



SOC/646
Employment guidelines 2020

OPINION

European Economic and Social Committee

Proposal for a Council decision on guidelines for the employment policies of the Member States
[COM(2020) 70 final]

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| Referral | Council of the European Union, 6/03/2020 |
| Legal basis | Article 148 (2) of the Treaty on the Functioning of the European Union |
| Section responsible | Section for Employment, Social Affairs and Citizenship |
| Adopted at plenary | 07/05/2020 |
| Plenary session No | ... |
| Outcome of vote (for/against/abstentions) | 251/03/07 |

1. **Conclusions and recommendations**

- 1.1 The EESC welcomes the proposed revised employment guidelines. Their role to serve as a long-term compass for the employment policies of EU Member States is important also in times of crisis. Employment policies are key to the economic and social development of the European Union as a whole and that of its Member States. The implementation of the European Pillar of Social Rights is a common means to strive for sustainable upward convergence, and in this respect the revision of the employment guidelines is appropriate. The EU and its Member States must make further efforts to eliminate disparities. Upward convergence is a cross-cutting principle, which must be taken into account and integrated into all EU policies.
- 1.2 The proposal on the revised employment guidelines was published before the broad outbreak of Covid-19. Covid-19 has since developed into a pandemic and its effects have led to a striking need for urgent action also in terms of labour market policies. In order to limit the spread of the disease, measures have been put in place in an unprecedented way in all EU Member States and beyond. The EESC finds that more is needed in terms of coordinated action.
- 1.3 The EESC is convinced that only a comprehensive European economic recovery plan would allow the EU Member States, its citizens, companies and workers to best face the consequences of the Covid-19 pandemic and rebuild a more sustainable and resilient European economy. While it is uncertain how long the extraordinary situation created by the Covid-19 crisis will last, it is clear that the labour market effects will continue over an extended period. The Employment Guidelines for 2020 should, therefore, also be adapted to take account of this new situation.
- 1.4 The economic shock caused by the Covid-19 outbreak, has already resulted in an employment and social crisis, which may have a severe and long-lasting impact on the European labour markets. In this context, adopting an additional and extraordinary/emergency employment guideline in order to guide necessary adaptations of employment policies in the EU Member States to tackle this unprecedented situation should be considered for this year. Such an emergency Covid-19 employment guideline could include references to efficient temporary measures needed to mitigate the impact of the crisis, such as short-term work arrangements, income support, extension of sick pay and the promotion of remote working (while respecting employers' responsibility for the health and safety of the employees).
- 1.5 According to Guideline 5, Member States are still encouraged to foster "innovative forms of work". While new forms of work and innovation provide opportunities for growth, the EESC has previously highlighted the many challenges associated with this type of work. The employment guidelines should seek to translate the trends associated with these new forms of work into fair employment opportunities. The call for setting up adequate and fair wages, either through improving statutory minimum wages mechanisms where they exist or through collective bargaining, should be welcomed. The involvement of social partners is key, and it is very positive that the Guideline 5 is calling for Member States to "promote social dialogue and collective bargaining with a view to wage setting". The guideline should in this respect include in the very end proposals to strengthen the effectiveness of collective agreements by enhancing their coverage.

