

ETUC PRIORITIES FOR THE ACTION PLAN IMPLEMENTING THE EUROPEAN PILLAR OF SOCIAL RIGHTS

(full version available on the dedicated website <https://est.etuc.org/socialpillar>)

GENERAL PRINCIPLES

We expect an **ambitious Action Plan** to implement the European Pillar of Social Rights (EPSR), which should contain **high-level political commitments** to implement **objectives for upward convergence** related to the 20 principles of the EPSR. Such convergence should be achieved by **setting indicators and an efficient monitoring method** involving the EU institutions, Member States and EU/national Social Partners.

The Action Plan should serve as a tool for the **EU, Member States, and social partners** to address the well-known challenges facing Europe (e.g., digitalisation, green transition and demographic change). This is even more necessary now, as we are facing the negative effects of the COVID-19 pandemic on health, employment, social and economic aspects.

The Action Plan should introduce a **level playing field of rights** for all European workers and lead the EU toward a progressive **modernisation of our social systems**, enlarging workers' sphere of freedoms and rights and designing new protections. It should promote an **economic and social governance** that builds sustainable growth and well-being for all, with the aim to ensure higher standards in the EU.

The Pillar must support **the Green Deal** and advocate a human-centred **digital transformation**, as far as such policies benefit all workers and properly protect those who are forced into labour transitions.

The **Recovery and Resilience Facility (RRF)** must contribute to implementing the European Pillar of Social Rights, in order to create stable and quality jobs and social cohesion and inclusion. Social objectives should be mainstreamed in all relevant legislation and regulations and implementing plans linked to **Next Generation EU**.

Social dialogue must be a cornerstone of the Recovery Plan, to create ownership for reforms and investment and to ensure that environmental and digital transitions are socially fair. **Collective bargaining** is key to provide for efficient employment and social outcomes, ensuring better enactment and implementation of social rights.

PRIORITIES TO TACKLE THE ECONOMIC CONSEQUENCES OF THE PANDEMIC, TO ENSURE JUST TRANSITION AND SOCIAL RESILIENCE

During and in the aftermath of the pandemic, the first priority is to preserve jobs. The Action Plan should better coordinate the continuation and extension of the emergency measures to protect all workers, including precarious and self-employed workers, as long as necessary until the full recovery of the economy, through the following priority measures:

- a) Setting common standards to protect the health of workers and set balanced solutions to ensure easy and fair access to vaccine, free of charge, starting from most exposed groups, including frontline workers.
- b) Short-time work schemes should cover all categories of workers and have to be prolonged and complemented by massive investments in active labour market policies, to avoid increases of structural unemployment, especially among young and 55+ workers. It includes the use of all available resources under SURE and other EU sources.
- c) Providing guidance to ensure that all workers in Europe are protected against dismissals and provide factual protection to workers involved in restructuring and risk to lose their jobs or income.
- d) Reinforcing the trade union role in co-managing company crisis through collective bargaining and workers' participation, information and consultation rights, collective

dismissals procedures or collective bargaining rounds to co-manage restructuring, in a flexible mix of solutions that respect national laws and industrial relation practices.

- e) Solutions to stop a trend that see women particularly hit by the crisis because of direct and indirect discriminations.
- f) Specific support to be provided to young workers, who are among the most hit by the crisis also due to their precarious working conditions and temporary jobs.

Measures for just transition will enable a full implementation of green and digital transition. The “just transition” concept is at odds with the flexicurity model that relax workers’ protections on the labour market and make them more vulnerable at workplace. The following measures will reassure workers that they will continue to have a stable job or an income that is sufficient to preserve a good standard of living for them and their families:

- a) Access to quality job opportunities and training is key. This requires massive investment for job creation and a governance based on social dialogue. The transfer, placement and qualification of employees must be secured by collective agreements.
- b) Active labour market policies, including retraining policies - designed with the close involvement of social partners - must provide retraining opportunities for workers faced with losing their jobs so they can remain within their industries (manufacturing, energy etc.) and maintain a skills base.
- c) The Gig Economy, with the proliferation of an increasing number of digital platforms, requires new protections and rights due to the extensive use of fake self-employment or precariousness that hits mainly young workers, migrants and other vulnerable groups.
- d) Stable employment must be the norm while more effectively fighting abuses in flexible working contract (affecting especially young workers) and promoting fairer wages.
- e) The transition to a digital and climate-neutral economy which delivers for good working conditions and fully respect labour rights will require massive investment to adapt industrial production facilities, improve related infrastructures.
- f) A regional approach to just transition has to be developed to tackle regional divides. Also, industry-specific roadmaps should be developed to facilitate smooth transitions and set alternatives to restructuring.
- g) There is a gender dimension of just transition to be addressed. Active measures have to be set forth to address the gender pay gap and increase number of women in top positions of our societies.

