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3099th Council meeting

Employment, Social Policy, Health and Consumer Affairs

Employment and Social Policy

Luxembourg, 17 June 2011

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Main results of the Council

*The Council took note of a progress report on the **maternity leave directive**, on a directive on equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation and on amendments to regulations on the coordination of **social security systems**.*

*It held a policy debate regarding its **contribution to the European Council of 23/24 June** and reached a general approach on **recommendations on member states' employment policies**.*

*The Council held an exchange of views on family policies and adopted conclusions on **reconciliation of work and family life** in the context of demographic change.*

*It adopted conclusions on **youth employment**, on **disability** and on **child poverty**.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
 - Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
 - Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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ITEMS DEBATED**Maternity leave**

The Council took note of a progress report concerning the recent work on the proposal to amend directive on the health and safety of pregnant workers and of workers who have recently given birth or are breastfeeding (maternity leave) ([10541/11](#)).

Several ministers expressed their concerns on the Commission proposal and/or the opinion of the Parliament at first reading.

Some ministers, given the diverging views, advocated that the Council should consider not continuing its work on this topic, while others stressed that the work should continue.

Equal treatment irrespective of religion or belief, disability, age or sexual orientation

The Council took note of the progress made on the directive regarding the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation ([10615/11](#)) and invited the preparatory bodies to continue their work.

During the Hungarian presidency, the discussions have focused on the provisions concerning "reasonable accommodation" for persons with disabilities.

The directive aims at extending the protection against discrimination on the grounds of religion or belief, disability, age or sexual orientation to areas outside employment, i.e. to social protection, social security and healthcare, to social advantages and education, and to access to goods and services, including housing.

2012: Year of active ageing and solidarity between generations

The Presidency informed the Council about the successful negotiations held with the European Parliament to designate 2012: Year of active ageing and solidarity between generations.

The European Year for active ageing should encourage and support the efforts of member states, their regional and local authorities, social partners and civil society to promote active ageing and solidarity between generations, and to do more to mobilise the potential of the baby boom generations.

It should be seen as the highlight of a major effort spanning the period 2011-2014, during which the EU would focus many of its programmes and policies on the issue of active ageing and put in place a framework in which new initiatives and partnerships supporting active ageing at all levels (member state, regional, local, social partners, civil society) can be encouraged and publicised.

The goals and results of active ageing projects funded under existing budget lines and programmes would be presented on a European website which would then become the website for the European Year and would also serve as a tool for monitoring and evaluation.

Coordination of social security systems

The Council took note of a progress report on a Commission proposal for miscellaneous amendments to regulations 883/2004 and 987/2009 on the coordination of social security systems ([11077/11](#) + [ADD 1](#) + [ADD 2](#)).

The amendments are intended to update the above regulations in order to reflect changes in member states' national social security legislations and to keep track of developments in social reality that affect the coordination of social security systems.

The outstanding issues are the special provisions for wholly unemployed self-employed persons (article 1(8)) and the use of the "home base" criterion for the determination of the legislation applicable to aircrew members (article 2(3)).

Implementation of Europe 2020 strategy in the field of employment policies

Contribution to the European Council

Finalising the European Semester, the Council reached a general approach with certain reservations on the recommendations regarding member states' employment policies [11851/11](#) + [11819/11](#). The recommendations will be further considered by the ECOFIN Council on 20 June. Their formal adoption is expected only after the European Council will have made its conclusions on them.

In general, many ministers welcomed the recommendations that take into account the national reform programmes, noting that the implementation of the European Semester constitutes considerable progress as regards the economic governance. They stressed that employment and social inclusion policies have an important role to play in the whole Europe 2020 Strategy and in its governance as they are important for the creation of economic growth. It belongs to the EPSCO Council to take action in that areas.

Some ministers stressed the fact that all employment related recommendations, including those addressed to the countries whose currency is the euro, require the attention and action by the employment ministers.

Many ministers pointed out the Commission recommendations subject to the decision of the Council had been received only 10 days before the EPSCO meeting. During future European Semesters more time should be allowed for the preparation of the Council work.

For the first time, the recommendations combine economic and employment aspects. While they are addressed to individual member states, the Council considered certain issues in a horizontal manner, with the aim of ensuring the consistency of the recommendations across member states.

The Council endorsed the joint EMCO/SPC opinion on the examination of national reform programmes ([10664/11](#)) and the pilot version of the employment performance monitor ([10666/1/11](#)).

The Agenda for new skills and jobs

The Council endorsed the opinion of the Employment Committee (EMCO) on the Agenda for new skills and jobs ([10771/11](#)); the EMCO appreciates the integral and comprehensive approach of the Agenda, which also covers labour supply and demand, and stresses the importance of creating more gender equal labour markets in the EU with equal conditions for women and men.

The four main objectives of the agenda are:

- a new momentum for flexicurity, reducing segmentation in the labour markets and supporting transitions;
- equipping people with the right skills for employment;
- improving the quality of work and working conditions; and
- supporting job creation.

Youth employment

The Council adopted conclusions on promoting youth employment to achieve the Europe 2020 objectives, since youth employment, and often youth unemployment, is both a major issue and a priority for the EU and its member states ([11838/11](#)).