- 1.6 Regarding Guideline 6 on "Enhancing labour supply and improving access to employment, skills and competences": the EESC appreciates that the guideline refers to an overarching vision of competences aligned with a productive system which is sustainable. The EESC welcomes that the guidelines are calling on Member States to adapt and invest in their education and training systems to provide high quality and inclusive education, including vocational education and training. The EESC calls in this respect for more effective European and national strategies on ensuring sustainable financing for reskilling and up-skilling of all adults through life-long learning focusing in particular on providing effective support to workers and the unemployed.
- 1.7 Regarding Guideline 7 on "Enhancing the functioning of labour markets and the effectiveness of social dialogue": The proper functioning of social dialogue is essential for any employment policy, including the implementation of the EU employment guidelines. Therefore, more needs to be done to facilitate and promote social dialogue, both at national and European level. In addition, the Commission has made advances in the involvement of civil society in the European Semester process, and this is to be welcomed and should be built upon. One element missing in this guideline is the need for a better occupational safety and health. In the context of the Covid-19 outbreak, a healthy and safe workplace is vital in order to combat the risk of getting infected and for spreading virus and other diseases. As always, and particularly in these exceptional circumstances, employers need to take the responsibility of the health and safety of their workers and provide them and their representatives with adequate information, make risk assessments and take prevention measures. Public authorities, businesses, employees and social partners must all play a role in order to protect workers, their families and society at large.
- 1.8 Most small and micro enterprises have limited economic and managerial resources, and should therefore be provided with practical, financial and tailored support for occupational safety and health (OSH) programmes for them to adapt workplaces, and to quickly implement new procedures and practices to protect workers. Labour inspectors, EU-OSHA (the European Agency for Safety and Health at Work), the Enterprise Europe Network and the competent authorities at national level can offer practical support - such as cost effective and free of charge user-friendly tools, information, guidance and advice.
- 1.9 Concerning Guideline 8 on "Promoting equal opportunities for all, fostering social inclusion and fighting poverty": all forms of discriminatory practices must be fought. Social protection and health care must be provided to all. Promotion of women's participation in the labour force, as well as active ageing for all, should be supported by proper measures like access to quality public services and decent working conditions for all. The employment guidelines should also consider social protection objectives like full and effective coverage, adequacy and transparency.

2. **Background**

- 2.1 The Treaty on the Functioning of the European Union (TFEU) provides that Member States are to regard their economic policies and promoting employment as a matter of common concern

and shall coordinate their action within the Council¹. Article 148 TFEU provides that the Council is to adopt employment guidelines. The guidelines frame the scope and direction for Member States' policy coordination and they serve as a basis for country specific recommendations within the European Semester process.

- 2.2 The employment guidelines and the economic policy guidelines were first adopted together as an "integrated package" in 2010, in connection with the Europe 2020 strategy. In 2018, the employment guidelines were aligned with the principles of the European Pillar of Social Rights. The EESC welcomed this alignment from the very beginning², but demanded here and in a number of its subsequent opinions³ that more has to be done in practice to truly fulfil and implement the Pillar.
- 2.3 Since the European Semester has been updated in order to integrate the UN Sustainable Development Goals (SDGs), the Annual Growth Survey has been transformed into the Annual Sustainable Growth Strategy (ASGS), and the employment guidelines are now proposed to be revised.
- 2.4 The Commission's proposal for a Council Decision on guidelines for the employment policies of the Member States was adopted on 26 February 2020, before the start of the coordination of emergency measures to deal with the Covid-19 outbreak. The immediate objective of public authorities must be to seek to ensure the right balance between safeguarding public health by reducing the spread of the virus and maintaining vital economic activity.
- 2.5 The ILO has warned that the employment impacts of Covid-19 are "deep, far-reaching and unprecedented"⁴ which could lead to millions of jobs losses, as well as an increase in underemployment and in the working poor, which far outweighs the effects of the 2008-2009 financial crisis. Reducing the scale of the impact will depend on how quickly and decisively political decisions are taken and implemented.
- 2.6 The EESC is convinced that only a comprehensive European economic recovery plan would allow the EU Member States, its citizens, companies and workers to best face the consequences of the Covid-19 pandemic and rebuild a more sustainable and resilient European economy⁵. Member States should reach rapid agreement on a new multi-annual financial framework (MFF), reducing uncertainty regarding EU investment funding from 2021.
- 2.7 Businesses and workers across a range of economic sectors have been dramatically affected. Many enterprises, particularly micro and SMEs and social enterprises are threatened with

¹ Article 146 paragraph 2, Treaty on the Functioning of the European Union.

