



Committee of the Regions

ECOS-V-046

104th plenary session, 28-29 November 2013

OPINION

Enhanced Cooperation Between Public Employment Services

THE COMMITTEE OF THE REGIONS

- strongly supports the European Commission's proposal to strengthen and formalise cooperation between European Public Employment Services;
- endorses the commitments made by European PES representatives to play a pivotal role in promoting youth employment in Europe, to increase efficiency and boost co-operation with other stakeholders;
- asserts that good and best practice often occurs at the local and regional level therefore it is imperative to recognise the importance of the work undertaken at this level. The network should take best practices into account and disseminate them;
- requests that the network include a representative appointed by the CoR as an observer in order to ensure that the views, experiences and practices from the local and regional level are reflected in the network;
- believes that the proposal gives the network higher visibility, legitimacy and a clearer political mandate but maintains that its role should remain advisory; emphasises that effective PES are crucial in implementing a youth guarantee scheme and that it is essential that all PES have a profound knowledge of the structure of youth unemployment, the strengths and weaknesses of young people, job opportunities as well as job specific requirements;
- acknowledges that the increasing complexity of labour markets calls for greater levels of cooperation and partnership working with the social partners and other public, private and not-for-profit stakeholders which should be reflected in the enhanced network.

Rapporteur

Mick Antoniw (UK/PES), Member of the National Assembly for Wales

Reference document

Draft Proposal for a Decision of the European Parliament and of the Council on Enhanced Cooperation Between Public Employment Services (PES)
COM(2013) 430 final

Opinion of the Committee of the Regions – Enhanced Cooperation Between Public Employment Services

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. strongly supports the European Commission's proposal to strengthen and formalise cooperation between European Public Employment Services which, by improving performance of PES, should contribute: to the objective set out in Article 3 of the Lisbon Treaty of promoting full employment; to combating youth unemployment and to meeting the Europe 2020 employment targets;
2. highlights the fact that Article 29 of the Charter of Fundamental Rights stipulates that "everyone has the right of access to a free placement service" and is therefore surprised that there is no reference to this provision in the European Commission's proposal for a decision;
3. points out that public employment services are a service of general economic interest and as such are governed by Article 14 of the Treaty on the Functioning of the European Union and Article 36 of the Charter of Fundamental Rights;
4. underlines the diversity among PES across EU Member States in terms of structures, delivery models, activities and the fact that they operate in diverse labour market conditions and have different levels of resources;
5. endorses the commitments made by participants at the 3 July youth employment conference in Berlin, notably the promise made by European PES representatives to play a pivotal role in promoting youth employment in Europe, to increase efficiency and boost cooperation with other stakeholders;

Work of PES network to date

6. notes that an informal advisory network of European PES has existed since 1997 with working groups on topics like New Skills for New Jobs or PES efficiency; a mutual learning programme and PES to PES dialogues;
7. affirms that it has contributed significantly to EU level policy work by providing specialist feedback on issues like flexicurity, the role of PES in "making transitions pay" and the youth guarantee;
8. observes that this network has been a very useful, cost-effective forum to exchange best practice between PES and a significant source of mutual learning and innovation on a wide range of areas such as digital services and customer profiling;

9. recognises that learning from the network has improved delivery and services on the ground in some Member States;

The need for an enhanced network with a legal base

10. highlights that this legislative proposal would establish a PES network with the aim of expanding, reinforcing and consolidating on-going initiatives to further improve the effectiveness of PES and the operation of the labour market;
11. emphasises that the proposal for a decision submitted by the Commission is still within the terms of reference of coordination and support as defined in Article 149 of the Treaty on the Functioning of the European Union and is therefore consistent with the principle of subsidiarity;
12. believes that the proposal gives the network higher visibility, legitimacy and a clearer political mandate but maintains that its role should remain advisory;
13. considers that this legislation would give PES a greater degree of ownership of the network and further empower them to act in unison where appropriate;
14. draws attention to the fact that not all PES have been involved in the network to the same degree, which is detrimental to the quality of the network's output and weakens the policy response from the network;
15. maintains that formalising the network will ensure that all Member States become involved and would be required to systematically provide evidence of how they have implemented changes in line with EU policy decisions, thus helping to identify poor performance and related structural problems;
16. emphasises that effective PES are crucial in implementing a youth guarantee scheme and that it is essential that all PES have a profound knowledge of the structure of youth unemployment, the strengths and weaknesses of young people, job opportunities as well as job specific requirements;
17. asserts that the remit of the network must be very clearly defined so as to ensure that there is no duplication between its work and that of, for example, the Employment Committee (EMCO) and its sub-groups, together with other groups like the European Lifelong Guidance Policy Network and EURES; but equally considers that the enhanced network should strive to achieve synergies with these groups where appropriate;

