnerable categories. This is an asset that any EU initiative should build upon and accentuate and not threaten with undesired harmonizing legal frameworks.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Investigate characteristics and performance of national systems in order to define the characteristics of a European Framework Directive on an adequate minimum income to combat poverty and social exclusion embedded within a broader EU; national policy response to active inclusion, social cohesion and equality.</p> <p>2. An instrument to define and design the functions of a minimum income. This includes defining a basket of goods that should serve as a parameter for setting living income levels in order to complement or replace other sources of income or ensure a subsistence income.</p>	<p>1. In connection with SDG 1 and, as part of the European Semester, Anti-Poverty Action Plan as in Principle 11.</p> <p>2. Elaborate a Social Dialogue framework for social partners and governments to assess coverage, adequacy and effectiveness of Minimum Income Schemes in combination with social benefit (in cash and kind) and activation policies; focus on conditionality.</p>	<p>Overlap with adequacy of performance of other principles in chapter 10.</p> <p>Combating poverty and SDG 1.</p>

## **PRINCIPLE 15 Old age income and pensions**

The needs of an ageing population should be better understood, and solutions found to ensure assistance for older people, adequate pensions, good health and social care and safety nets. Comprehensive social protection systems cannot be built through legislation alone. They need financial resources and a commitment from Member States to make the necessary funds available to move forward in implementing the EPSR. Within this context, the role of the EU is crucial to ensure that people reach the end of their professional careers in good health and with sufficient resources - guaranteed primarily by strong statutory pension systems - to enjoy a dignified retirement. Workers employed in arduous activities need particular rules within the broad sphere of pension schemes in order to ensure good health in retirement and adequate income at pension age.

In the EU Semester pensions are still treated as purely fiscal sustainability issues rather than social demands linked to demographic challenges. Coverage, quality, and access have suffered as a result of cuts to public expenditure, dismantling of collective risk-sharing and marketisation often prescribed by Country Specific Recommendations (CSRs).

The adequacy of social protection benefits must be ensured by statutory public and collective systems for all workers and self-employed. Fiscal objectives should be compatible with decent living conditions for elderly people. The Council Recommendation on Access to Social Protection should be supported and implemented. Progress should be monitored for workers and self-employed. A set of indicators should be introduced, within the framework of closer cooperation between Member States, to find alternatives to raising the retirement age and to make prolonged careers workable. Efforts should be made to create more and better jobs across all ages, to strengthen first pillar pensions, ensuring universal coverage and adequacy in all Member States, and to support European and national-level coordination for the development of occupational pensions based on collective agreements and as a voluntary supplement to a stronger public pensions system.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
1. Implementation of the Recommendation on Access to Social Protection	<p>1. Introduce an “adequacy” indicator that establishes Medium Term Budgetary Objectives for the Member States and monitoring quality of life of old-age people, especially people in retirement and people dependent on pension incomes (this includes an increase in pension income).</p> <p>2. Linking fiscal sustainability and adequacy of pensions with labour market performance, employment dependency ratio, quality of work and remuneration, fairness of contributory obligation between employers and workers, gender pay and pension gap. Special focus should be placed on the employment situation of workers between 52-67, monitoring effects of unemployment on adequacy of awaited pension income.</p> <p>3. Monitoring evidence concerning demographic, migration and retirement trends for different categories of workers, including those performing arduous jobs. In particular, there should be a focus on the positive effects of well-managed migration inflows on sustainability of social protection schemes.</p> <p>4. Anti-Poverty Action Programme as in Principle 11.</p>	P6, P12 & P16

## **PRINCIPLE 16 Health care and PRINCIPLE 18 Long-term care**

The European Semester is addressing sustainability and accessibility to health services. Austerity measures have drastically reduced the scope of public services and their accessibility. At the start of the 2019 Semester, ETUC stated that health care and long-term care systems were a source of huge concern and suffering for a growing proportion of the EU’s population, and require immediate action. More than 15 Member States show very poor performance in health care. Coverage and access to long-term care is insufficient in several Member States. Informal care dominates the sector, to the detriment of services and female participation in the labour market. While public structures are often lacking, private options are extremely costly, inaccessible, and often lead to a deterioration in services as well as working conditions in the health sector. No substantial investments were contemplated in the past Semester cycle.

Access to health services and to long-term care is an EU emergency. The EU Semester cycle promoted “rationalisation” and “cost-efficiency”, implying aggregation of structures, a shift in already allocated resources, de-hospitalisation of care, but almost never public investment in necessary personnel and services. Out-of-pocket expenditure for health is on the increase in many Member States. SGP rules have extended the scope of the

private market supplying health services and insurance to people. This reduces access to health services, which is one of the main reasons for discontent among the population.

The care sector is crucial to ensuring a decent standard of living for elderly people. It is necessary to improve the attractiveness of the sector in order to raise the quality of the work and services supplied. There is a high incidence of foreign and undeclared workers in the sector, especially female migrants. It is important to eliminate all areas of vulnerability for people working in this sector and give workers the opportunity to improve their skills and their working conditions for their own benefit as well as the benefit of users.

The EU should push for a rights-based approach and public investment in universal, solidarity-based and gender-responsive social protection systems at international, European and national levels. It should also pursue upward convergence goals and funding allocation in child, health, elderly, long-term, disability and dependency care in order to guarantee universal coverage and high-quality care.