² [OJ C 237, 6.7.2018, p. 57](#)

³ [OJ C 14, 15.1.2020, p. 1](#)

⁴ See [ILO Monitor 2nd edition: COVID-19 and the world of work](#)

⁵ See [EESC's declaration](#) "The EU's response to the COVID-19 outbreak and the need for unprecedented solidarity amongst Member States".

insolvency and millions of workers are vulnerable to income loss and redundancy⁶. On average, about 90% of SMEs report to be economically affected and expect an increase in the unemployment rate in a range between 3% - 5% points⁷. Targeted measures are needed to support businesses and jobs in key sectors that have been particularly impacted.

- 2.8 In Europe and across the world, healthcare workers have rightly been applauded as the heroes on the front line, doing their utmost to save lives and in too many cases paying the ultimate price themselves. In some countries, they, as well as teachers, other public sector workers, live-in care workers and caregiver workers have been undervalued and suffered the brunt of austerity measures, following the 2008 crisis. Going forward, it is essential that this renewed appreciation is concretely translated into improved terms and conditions and the necessary investment in public services and in particular in the welfare system.
- 2.9 The Covid-19 crisis is also sharply illustrating the existing structural problems in European labour markets. Inequalities persist between workers who benefit from more stable and secure forms of work and those in more precarious forms of work. Flexibility for both employers and workers is needed to address the rapid changes in the world of work and this must be underpinned by promoting security and fair working conditions in all forms of work.
- 2.10 Many of the workers who are typically considered as "low" skilled and, are commensurately low-paid, have in fact been the key workers helping to keep our world moving, often putting themselves and their loved ones at risk.
- 2.11 Those workers, who are already the most vulnerable in terms of access to and participation in the labour market, are at greater risk of exclusion. This includes women, the young, people with disabilities, and other groups experiencing discrimination in the workplace such migrants and Roma. Certain workers, particularly women, may be forced to abandon their jobs in order to fulfil caring responsibilities for children and other family members.
- 2.12 The main concern of European companies has been to keep their position on the market and maintain jobs for millions workers. Companies and the social partners have been finding pragmatic solutions, such as adapting business plans, introducing short time working schemes, teleworking or other flexible alternatives, and creating conditions for a distance training at company level.
- 2.13 In the light of these developments, the European Union's coordination of employment policies must be adapted to respond to this new and unprecedented situation. The Commission's proposal for a Council Regulation on the establishment of a European instrument for temporary support to mitigate unemployment risks in an emergency (SURE) following the Covid-19 outbreak⁸ is a welcomed initiative to provide immediate support to workers and businesses. If

⁶ SMEunited "[A view on the COVID impact on and support measures for SMEs](#)"; BusinessEurope "Video conference of the members of the European Council on 23 April 2020 - [Letter from Pierre Gattaz and Markus J. Beyrer to the President of the European Council Charles Michel](#)".

⁷ SMEunited "[A view on the COVID impact on and support measures for SMEs](#)".

⁸ [COM/2020/139 final](#)

speedily implemented, this will help to cushion the negative employment impacts and foster conditions for a prompt recovery. While it is uncertain how long the extraordinary situation created by the Covid-19 crisis will last, it is clear that the effects will continue over an extended period. The Employment Guidelines for 2020 should, therefore, also be adapted to take account of this new situation.

