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NOTE

From:	Presidency
To:	Delegations
Subject:	European Pillar of Social Rights - Presidency steering note

Delegations will find attached the Presidency note on the above subject, with a view to the lunch discussion at the EPSCO Council on 15 June 2017.

European Pillar of Social Rights

Lunch debate

EPSCO Council, 15 June 2017

INTRODUCTION

As part of its key priorities in overcoming the crisis of the last decade and building a more inclusive, resilient and fairer Union, aimed at full employment, and social progress and cohesion, the Commission presented on 26 April 2017 its Communication¹ on the "European Pillar of Social Rights" (EPSR). Taking account of the unprecedented changes and challenges Europe's societies and the world of work are confronted with, the EPSR complements the joint achievements in the field of workers' protection in the EU. It sets out 20 key principles and rights², structured as a compass for a renewed process of upward convergence towards better working and living conditions, and divided into three chapters: (1) equal opportunities and access to the labour market, (2) fair working conditions, and (3) social protection and inclusion.

The Commission package is accompanied by a number of legislative and non-legislative initiatives: *inter alia* a new Social Scoreboard³, which from 2017 on is to feed into the European Semester to monitor progress on the ground (to be discussed more in detail with the advisory EPSCO Committees upfront), and a legislative proposal on work-life balance⁴ that will be handled under the ordinary legislative procedure

The reflection paper on the Social Dimension of Europe⁵, published in conjunction with the EPSR package, will for its part be considered, together with four other reflection papers, in the framework of the broader reflection on the Future of Europe.

¹ 8637/17.

² 8637/17 ADD2.

³ 8637/17 ADD1.

⁴ 8633/17 + ADD1 + ADD2 + ADD3 + 8631/17.

⁵ 8717/17 + ADD1 + ADD2.

SCOPE and RESPONSIBILITIES

The EPSR is designed to support fair and well-functioning labour markets and welfare systems. This challenge takes a specific meaning for the competition of the Economic and Monetary Union, as indicated in the "Five Presidents' Report" of 22 June 2015. The Pillar is therefore primarily conceived for the Member States of the euro area, but applicable to all Member States that wish to be part of it.

The Commission emphasises that while the aim is to share a reference framework of principles and rights, the Pillar acknowledges the diversity of situations and the varying means available to achieve these common goals. Delivering on these principles and rights is a joint responsibility of the EU institutions, the Member States (most of the tools required being in the hands of national, regional and local authorities) as well as the social partners and the civil society at large. In many cases, the major issue is not so much the recognition of rights but rather their actual take-up. An important feature of the follow-up to the EPSR will therefore be the implementation and enforcement of the social "acquis".

In the implementation of the EPSR, the Commission particularly emphasises the important role of the Social Partners and the need to support social dialogue at all levels.

According to the Commission, the principles and rights set out in the proposed EPSR are not directly enforceable, but would need to be translated into dedicated action and/or separate legislation in order to become effective. Where needed, the Commission suggests, existing EU law is to be updated and complemented, while fully respecting the Member States' competences and taking into account the diversity of their situations.

The Commission furthermore announced that EU funds will continue to support the objectives of the EPSR, and that monitoring progress will happen within the European Semester.

CONTENT

The central political element of the EPSR is a proposal for an Interinstitutional Proclamation ('Proclamation'), spelling out the 20 key principles and rights. The Commission has expressed the objective that this 'Proclamation' will be endorsed at the highest level by the European Parliament, the Council and the Commission towards the end of 2017.

The policy areas covered by the 20 principles set out in the Proclamation are deeply anchored in the Treaties: The Preamble refers to Article 3 TEU, and Articles 9, 151 and 152 TFEU as well as the Charter of Fundamental Rights of the European Union. It also lists the Treaty Articles laying down the powers of the Union.

Reference is furthermore made to the "Bratislava Declaration" of 16 September 2016 and the "Rome Declaration" of 25 March 2017 to underline the commitment taken by the European Council, together with the European Parliament and the Commission to work towards a social Europe.

The specific items covered in the Proclamation are: education, training and life-long learning; gender equality; equal opportunities; active support to employment; secure and adaptable employment; information about employment conditions and protection in case of dismissal; social dialogue and involvement of workers; work-life balance; healthy, safe and well-adapted work environment and data protection; childcare and support for children; social protection; unemployment benefits; minimum income; old age income and pensions; health care; inclusion of people with disabilities; long-term care; housing and assistance for the homeless; and access to essential services.

With a view to promote political commitment towards the outlined objectives, Ministers are invited to consider the following:

1. *How can the principles and rights outlined in the Pillar be put into practice at national and European level? What are the most challenging objectives?*
2. *Taking into account the political nature of the Pillar, how can Member States strive for a shared commitment towards the interinstitutional proclamation of the Pillar?*