18. underlines that the outputs of the enhanced network should inform work on employment policy at EU level, notably that of EMCO and the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO);
19. acknowledges that the increasing complexity of labour markets calls for greater levels of cooperation and partnership working with the social partners and other public, private and not-for-profit stakeholders which should be reflected in the enhanced network;

Benchmarking/bench-learning

20. agrees that there is scope for further benchmarking, which is a pre-requisite for benchlearning, but feels that this has to be undertaken sensitively taking full account of national/regional differences;
21. notes that the Commission's proposal will in accordance with Article 8 empower the Commission to adopt delegated acts for the delivery of the benchmarking and mutual learning initiatives. In this regard, the Committee of the Regions points out that no significant administrative burdens should be imposed on local and regional authorities by way of delegated act;
22. deems that the objective should never be to create a "league table" or set targets, but to facilitate learning on the basis of a shared methodology; national and/or regional and local authorities have sole responsibility for evaluating their Public Employment Services based on a set of qualitative and quantitative indicators in accordance with Article 14 TFEU;
23. stresses that the focus of the benchmarking/benchlearning work should be qualitative rather than quantitative;
24. calls for the output of the network to be based on rigorous independent research which makes use of the best evidence available;
25. proposes that the new legislation should provide the opportunity to further develop the network's on-line presence in order to further communicate its work and involve stakeholders;
26. affirms that one outcome of the enhanced network will be a greater capacity to work in a more holistic way covering core PES competences and closely related areas such as apprenticeships, business creation and entrepreneurship education. The significance and effectiveness of EU funding in these areas should be highlighted;

The local and regional dimension

27. highlights that regional and local authorities in some Member States have responsibility for PES with decentralised structures and decision-making, while in many others, they are

responsible for activities such as apprenticeship schemes, skills matching and anticipation, training, employment subsidies - which are either closely linked to core PES work or in some Member States part of the PES remit;

28. asserts that good and best practice often occurs at the local and regional level therefore it is imperative to recognise the importance of the work undertaken at this level. The network should take best practices into account and disseminate them;
29. observes that often the local and regional level is that closest to job seekers and most employers and that the job market is predominantly a local one;
30. calls for the Member State Representative to make every effort to ensure that the views and experiences of local and regional PES feed into its activities and keep local and regional PES fully informed of its work. It is also important to bear in mind that the Member State Representative has the task of ensuring that the views and experiences of local and regional bodies working with jobseekers are taken into account by the network and of finding a structure for this in the dialogue between local and regional PES;
31. requests that the network include a representative appointed by the CoR as an observer in order to ensure that the views, experiences and practices from the local and regional level are reflected in the network.

II. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

Preamble

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|--|---|
| Having regard to the Treaty on the Functioning of the European Union, and in particular Article 149 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 149 <u>and 14</u> thereof, <u>Having regard to the Charter of Fundamental Rights, and in particular Articles 29 and 36 thereof.</u> |

Reason

Follows from points 2 and 3.

Amendment 2

Recital 8

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|---|---|
| The PES Network should reinforce cooperation between its members, develop joint initiatives aimed at exchanges of information and best practices in all areas covered by PES, comparative analysis and advice as well as promotion of innovative approaches in the delivery of employment services. By establishing this network an inclusive, evidence-based and performance-oriented comparison of all PES leading to the identification of best practices will be possible. With these results members of the network should be able to shape the design and delivery of employment services within their specific responsibilities. The initiatives carried out by the Network should improve PES effectiveness and allow for more efficient public spending. | The PES Network should reinforce cooperation between its members, develop joint initiatives aimed at exchanges of information and best practices in all areas covered by PES, comparative analysis and advice as well as promotion of innovative approaches in the delivery of employment services. By establishing this network an inclusive, evidence based and performance oriented comparison of all PES leading to the identification of best practices will be possible. With these results members of the network should be able to shape the design and delivery of employment services within their specific responsibilities. The initiatives carried out by the Network should improve PES effectiveness and allow for more <u>guarantee</u> efficient public spending. |

Reason

Text proposed by the Commission in recital 8 is largely redundant as it repeats recital 4. However, the first and last sentence succinctly summarise what the aim of the network should be and how it will work.

Amendment 3

Article 1

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|---|--|
| <p>An EU wide network of Public Employment Services (PES) - hereinafter referred to as "the Network" - is established for the period expanding from 1 January 2014 to 31 December 2020.</p> <p>The Network will carry out initiatives as defined in Article 3.</p> <p>The Network comprises:</p> <p>(a) the Public Employment Services as nominated by the Member States, and</p> <p>(b) the Commission.</p> <p>Member States with regional autonomous Public Employment Services shall ensure adequate Representation in the specific initiatives of the Network</p> | <p>An EU wide network of Public Employment Services (PES) - hereinafter referred to as "the Network" - is established for the period expanding from 1 January 2014 to 31 December 2020.</p> <p>The Network will carry out initiatives as defined in Article 3.</p> <p>The Network comprises:</p> <p>(a) the Public Employment Services as nominated by the Member States, and</p> <p>(b) the Commission.</p> <p>Member States with regional autonomous <u>and devolved or local</u> Public Employment Services shall <u>have a duty to</u> ensure adequate Representation <u>of those services</u> in the specific initiatives of the Network.</p> |

Reason

This amendment aims to ensure that where there are partly or wholly decentralised PES the network has a legal obligation to ensure that these services are adequately reflected in the specific initiatives of the network.