- 2.14 The Employment Guidelines should be stable over a longer period and valid for all Member States, given different national circumstances. However it should be considered in face of the current Covid-19 outbreak - which is already showing signs of transforming into an economic and social crisis, with severe and long-lasting impact on the European labour markets - to adopt this year an additional and extraordinary/emergency employment guideline in order to guide necessary adaptations of employment policies in the EU Member States to tackle this unprecedented situation. The existing Open Method of Coordination should be further improved to support Member States to benchmark progress to reform and improve the performance of their employment policies and national social protection systems.
- 2.15 An emergency Covid-19 employment guideline could include references to efficient temporary measures needed to mitigate the impact of the crisis, such as short-term work arrangements, income support, extension of sick pay, postponement of employers' social security contributions, preliminary tax on salaries and value added tax, and the promotion of remote working (while respecting employers' responsibility for the health and safety of the employees).
- 2.16 Against the background of the Covid-19 crisis, the EESC takes this opinion as an opportunity to put forward comments and recommendations on how to tackle the unprecedented disruptions of labour markets in a growing number of countries followed by the partial shutdown of social and economic life in order to fight the virus infection. This situation will make it necessary for EU Member States to adapt their employment policies.

3. **General comments**

- 3.1 The EESC refers to previous opinions on the employment guidelines and reiterates some valid points from these:
- Greater efforts are required to invest in quality job creation and to tackle precarious work as this also restrains productivity⁹.
 - The EU and its Member States must make further efforts to eliminate disparities. Upward convergence is a cross-cutting principle, which must be taken into account and integrated into all EU policies¹⁰.
 - The EESC reiterates its call for a proper social investment package as part of a European growth and investment programme worth 2% of GDP¹¹.

⁹ [OJ C 282, 20.8.2019, p. 32](#), point 3.1.4

¹⁰ [OJ C 282, 20.8.2019, p. 32](#), point 1.7

¹¹ [OJ C 237, 6.7.2018, p. 57](#), point pt. 1.3 and 4.3

- Provisions on gender equality need to be featured into each guideline and there needs to be a strong focus on issues of low pay in addressing the gender pay gap¹².
- The strategy of social inclusion for people with disabilities, for migrants and for Roma is reaffirmed in various opinions.
- Effective social dialogue is key to achieving upward social convergence and access to quality employment, skills and competences and to improving the design and implementation of reforms stemming from these objectives¹³.
- The only way of building fairer societies is to generate more inclusive and sustainable economic growth and jobs coupled with improved productivity and competitiveness with the aim of ensuring that people have decent working conditions, adequate remuneration and pensions and are able to exercise their rights¹⁴.
- The Committee has also drawn attention to the need for improvements to the scoreboard and the need for a both economic and social European Semester in one of its opinions on the Pillar¹⁵. The relationship between the surveillance of macroeconomic matters and employment and social policies is critical.
- It is still the view of the EESC that despite advances with the Pillar and the integration of employment guidelines with the broad economic policy guidelines there remains a lack of convergence between both packages of guidelines. The EESC welcomes the update of the guidelines, based on the integration of the Sustainable Development Goals into the European Semester.

3.2 The EESC reiterates that when designing policies for regulating the labour market and social rights, competitiveness, productivity and social sustainability including workers' rights should form a seamless part of those policies, given that there is a clear connection between them. All policies implemented by European, national and local institutions should take into account an appropriate balance between economic sustainability, and social and environmental sustainability¹⁶.

3.3 Employment policies are key to the economic and social development of the EU as a whole and of its Member States. The employment guidelines have an important role to bring together the Commission, national governments, employers and trade unions to modernise employment policies and social protection systems to the changing economic and social context in Europe.

3.4 The European Pillar of Social Rights (EPSR) can be a means for promoting upward convergence and better living and working conditions in the whole of EU. The future of the labour market should be a key priority in the debates on the Pillar, in order to address the major changes taking place in this area, and a consistent European employment strategy covering the following themes is needed:

12 [OJ C 237, 6.7.2018, p. 57](#), point pt. 1.13

13 [OJ C 282, 20.8.2019, p. 32](#), point 3.3.1

14 [OJ C 282, 20.8.2019, p. 32](#), point 3.4.1

15 [OJ C 81, 2.3.2018, p. 145](#).