Social resilience of our economies and societies means that our social, employment and health systems are solid. As urgent measures, the Action Plan should:

- a) Invest in education and skills by improving the specialisation of occupational training programmes and provide workers with the right to have access to active labour market policies. Ensure that activation measures are compulsory for groups that stay (or are at risk of staying) at the margins of the labour markets.
- b) Stress the importance of enforcement of Occupational Safety and Health rules and improvement of the regulatory EU OSH framework. Nobody should have to die or fall ill because of their job.
- c) The COVID-19 outbreak underlines the need to reinforce universal and solidarity-based public health systems, as part of the EU social model and commitment to quality public services. This can be done by investing in public, non-profit systems, to ensure there is sufficient levels of qualified, well-trained and well-remunerated staff, who are able to cope with the population needs.
- d) All workers, regardless of their employment status or work sector, should benefit from the protection provided by labour legislation regardless of their working contract or nature of their employment relationship and banning any form of discrimination or derogations that penalise young workers or other vulnerable groups.

- e) Social Protection has also been affected by the pandemic and must be adapted to the new social risks emerging from the pandemic, and the green, digital and demographic transformations to shelter all workers and remove any form of discrimination.
- f) Fiscal resources are crucial for the financing of a high level of social protection and quality public services. As general principle and according to national practices, employers have to contribute to the financing of social protection systems and young workers need to have immediate and non-discriminating access to social protection systems.

FINANCING THE ACTION PLAN

The Action Plan should be **funded by sufficient resources** and be complemented by the following measures:

- a) Until the economic effects of the pandemic are visible, the General Escape Clause must remain in place supported by coherent ECB policies.
- b) We urge a revision of the Stability and Growth pact in which coordination of fiscal, macroeconomic and social objectives are integrated in a balanced mix of targets that aim at an overall well-being of people, labour market inclusiveness, and worker's protection.
- c) Member states are called to direct the NGEU/RRF and ordinary government expenditure toward the objectives of the EPSR, setting common targets for convergence and using multilateral surveillance to keep expenditure for social protection and public services aligned to the actual and increasing needs of people while ensuring a dignity in ageing.
- d) The implementation of the EPSR should also be fostered by setting-up European reinsurance mechanisms/stabilisers to protect employment and fight against unemployment, including the preservation of jobs and workers' income in situations of external shocks. The EU has to be allowed to raise resources on financial markets for that purpose.
- e) Companies and investors have to contribute to the attainment of such objectives. As we are all engaged to create a thriving business environment, we demand reciprocity with private investments to pursue just transitions objectives. The EU can be the largest market for ESG¹ investments, but we need an ambitious taxonomy for green and social investment that sets the bar high at the highest social standards.

ROLE OF EU-LEVEL SOCIAL PARTNERS TO IMPLEMENT THE PILLAR

Social Partners, EU institutions and national authorities can better align their objectives reinforcing their institutional dialogues at EU and national levels and making the **Action Plan the centrepiece of their policies**.

Social partners should substantially contribute to the **implementation of the EPSR, at EU, national and local level**, especially to counteract the economic consequences of the COVID-related crisis. National social partners should be systematically involved in the design, implementation and monitoring of national Recovery and Resilient Plans, and at EU level, in other initiatives falling under the scope of the *NextGenerationEU*.

The potential of industrial relations for modernising the workplace to adapt to the green and digital transitions has to be unleashed, in full respect of social partners autonomy and national practices. For that to happen, it is necessary to remove obstacles and solve problems that in too many countries prevent the full involvement of social partners at all levels. It is of paramount importance that all Member States commit to ensure the proper involvement of social partners in policy-making, especially when it comes to the principles of the EPSR. The actual involvement of the social partners at all levels would avoid repeating the mistakes of the past (in the aftermath of the 2008 financial crisis), by preventing structural reforms damaging the living and working conditions of European citizens.

¹ ESG means using Environmental, Social and Governance factors to evaluate companies and countries on how far advanced they are with sustainability. Data acquired on these three metrics can be integrated into the investment process when deciding what equities or bonds to buy. It means integrating extra-financial analysis in the decision making process.