The conclusions stress that long spells of unemployment, inactivity or benefit dependency at an early stage of a working life can have significant negative effects on the whole future working career. Therefore youth unemployment and extended inactivity need to be prevented and tackled as a top priority. In particular, it is important to ensure that our education and training systems better reflect labour market needs.

The Council took also note of an oral report from the Presidency related to the work undertaken in the field of education and training, more particularly on structured dialogue with young people on youth employment.

The future of the social open method of coordination (OMC)

The Council endorsed the opinion of the Social Protection Committee (SPC) on the social OMC ([10405/11](#)) on how best to ensure coherence between the objectives and the working-methods of the social OMC in the new context of the Europe 2020 strategy and its governance, but also in light of the experience of the first national reform programmes that were presented in April 2011.

The opinion states that the social OMC should continue working in a holistic way along its three strands: social inclusion, pensions and health care and long-term care. The social OMC should be developed as a visible expression of social Europe. It has a central role to play in enabling effective policy coordination in the social field and should be the driving force of social policy initiatives on the European level.

The OMC is a framework for political cooperation, under which the member states agree common objectives, common indicators, reporting, analytical capacity building, and mutual learning instruments.

Demographic change and family policies

The Council exchanged views on family policies and adopted conclusions on reconciliation of work and family life in the context of demographic change ([11841/11](#)).

Ministers who took the floor underlined that demographic change required putting in place of policies to increase birth rate, such as flexible working time arrangements (i.e. part-time), child and family allowances, quality and affordable child care as well as other assistance services enabling parents to reconcile their professional and private life. The ministers also stressed that special attention should be paid to vulnerable families, such as single parents families.

The conclusions aim at promoting policies favouring families and work-life balance in the context of addressing the demographic challenge and in order to support the Europe 2020 strategy.

They stress the importance of better support for reconciliation measures which would not only enable women and men to better balance work and family life, but also contribute to achieving major policy objectives of the EU, in terms of growth and jobs.

Child poverty and child well-being

The Council adopted conclusions on tackling child poverty and promoting child well-being ([11844/11](#)).

The fight against child poverty and the promotion of child well-being are among the priorities within the framework of the EU 2020 Strategy, in particular the target on reducing poverty and social exclusion.

The conclusions invite the member states to adequately emphasise the aspects of child poverty within their national policies in a comprehensive manner covering appropriate jobs and adequate income for families, as well as providing services in early childhood development, education, housing and health-care. Member states are also invited to provide national policies with adequate targets and resources.

European disability strategy 2010-2020

The Council adopted conclusions on the new European disability strategy 2010-2020 ([11843/11](#)).

The strategy provides a framework for action at European level and suggests actions at national level to address the diverse situations faced by women, men and children with disabilities. Its aim is to empower persons with disabilities so that they can enjoy their full rights and fully participate in society and in the European economy. The strategy identifies eight main areas for action: accessibility, participation, equality, employment, education and training, social protection, health, and external action.

The conclusions call for an appropriate use of existing funding to implement the proposed actions and for mainstreaming of disability within the Europe 2020 Strategy. In order to ensure greater inclusion of women, men and children with disabilities in the society, accessibility should be improved and equal access of disabled persons to quality education and training and quality health care should be ensured.

Lunch debate

The Presidency summarized lunch discussions on "demography: changing face of Europe" saying that demographic change should be considered as a challenge. Special attention should be given to active ageing coupled with lifelong learning and reconciliation of work and family life ([11563/11](#)).

ANY OTHER BUSINESS**Seasonal employment and intra-corporate transfer directives**

The presidency briefly reported on the progress made during the Hungarian presidency about work on social- and employment- related aspects of the above directives.

Electromagnetic fields

The Commission informed the Council about the state of play as regards a forthcoming proposal to amend directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields).

Preparation of the G20 - meeting of Labour and Employment Ministers

The French delegation provided information on about the state of preparation for the G20 meeting of Labour and Employment Ministers, scheduled on 25 - 27 September 2011 in Paris.

Ratification and implementation of the UN Convention on the Rights of People with Disabilities

The Council took note of the information provided by the Commission ([11125/11](#)).

Work programme of the incoming presidency

The Polish minister presented to the Council the main objectives and activities for the second semester of 2011.

OTHER ITEMS APPROVED**ENERGY****Hochtemperatur-Kernkraftwerk GmbH joint undertaking**

The Council adopted decisions on extension of the joint undertaking status of Hochtemperatur-Kernkraftwerk GmbH ([10516/11](#)) and on extension of the advantages conferred on that joint undertaking ([10517/11](#)) for eight years with effect from 1 January 2010.

The objective of this joint undertaking is to implement a programme for decommissioning the nuclear power station located at Uentrop (Germany), up to the safe enclosure stage and, thereafter, to carry out a programme of surveillance of the enclosed nuclear installations.

FOREIGN AFFAIRS**Relations with Algeria**

The Council took note of preparations for the sixth meeting of the EU/Algeria association council to take place in Luxembourg on 20 June.

TRANSPARENCY**Public access to documents**

The Council adopted the reply to confirmatory application No 14/c/01/11, the Swedish delegation voting against ([10373/11](#)).