Amendment 4

Article 2

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|--|--|
| <p>Objectives</p> <p>Through this Network the incentive measure herewith foreseen shall contribute to:</p> <p>(a) the implementation of the Europe 2020 strategy for jobs and smart, sustainable and inclusive growth, and its headline targets</p> | <p>Objectives</p> <p>Through this Network the incentive measure herewith foreseen shall contribute to:</p> <p>(a) the implementation of the Europe 2020 strategy for jobs and smart, sustainable and inclusive growth, and its headline targets</p> |

| | |
|---|--|
| <p>especially those dealing with employment; (b) the better functioning of the labour markets in the EU; (c) the better integration of labour markets; (d) increased geographical and occupational mobility; (e) combatting of social exclusion and integration of persons excluded from the labour market.</p> | <p>especially those dealing with employment; <u>(b) promoting quality and sustainable employment;</u> (b <u>c</u>) the better functioning of the labour markets in the EU; (e <u>d</u>) the better integration of labour markets; (d <u>e</u>) increased geographical and occupational mobility <u>without unfair competition between workers, in compliance with the relevant Union legislation;</u> (e <u>f</u>) combatting of social exclusion and integration of persons excluded from the labour market.</p> |
|---|--|

Reason

Self-explanatory.

Amendment 5

Article 4

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|---|--|
| <p>Cooperation 1. The Network shall cooperate with labour market stakeholders including other providers of employment services by involving them in relevant activities and meetings of the Network and by exchanging information and data.</p> | <p>Cooperation 1. The Network shall cooperate with labour market stakeholders including other providers of employment services by involving them in relevant activities and meetings of the Network and by exchanging information and data. 2. <u>The network will allow observer status to a representative appointed by the Committee of the Regions.</u></p> |

Reason

As with the previous amendment, this addition is important insofar as it reflects the fact that Regional and Local Authorities in many Member States are either fully responsible for PES or undertake activities like training, guidance, counselling, employment subsidies, skills anticipation etc. that are very closely linked to PES work (or within the PES remit in some Member States).

Amendment 6

Article 7

| <i>Text proposed by the Commission</i> | <i>CoR amendment</i> |
|---|--|
| The Commission shall be empowered to adopt delegated acts in accordance with Article 8 concerning a general framework for the delivery of the benchmarking and mutual learning initiatives as defined in Article 3.1 including the methodology, the basic quantitative and qualitative indicators to assess PES performance, the learning instruments of the integrated mutual learning programme and the terms for participation in these initiatives. | The Commission shall be empowered to adopt delegated acts in accordance with Article 8 concerning a general framework for the delivery of the benchmarking and mutual learning initiatives as defined in Article 3.1 including the methodology, the basic quantitative and qualitative indicators to assess <u>the functioning of PES performance</u> , the learning instruments of the integrated mutual learning programme and the terms for participation in these initiatives. |

Reason

Correction of terminology in order to be consistent with point 21.

Brussels, 28 November 2013.

The President
of the Committee of the Regions

Ramón Luis Valcárcel Siso

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

III. PROCEDURE

| | |
|---|---|
| Title | Enhanced cooperation between Public Employment Services |
| Reference(s) | Draft Proposal for a Decision of the European Parliament and of the Council on Enhanced Cooperation Between Public Employment Services (PES) COM(2013) 430 final |
| Legal basis | Article 307(1) TFEU Article 149 TFEU |
| Procedural basis | Mandatory referral |
| Date of Commission letter | 17 June 2013 |
| Date of President's decision | 20 June 2013 |
| Commission responsible | Commission for Economic and Social Policy (ECOS) |
| Rapporteur | Mick Antoniw (UK/PES) Member of the National Assembly for Wales |
| Analysis | July 2013 |
| Discussed in commission | 2 October 2013 |
| Date adopted by commission | 2 October 2013 |
| Result of the vote in commission | Unanimity |
| Date adopted in plenary | 28 November 2013 |
| Previous Committee opinions | <ul style="list-style-type: none">– Opinion of the Committee of the Regions on The role of local and regional authorities in promoting growth and boosting job creation, CDR1186-2012_00_02_TRA_AC– Opinion of the Committee of the Regions on the Agenda for New Skills and Jobs, CdR401/2010 fin¹ |
| Date of subsidiarity monitoring consultation | N/A |

¹ [OJ C 259, 2.9.2011, p. 34.](#)