In order to meet the current and future needs of an ageing population, greater expenditure on universally accessible, affordable and good-quality public services for health and long-term care must be undertaken and viewed as an investment. Preventive care must be enhanced through proper policies and funding. Professional development, training, education and career recognition are crucial in order to improve quality and coverage of care and provide quality job opportunities. Work-life balance policies should support workers with care responsibilities. The EU should introduce an EU Right2Care backed with national action plans.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>	<b>Connections with other principles/actions</b>
<p>1. Guarantee access to quality and affordable health and long-term care (LTC) in all MS.</p> <p>2. Free movement: Revision of Regulation 883/2004 on coordination of social security systems to strengthen the coordination of such systems including health and LTC in order to improve the rights of mobile workers.</p>	<p>1. EU Right2Care programme, backed with national action plans through the European Semester, based on transparent and ambitious objectives (monitoring the right of access to free public health services).</p> <p>2. Monitoring capacity, functioning and impact of occupational welfare, role that it plays in national systems, under what condition it is beneficial for people and role of collective bargaining.</p> <p>3. EU initiatives to strengthen the resilience of publicly-funded, universal and accessible healthcare systems. Monitor public investments in high level education and training in the sector and establish a link with the care needs satisfied.</p>	<p>P6 &amp; P18</p>

## **PRINCIPLE 17 Inclusion of people with disabilities**

80 million people in Europe live with a disability and many are victims of discrimination. For these people, the EU should be a source of augmented freedom and opportunities. The EU promotes integrating them into the labour market, reinforcing the legislative anti-discrimination framework, increasing their rates of employment and ensuring sound protection at all ages. It should also allocate funds, especially the ESF+, to increase the resources that Member States allocate to equal opportunities, infrastructure inclusion and activation measures. The legislative protection and promotion of people with

disabilities within the labour market, both in access to employment and in keeping the job, will be assessed and monitored in all Member States, so as to fill the loopholes.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) and clarify the concept of reasonable accommodation. Building on the European Strategy for Disability and Directive 2000/78.</p> <p>2. Fitness check of the EU and national laws to propose further rules that ensure full inclusion of people with disabilities in society and in the labour market.</p>	<p>1. Monitor the employment rates of people with disabilities in connection with investment for active inclusion, provision of enabling services, poverty and exclusion.</p> <p>2. Monitor effectiveness of existing legal frameworks within Member States aimed at integration of people with disabilities into the Labour Market and envisage an EU legal framework.</p>	<p>P8 - Collective bargaining and workplace representation.</p> <p>P3, P4 &amp; P18.</p>

## **PRINCIPLE 19 Housing and assistance for the homeless - PRINCIPLE 20 Access to essential services**

Liberalisation and privatisation of public services, including an excessive and non-accountable use of Public-Private Partnerships (hence putting profit above the interests of people) deprive society and most of the population of essential tools to meet their needs. Unmet needs, lack of affordable public structures, and too-costly private provisions are found in crucial sectors influencing Europeans' quality of life, such as health and care, education, childcare and housing.

Public services - ranging from health, child and elderly care, education and training and employment services, transport, water, waste, energy, social housing, information and social services to justice systems as well as infrastructure as a whole - represent the backbone of European provision of services and common goods to citizens and residents. High-quality and accessible public services and common goods provision are a fundamental right. They are essential in order to combat inequalities and social exclusion, to guarantee equal treatment and to tackle the social, economic demographic and environmental challenges facing Europe.

Social housing, and decent housing for all households, is a pillar of many social models across Europe. In this regard, and in conjunction with just transitions and the inclusion of the UN2030 Agenda, there should be more emphasis on combating household energy poverty.

Member States could take measures (also through the Semester) to intervene more actively in controlling and shaping the private housing market, e.g., through building permits, rent controls, tax on 2nd properties etc., and to prevent speculation.

In general, Principles 19 and 20 should be construed as a bridge between the UN2030 Agenda and the EPSR in order to prevent poverty, banish hunger and deprivation, promote good health, ensure equal opportunities and sustainable cities and agriculture. The human right to water and sanitation, recognised by the United Nations in the Social Development Goals (SDGs), must be backed by concrete proposals in order to be accessible to all.

Local workers, mobile workers and migrants must have the same rights and should benefit from equal treatment, quality jobs and decent working conditions, while everyone should have equal rights to decent housing and social protection.

Some priorities that may also be promoted through closer cooperation between Member States and, where necessary, leading to EU legislation:

- Promote universal social services as public services, organised collectively on the basis of public service principles and underpinned by clear legal frameworks.
- Fight against budget cuts in social services, and for adequate funding and staffing for social services. Support access to training and qualifications, higher levels of professionalisation, representation and defence of workers' rights by trade unions; and develop effective recruitment and retention policies at all levels.
- Pursue the professionalisation of these jobs for better collective guarantees. Increase collective bargaining coverage.
- Improve working conditions in the people care sector, especially filling the gaps between migrants and local workers.
- Advocate the development, implementation and monitoring of standards for the quality of services and jobs, building on the EU voluntary quality framework for social services of general interest (SSGI), which recognises the need for high-quality services and employment.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions	Connections with other principles/actions
<p>1. Explore the viability of EU legal instrument(s) on public services, based on Article 14 of the Treaty to develop regulatory framework(s) for public service providers.</p> <p>2. Mainstream principle 19 in the EU Directives on access and working conditions for third country nationals for reasons of employment.</p>	<p>1. See also Anti-Poverty Action Plan. This principle will be an element of the Plan. It may include targets for public investment in social housing.</p> <p>2. Develop benchmarks for government expenditure within the Stability and Growth Pact to ensure necessary funding for universal, affordable and high-quality public services (e.g. through the "golden rule"). This would also support implementation of many of the SDGs of the UN2030 Agenda.</p> <p>3. Access to decent housing must be ensured.</p> <p>4. Support initiatives to integrate public service elements and fundamental rights in relevant EU sectoral initiatives (e.g. right to health, right to water, right to energy, right to good administration, right to public transport, right to internet access, etc.)</p>	<p>P4, P5, P8 &amp; P18</p>