16 [OJ C 282, 20.8.2019, p. 32](#), point 1.3

- investment and innovation;
- employment and quality job creation;
- fair working conditions for all;
- fair and smooth transitions supported by active labour market policies;
- equal opportunities for all;
- the involvement of all stakeholders, especially the social partners
- investment in education and training systems to provide high quality and inclusive education, including vocational education and training, lifelong learning, upskilling and reskilling notably to take account of digital and green skills requirements.

3.5 Effective implementation of the EPSR in the Member States will only be possible if they have sufficient financial resources to invest in social policies, thus translating rights and principles into specific policy initiatives. Therefore, mechanisms such as the European Social Fund and the European Fund for Strategic Investments must play an important part¹⁷.

3.6 In particular, unemployment poses a major challenge for most countries. The effects of the Covid-19 crisis demand more efforts for active labour market policies than under normal circumstances. More needs to be done at both EU and national levels.

3.7 Aligned with the principles of the EPSR, the employment guidelines can be an important tool for Member States in developing and implementing policies and measures to mitigate the economic and social impact of the Covid-19 crisis in the short term, and to emerge from the crisis without undermining labour rights or losing competitiveness. This can be coordinated within the European Semester framework. For the employment guidelines, it should be a priority to promote social dialogue. A strong social dialogue should be ensured at all levels in order to deal with the effects of the crisis in a sustainable way, both economically and socially.

3.8 Job retention plus properly compensated short-time work is in this view better for employers as well as employees than redundancy. The EU-wide promotion and the financial support of such labour market instruments would be an important contribution to stabilise economic and social life in these exceptional circumstances.

3.9 In this context, the EESC welcomed the establishment of SURE¹⁸, the instrument announced by the EU Commission and developed to financially support short-time work arrangements, income compensation mechanisms and other measures aimed at preventing unemployment following the Covid-19 outbreak.

3.10 With respect to the guidelines to Member States on how to apply this instrument, the EESC calls upon the Commission to ensure at least that a) all Member States put in place short-time work or similar measures, b) such measures should cover all workers, sectors and companies, c) payments are made preferably to companies that step up efforts to avoid dismissals, d) Social

¹⁷ [OJ C 282, 20.8.2019, p. 32](#), point 3.5.5

¹⁸ European instrument for temporary support to mitigate unemployment risks in an emergency (SURE) following the COVID-19 outbreak

Partners are fully involved in the designing, development and implementation of the schemes, at national, sectoral and company level, and adequate EU funding should be allocated to help Member States implementing the measures needed.

- 3.11 In their recent Joint Statement on Covid-19¹⁹, the European Social Partners urge that all efforts need to be undertaken to help workers, enterprises, economic activities and public services to survive the crisis, so they will be able to resume their activities when the crisis ends, to keep workers in their jobs meanwhile, to protect them from unemployment and loss of income, and to alleviate financial losses.
- 3.12 The Social Partners urge the governments to approve in particular measures envisaging:
- avoiding single market distortions, including bans and export restrictions and especially for export of medical equipment and medicines, and stopping closing borders for goods; safeguarding all freight transport modes is a priority within the EU, also having an essential role to coordinate and inform regarding actions taken in Member States;
 - encouraging Member States' spending and investment particularly to reinforce staff, equipment and means for national health services, social protection systems and other services of general interest;
 - mobilising unused structural funds and other EU funds, to support Member States in ensuring financial and income support for workers affected by unemployment or suspension from work;
 - ensuring credit access and financial support for enterprises, especially all types of SMEs, affected by lockdown and emergency measures, with a coordinated intervention from the EU budget, the ECB, the EIB, and national promotional banks;
 - activating the Solidarity Fund for natural disasters and any other available funding at EU level adjusting the currently insufficient budget;
 - the efforts by the European Commission to deploy full flexibility within State Aid rules should also be acknowledged.
- 3.13 Member States should involve national Social Partners in the designing and implementation of national measures.
- 3.14 The Commission and Member States must ensure that financial support reaches enterprises, especially all types of SMEs, and all workers, including those with precarious jobs who are most vulnerable.
- 3.15 The Commission's plan to apply flexibility regarding the application of its fiscal and State Aid rules is essential to supporting public services, which are stretched to the limit, as well as companies and workers hit by the crisis.
- 3.16 EU funds invested in protecting workers and enterprises from the worst effects of the crisis should be additional to Member States' spending.

