



14 January 2011

MEETING BETWEEN KOOS RICHELLE, DIRECTOR GENERAL OF DG EMPLOYMENT, AND PHILIPPE DE BUCK, DIRECTOR GENERAL OF BUSINESSEUROPE

1. EU social dialogue activities

BUSINESSEUROPE is demonstrating, through its active participation in the EU social dialogue, its commitment to social partnership. It is determined to take up its full responsibility in the social dialogue as confirmed by a series of key recent achievements: the joint labour market analysis, the revised agreement on parental leave, the joint report on the ECJ cases (Laval, Viking etc.); the framework agreement on Inclusive Labour Market; and the joint statement on Europe 2020.

The main aim of the social dialogue should be to facilitate economic and social change across Europe. The European social dialogue should seek to facilitate implementation of the Europe 2020 strategy.

The social partners are currently in the process of finalising the implementation of their 2009-2010 social dialogue work programme. After the ETUC congress in May 2011, they will start negotiations on a new multiannual work programme.

Migration/Mobility/Integration

The social partners will work on a joint statement on economic migration, cross-border mobility and labour market integration of migrant workers. Employers consider this exercise important to send a positive message regarding immigration/mobility and the need to avoid xenophobia and protectionism. Having a job is the best way for newcomers to integrate and improved labour market integration is needed to make the most of the potential of migrant workers.

Joint projects on climate change, flexicurity and social dialogue

The social partners are currently running three projects which benefit from the financial support of the European Commission (DG Employment). They should be finalized by May 2011 with the organisation of three concluding seminars in Brussels.

Employers hope that the project on flexicurity can enhance the consensus on the side of social partners and thereby contribute to the debate on how to strengthen the four components which the Commission wants to launch in 2011.



2. EU social agenda activities

Working Time

The 2nd stage social partner consultation on reviewing the working time directive was launched on 21 December. BUSINESSEUROPE sees the commission's consultation document as a balanced text. The Commission rightly acknowledges that the changes taking place on Europe's labour markets point towards an increased need for flexibility in working time. BUSINESSEUROPE fully agrees with the importance of the opt-out and the suggestion to retain it in any revised directive and will be discussing with its member federations over the coming weeks its response to the consultation.

New Skills and Jobs

On 23 November 2010, the European Commission published an agenda for new skills and jobs, announcing 13 key actions with accompanying and preparatory measures as part of the Europe 2020 strategy.

BUSINESSEUROPE is currently preparing a position paper on the Agenda. We welcome the emphasis put on flexicurity. The Commission should pursue efforts to push for implementation at national level. However, companies regret that job creation does not figure more prominently. A post-crisis environment characterised by austerity means that, more than ever, the private sector's capacity to create jobs will be key to ensure Europe's future prosperity and boost living standards. This requires implementation of structural reforms in labour markets and social systems. Most of such reforms will have to be pursued at national level.

Companies expect the European Commission to promote a positive attitude to change and exert pressure on Member States to focus on growth and employment, which is not sufficiently the case in the New Skills and Jobs Agenda. BUSINESSEUROPE is ready to discuss with the Commission how to concretely approach the initiatives mentioned in the New Skills and Jobs Agenda so that they contribute to and not go against the objective of achieving a 75% employment rate by 2020.

Restructuring

A social partner consultation is expected in the first quarter of 2011. The Commission would favour a social partner initiative based on the "Orientations for reference in managing change and its social consequences" agreed by BUSINESSEUROPE, ETUC, UEAPME and CEEP in 2003. It has not yet taken a position on its own actions in the absence of a social partner initiative.

BUSINESSEUROPE sees no need for an EU framework on restructuring. Existing EU legislation in the area of information and consultation of workers provides an adequate framework to ensure a constructive dialogue between management and workers' representatives at company level when restructuring occurs.



With regard to the management of the *consequences* of restructuring on employment, the EU should first and foremost steer the implementation of national labour market reforms along the lines of the flexicurity concept.

There is an overlap between the Commission's intention to consult social partners on a European framework for restructuring and the launch of a "fitness check" of directive 2002/14/EC on national information and consultation at national level, directive 98/59/EC on collective redundancies and directive 2001/43/EC on transfers of undertakings. This could have a negative impact on discussions between social partners on a European framework. BUSINESSEUROPE will assess the opportunity to do so on the basis of the Commission's consultation document.

Posting of workers

Commissioner Andor has announced its intention to publish the legislative proposal on posting of workers in the last quarter of 2011. The legislative proposal will be based on the Treaty provisions on the freedom to provide services (article 56). Considering that posting of workers is an issue in the remit of social partners' competences, BUSINESSEUROPE stresses the importance of involving closely European social partners throughout the Commission's preparations in 2011.

Dispersal of employment/social policy initiatives across Commission services

Employment and social policy issues seem to be increasingly addressed by various Directorates-General in the European Commission. Two of the most recent examples in this respect include the Single Market Act and the flagship communication on "An Industrial Policy for the Globalisation Era".

Mainstreaming of employment and social affairs across the European Commission services is an important development but it is important to ensure consistency. DG EMPL has a key role to play in this respect. Likewise, other DGs' initiatives should not come at the expense of proper consultation of employers and workers representatives on areas that directly affect social partners. This was the core message of a recent letter sent by BUSINESSEUROPE and ETUC to Commission President Barroso.

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