

A better Europe for working people: a stronger Pillar of Social Rights

The ETUC welcomes the European of Pillar of Social Rights, urges EU member states to adopt and implement it, and has identified 10 essential 'building blocks' to turn the nice words in the Pillar into real improvements in the lives of working people.

- 1. Get started** It's time for action - to put the talk into practice. EU Governments need to support the Pillar and the proposed package of legislative initiatives.
- 2.** The EPSR needs **an 'Action Plan' for implementation** with concrete actions and commitments for enforcing each of the 20 principles and rights.
- 3. Investment** to make the rights real: using existing EU funds, and the EU's new budget, to help fund implementation of the EPSR. Public services must have the resources to allow effective access to the essential services contained in the Pillar of Social Rights.
- 4. EU laws to enforce the rights** including Directives on the right to effective enforcement; protection for non-standard workers; online platforms online; rights for self-employed workers; privacy at work; exposure to diesel, reprotoxins and nanotechnologies; whistle-blower protection; and a strengthening of the Equal Pay Directive to advance equal pay for women.
- 5. Active support from all EU Bodies:** EU Institutions including the EU Court (CJEU) and the ECB should be required to respect the rights in the Pillar and secure the achievement of these rights.
- 6. Better EU economic policy:** The EU's annual economic policy-making 'semester' should take working people's rights and well-being as seriously as it does fiscal imbalances and implement the principles contained in the European Pillar of Social Rights.
- 7. A Social Progress Protocol** in the EU Treaty to confirm that the single market exists to achieve social progress; that economic rules cannot have priority over social rights, that economic freedoms do not give the right to avoid national social and employment laws or to engage in unfair competition on wages and working conditions.
- 8. Support trade unions & social dialogue** The EU should promote and support social dialogue in all EU countries, legal frameworks should exist in all EU countries to enable negotiations between employers and trade unions at sectoral and national level.
- 9. Collective bargaining: fair pay & work conditions** All member states should promote collective bargaining at sectoral level to achieve sustainable wages for all. In countries with a statutory minimum wage, a common set of rules should ensure that minimum wages are a living wage negotiated by employers and trade unions.
- 10.** Establishing **a Just Transition Fund**, for managing change through digitalisation and automation in a sustainable manner.



Building a better Europe for working people

The Social Progress Protocol and the European Pillar of Social Rights

Fix the Foundation

Trade unions are calling for the EU Treaty to be fixed so that social rights are properly guaranteed. We need a Social Protocol so that Social Rights are not undermined by the EU Court, the application of EU fiscal rules or the operation of the four freedoms.

Why is this an issue?

In EU law, economic freedoms take precedence over social rights. This problem was caused by the case law of the European Court of Justice.

As a result, it has become more difficult for trade unions in Europe to defend workers against unfair competition on wages and working conditions, to fight for equal treatment between migrant and local workers, and to take action to improve living and working conditions for workers across Europe.

What are we calling for ?

The ETUC proposes to add a Social Progress Protocol to the European Treaties. Such a Protocol would unambiguously clarify the relation between social rights and economic freedoms.

A Protocol has to be attached to the European Treaties so as to be binding at the highest level and to influence the decisions of the European Court of Justice.

The Social Progress Protocol should:

- a) confirm that the single market is not an end in itself, but is established to achieve social progress for the peoples of the Union;
- b) clarify that economic freedoms and competition rules cannot have priority over fundamental social rights and social progress, and that in the event of conflict, social rights take precedence;
- c) clarify that economic freedoms cannot be interpreted as granting undertakings the right to exercise them to evade or circumvent national social and employment laws and practices, or for the purposes of unfair competition on wages and working conditions.

Upcoming milestones

November 2017:

Publication of Commission's proposals to foster companies' mobility.

→ A Social Progress Protocol to make sure that EU economic freedoms do not caution letterbox-type practices!

December 2017:

Incorporation of the Fiscal Compact into the European legal framework.

The ETUC opposed the Fiscal Compact and its content since the beginning and will continue to do so!

→ No institutional change without incorporating a Social Progress Protocol!

January 2018:

Adoption of the revision of the posted workers Directive.

→ Equal treatment can only become a reality if a Social Progress Protocol corrects the institutional background!

2018:

An EU agenda for migration, a Union of democratic change

→ A Social Progress Protocol to achieve social progress!