¹⁹ [European Social Partners joint statement on COVID-19](#)

3.17 Europe must show responsibility, solidarity and efficiency in facing this emergency, by protecting all its affected citizens, workers and enterprises.

4. **Specific comments**

4.1 The role of the employment guidelines to serve as a compass is important also in times of Covid-19 crisis, when short-term measures get most of the attention. The long-term perspective must not be forgotten even in times of urgency, in order to strive for sustainable upward convergence.

4.2 Guideline 5: Boosting the demand for labour

4.2.1 From a long-term perspective, the guideline falls short in providing effective measures to boosting the demand for labour. All measures proposed refer to entry barriers for businesses and putting forward tax shifts to reduce the fiscal burden of labour. This proposal is short-term and does not consider the political implications of reducing the financial capacity of the state.

4.2.2 According to Guideline 5, Member States are still encouraged to foster "innovative forms of work". While new forms of work and innovation provide opportunities for growth, the EESC has previously highlighted the many challenges associated with this type of work. The employment guidelines should seek to translate the trends associated with these new forms of work into fair employment opportunities based on a balance between smooth transitions in labour markets and appropriate provisions for the security of workers²⁰.

4.2.3 The call for setting up adequate wages, either through improving statutory minimum wage setting mechanisms where they exist or through collective bargaining, should be welcomed. The involvement of social partners is key, and it is very positive that the guidelines are calling for Member States to "promote social dialogue and collective bargaining with a view to wage setting". The EESC is currently preparing an opinion on decent minimum wages²¹.

4.2.4 The movement of taxation away from labour to other sources in the Guidelines is welcomed as well as the new specification. However, there is need for more clarity on other possible sources. The EESC has adopted opinions targeting issues like aggressive tax planning, fraud and evasion²².

4.2.5 This guideline should include in the very end proposals to strengthen the effectiveness of collective agreements by enhancing their coverage. At the same time it is a prerequisite and of utmost importance that the subsidiarity principle as well as the autonomous role of the social partners is fully respected²³.

20 [OJ C 237, 6.7.2018, p. 57](#), point 5.1

21 [SOC/632 opinion](#) on "Decent minimum wages across Europe"

22 [OJ C 237, 6.7.2018, p. 57](#); [OJ C 129, 11.4.2018, p. 1](#)

23 [OJ C 237, 6.7.2018, p. 57](#), point 5.5

4.3 Guideline 6: Enhancing labour supply and improving access to employment, skills and competences

- 4.3.1 It is good that the guideline refers to an overarching vision of competences aligned with a productive system which is sustainable. The EESC welcomes that the guidelines are calling on Member States to adapt and invest in their education and training systems to provide high quality and inclusive education, including vocational education and training.
- 4.3.2 The EESC encourages Member States to make the best use of the opportunities provided by the EU funds, which should be also sustained by national resources. The EESC calls for more effective European and national strategies on ensuring sustainable financing for reskilling and up-skilling of all adults, focusing in particular on providing effective support to workers and the unemployed by public employment services, companies, individual training accounts and other practices used at the national levels. Given the impact of the Covid-19 outbreak, immediate measures might be needed to adapt the labour supply to current needs and demands, for instance companies in the service sector temporarily lending their staff to the healthcare sector.
- 4.3.3 The EESC suggests to the European Commission to be more ambitious in setting indicators and benchmarks of adult learning participation and access to employee training as well as indicators relating to public and private investment in VET, and the right of workers to paid leave for training purposes should be considered and required in Employment Guideline 6²⁴.
- 4.3.4 Reskilling and upskilling will be a key ingredient in order to adapt the labour markets during the times of the Covid-19 crisis but also to make sure that Europe emerge from it stronger and more competitive. Member States should build up or strengthen job transition support mechanisms and systems, with support from the European Social Fund. The purpose of such mechanisms is to create ways back to employment, preventing redundancies leading to prolonged unemployment, but also opening pathways to new jobs and various processes of job-creation.
- 4.3.5 A better understanding of the changing nature of work and employment relationships in the digital era should lead to a more effective EU employment policy. The Covid-19 pandemic has led to a situation where more people than ever before are teleworking. Teleworking is not suitable for all circumstances or all types of positions, but if telework is practised correctly, it can be an important component of the response to providing working time flexibility to help workers achieve better work-life balance and in the interests of companies. Ensuring proper health and safety arrangements both in the workplace and regarding conditions for teleworking, including respecting working time limits, is essential. More research into and investment for measures to address new and emerging risks, including stress and other psychosocial risks is also required.