Social Dialogue is a key principle of the European Pillar of Social Rights. In the context of the implementation of the action plan of the Pillar, the ETUC underlines that effective Social Dialogue requires social partners to have sufficient resources and expertise to negotiate and implement agreements. Capacity building support is key, and the recovery from the unprecedented COVID-19 crisis will require strong social partner organisations. Furthermore, the prerogatives of social dialogue must be preserved for both sides of industry, and that means that the Commission must prioritise social partner consultations over public consultations and must guarantee that trade unions are included as the representatives for the side of labour. Likewise, civil society dialogue must not be confused with social dialogue, civil society dialogue must be promoted but not in a manner that undermines trade unions or bipartite social dialogue.

Social dialogue plays a central role in reinforcing social rights and enhancing sustainable and inclusive growth. European Social Partners have a role to play in pursuing and implementing the European Pillar of Social Rights, in accordance with their autonomy and prerogatives. Moreover, it is essential that the Action Plan supports the European Social Dialogue and its outcomes. European social partners can contribute establishing minimum rights and reinforcing the social dimension of the single market through EU-level positions, joint analysis and, when desired, signing autonomous agreements also aimed at setting the establishment and the functioning of innovative EU tools and legislations.

These policy areas are developed into the ETUC Resolution [Negotiating a fair future: reinforcing the role of Social Dialogue](#).

As the social and economic governance of the EU is concerned, Social Partners in the **Semester** process and in the **Recovery and Resilience Facility** should be involved in **meaningful** and **timely** manner. In this regard, social partners can provide a better contribution improving scaling up the functions of the Macro-Economic Dialogue (cf. [The role of Social Partners and Social Dialogue in the Semester process and in the Recovery and Resilience Facility \(RRF\)](#)). Then, building on UN2030 Agenda, social partners can converge on benchmarks, objectives and measuring indicators exploiting the driving power of sustainable growth and decent work agenda.

In this context, **Social partners** should be better involved to design and increase ownership of social/economic governance outcomes, but their involvement should be framed into a EU-rule that sets quality features of involvement and engagement criteria at the milestones of the EU Semester (or future processes); they may contribute to the coordination of employment policies developing autonomous monitoring and impact assessment frameworks that improve multilateral surveillance and peer review exercises with the aim of binding the economic governance to social objectives and increasing ownership and effectiveness of the Joint Employment Report and the Social Scoreboard.

As topics are concerned, the ETUC considers that social partners have a key role to contribute to achieve the 12 flagship initiatives mentioned below and in policy areas pointed out in this document (developed in details in the [ETUC Inputs for an Action Plan implementing the ESPR](#), principle by principle). This should be the result of an open and fruitful dialogue between social partners and public authorities.

ETUC 12 FLAGSHIPS INITIATIVES

The ETUC has developed proposals to implement the 20 principles of the ESPR, 58 aimed at setting minimum rights for EU workers and 52 to boost upward convergence of working and living conditions. Such proposals have to be deployed along the years and among them the ETUC identifies the following flagship initiatives that should be immediately followed up:

- I. Adopting a **Directive on gender pay transparency** - equal pay for equal work and work of equal value (wage transparency).
- II. Speeding up the adoption of the **Directive on adequate minimum wages** in the European Union with necessary corrections to the proposal advanced by the European Commission in October 2020.
- III. A **legislative initiative to reinforce rights of precarious, non-standard and self-employed workers**, particularly those employed in new forms of work and in the digital

economy/platforms, including the right to organise and conclude collective agreements regardless of their employment status.

- IV. **Improving the Biological Agents Directive**, to make it more fit for purpose in dealing with a pandemic and introducing **new EU Directives on Psychosocial Health Risks and Musculoskeletal Disorders**.
- V. **Develop a common approach to active labour market policies**, building on the experience of **SURE** and designing **permanent EU stabilisers/reinsurance mechanisms** of government's expenditure on employment, social protection and unemployment benefits.
- VI. A **legislative initiative to introduce a 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.
- VII. A **Directive on human rights due diligence and responsible business conduct**, focusing on the respect, promotion and enforcement of human rights by businesses.
- VIII. A **legislative initiative on information, consultation and participation of workers**, including legally binding minimum standards for workers' involvement in **transnational restructuring processes**.
- IX. Adopting the **fourth update of the Carcinogens and Mutagens Directive**, also extending its scope to substances toxic to reproduction and hazardous medicinal products.
- X. A **legislative initiative on common EU standards for minimum income schemes**, and full and proper **implementation of the Council Recommendation on access to social protection**.
- XI. A **legislative proposal/directive** on the **right to disconnect** with a main focus on enforcement.
- XII. **Initiatives to strengthen social dialogue, collective bargaining and trade union involvement in institutional dialogue**, including the economic governance and the European Semester, at EU, national and sectoral levels.