²⁴ [SOC/629 opinion](#) on "Sustainable funding for lifelong learning and development of skills, in the context of a shortage of skilled labour" (Exploratory opinion at the request of the Croatian presidency)

- 4.3.6 Bringing about full digital literacy for all teachers and pupils as well as for all Europeans, including those in marginalised areas, requires proper public funding and competent technical staff. It is essential to guarantee access to the internet and provide digital literacy training to anyone at risk, and to ensure that such people are able to exercise their rights and access social services.
- 4.3.7 The EESC already stressed the need to safeguard decent income during training. Instruments used in some EU Member States should also be examined with a view to making good practice in the area of minimum standards regarding entitlements to educational leave standard practice in the other Member States.
- 4.3.8 In matters of the support for the unemployed and in light of the increased number of workers who are long-term unemployed, the employment guidelines should address the need for undertaking early action to avoid the scarring effect of being outside the labour market. The coverage and level of unemployment benefits need to be sufficient. Some national systems are too rigid when it comes to qualification and the reimbursement is too low. In this respect, the EESC has recently called for European actions towards minimum standards for national unemployment schemes²⁵.
- 4.3.9 While facilitating employment opportunities in all kinds of forms of work, putting quality jobs on the agenda should be at the core of the long-term employment vision of the EU.
- 4.4 Guideline 7: Enhancing the functioning of labour markets and the effectiveness of social dialogue
- 4.4.1 The call to fight for transparent and predictable conditions, to prevent segmentation and precarious employment, and foster the transition towards open-ended contracts is a positive sign. The same applies to the strengthening and enhancing of social partners capacity to bargain collectively. The employment guidelines should also aim at promoting collective bargaining coverage and ensuring that all workers have the right to organise and free access to trade union representation.
- 4.4.2 The provisions on access to impartial dispute resolution in this guideline should have general application rather than just to "unfair dismissals". However the rights of parties to utilise the courts where alternative dispute resolution has failed should be respected²⁶.
- 4.4.3 Other positive elements of the Commission proposal, in comparison with current employment guidelines, are the emphasis on fair conditions for mobile workers, and references to the fight against discrimination and putting an end to in-work poverty. It will be important for Member States to take mobile workers, including frontier workers, into account when implementing measures, such as closing borders, to cushion the impact of the Covid-19 outbreak.

²⁵ [OJ C 97, 24.3.2020, p. 32.](#)

²⁶ [OJ C 237, 6.7.2018, p. 57,](#) point 5.9.

4.4.4 One element missing in this guideline is the need for a better occupational safety and health. In the context of the Covid-19 outbreak, a healthy and safe workplace is vital in order to combat the risk of being infected and for spreading virus and other diseases. Employers need to take the responsibility of the health and safety of their workers and provide them and their representatives with adequate information, make risk assessments and take prevention measures. Public authorities, businesses, employees and social partners must all play a role in order to protect workers, their families and society at large. To enhance the functioning of labour markets, Member States should invest in occupational health and safety, and ensure adequate means and provisions for labour inspectorates or trade union health and safety representatives and support for employers.

4.4.5 Most small and micro enterprises have limited economic and managerial resources, and should therefore be provided with practical, financial and tailored support for occupational safety and health (OSH) programmes for them to adapt workplaces, and to quickly implement new procedures and practices to protect workers. Labour inspectors, EU-OSHA (the European Agency for Safety and Health at Work), the Enterprise Europe Network and the competent authorities at national level can offer practical support - such as cost-effective and free of charge user-friendly tools, information, guidance and advice.

4.4.6 The EESC would suggest more to be done to promote capacity building for social partners in social dialogue, provide for investment in structures to support social dialogue and to promote procedures that promote social dialogue. There are countries with less developed social dialogue and indeed those who are still at the setbacks in this area due to the crisis. We welcome the efforts of the European Commission to increase the cooperation with social partners in the context of the European Semester. Given the centrality of social dialogue in the delivery of the Pillar of Social Rights and in the implementation of the employment guidelines and Country Specific Recommendations, the EESC reiterates its call for it to be present in all Member States and urges all political players at national and European level to strengthen collective bargaining structures at all levels. In addition, the Commission has made advances in the involvement of civil society in country specific reporting and this is to be welcomed and should be built upon.

4.5 Guideline 8: Promoting equal opportunities for all, fostering social inclusion and fighting poverty

4.5.1 Social protection coverage is approached in the light of the demographic challenge and the need for workers to stay longer at work. The employment guidelines should also consider objectives like full and effective coverage, adequacy and transparency.

4.5.2 Gender equality can only be achieved by increasing women's participation at every level of the labour market, both in terms of employment rates and by increasing women's average working hours. Further measures are needed to address barriers to women's employment such as lack of affordable and accessible care and to eliminate the gender pay gap. To do so, various structural obstacles need to be addressed at European and national levels, including increased investment in quality public services and measures to address pay transparency. Entrepreneurship can be an opportunity for women's economic independence with quality jobs, successful careers, lifting

women out of poverty and social exclusion, and contributing to a more balanced gender representation in decision-making.

- 4.5.3 For people with disabilities, it is particularly important that access to the labour market is facilitated by addressing discriminatory practices. Proper support must be provided by employment services and public campaigns to tackle prejudice and promote non-discrimination of people with disabilities. As regards access to services with regard to disability, it is necessary to refer to independent living as well as accessibility.
- 4.5.4 In order to secure access to healthcare for all, the need for a sustainable, efficient, affordable and accessible provision of quality health care services and proper funding for appropriately trained health care staff must be given attention.
- 4.5.5 With regards to active ageing, concrete proposals are needed to avoid the promotion of inadequate policies for senior workers. As agreed by the European Social Partners in the "European social partners' autonomous framework agreement on active ageing and an inter-generational approach"²⁷, active ageing "is about optimising opportunities for workers of all ages to work in good quality, productive and healthy conditions until legal retirement age, based on mutual commitment and motivation of employers and workers".
- 4.5.6 The EESC also stressed in this regard in a number of opinions, the need to promote intergenerational solidarity flanked by effective growth and employment policies. We need a real "active ageing" policy, to have good working conditions, health and safety and working time policies and to increase participation in lifelong learning. We further need to boost employment rates for older people, who are often obliged to give up work early due to health problems, the intensity of work, early dismissals, and lack of opportunities for training or re-entering the labour market²⁸.

Brussels, 7 May 2020

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The president of the European Economic and Social Committee

²⁷ [European social partners' autonomous framework agreement on active ageing and an inter-generational approach](#)

²⁸ [OJ C 237, 6.7.2018, p. 57](#), point 5.9 and [SOC/624 opinion](#) on "The changing world of work and the longevity/ageing population - The preconditions for ageing workers to stay active in the new world of work"