



Council of the
European Union

Brussels, 30 January 2015

5761/15

EMPL 15
SOC 43
ECOFIN 56
EDUC 15

NOTE

From: Presidency
To: The Working Party on Social Questions
On: 9 February 2015

No. prev. doc.: 5125/15 EMPL 4 SOC 6 ECOFIN 15 EDUC 5

Subject: Proposal for a Council Decision establishing the Employment Committee and
repealing Decision 2000/98/EC

With a view to the meeting of the Working Party on Social Questions on 9 February, delegations will find attached a proposal prepared by Presidency on the above subject.

Changes with regard to document 5125/15 are indicated by **bold** and deletions by [...].

The UK delegation maintains a parliamentary scrutiny reservation.

**Proposal for a
COUNCIL DECISION**

establishing the **Employment Committee** and repealing Decision **2000/98/EC**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 150 thereof,

Having regard to the opinion of the European Parliament¹,

Whereas:

- (1) Article 5 of the Treaty on Functioning of the European Union states that the Union shall take measures to ensure coordination of the employment policies of the Member States with a view to enhancing their effectiveness by developing a coordinated strategy for employment;
- (2) Part III, Title IX of the Treaty on Functioning of the European Union establishes the procedures by which Member States and the Union should work towards developing a coordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce and labour markets responsive to economic change; that Title provides for the establishment of an **Employment Committee** with advisory status ("the Committee");
- (3) In fulfilling its tasks, which include advising and contributing to the work of the Council and the Commission, the Committee should contribute to ensuring that the European Employment Strategy, macroeconomic policy coordination and the process of economic reform are formulated and implemented in a consistent and mutually supportive way;

¹ Opinion delivered on xxxx (not yet published in the Official Journal).

(4) The Committee should collaborate closely with the social partners, in particular with those represented at the Tripartite Social Summit for Growth and Employment provided for by the Council Decision 2003/174/EC of 6 March 2003 establishing a Tripartite Social Summit for Growth and Employment².

(4 bis) In its Conclusions of June 2013, the European Council stated that the social dimension of the EMU should be strengthened. As a first step, it is important to better monitor and take into account the social and labour market situation within EMU, notably by using appropriate social and employment indicators within the European semester. It is also important to ensure better coordination of employment and social policies, while fully respecting national competences.

(4 bis2) In October 2013, the European Council held that the coordination of economic, employment and social policies will be further enhanced in line with existing procedures while fully respecting national competences. The European Council considered that this requires more work to strengthen cooperation between the various Council configurations in order to ensure consistency of those policies in line with the common objectives.

(5) The decision establishing the Committee should reflect the development of the European Semester and the role of the Committee in this process. In particular, Council Regulation (EC) No 1466/97, as amended by Regulation (EU) No 1175/2011 of the European Parliament and of the Council, states that the Economic and Financial Committee, the Economic Policy Committee, the Employment Committee and the Social Protection Committee shall be consulted within the framework of the European Semester where appropriate. Moreover, Regulation (EU) No 1176/2011 of the European Parliament and of the Council states that the in-depth reviews should take into account of, where appropriate, Council recommendations or invitations addressed to Member States, and that a corrective action plan for any Member States for which an excessive imbalance procedure is opened shall take into account the **economic and** social impact of the policy actions and shall be consistent with the broad economic policy guidelines and the employment guidelines. Therefore, the decision establishing the Committee should reflect its role within the European Semester.

² OJ L 70, 14.3.2003, p. 31.

- (6) The Committee and the Union bodies involved in the coordination of economic and social policies, in particular the Economic and Financial Committee, the Economic Policy Committee and the Social Protection Committee, should work closely together. Where appropriate and mutually agreed between the involved Committees, the Committee's cooperation with the Social Protection Committee, the Economic and Financial Committee and the Economic Policy Committee may include the organisation of joint meetings, in particular in the context of the Committees' respective roles within the European Semester.
- (7) In order to effectively deliver on its Treaty mandate and to allow for the necessary flexibility in order to adapt to the timetable of the Committee's activities, in particular within the framework of the European Semester cycle, the governance provisions relating to the functioning of the Committee should be revised with a view to ensuring efficiency and continuity.
- (8) Decision 2000/98/EC should be repealed.

HAS DECIDED AS FOLLOWS:

Article 1

Institutions and functions

1. An advisory Employment Committee (hereinafter referred to as "the Committee") is hereby established by the Council to promote coordination between Member States on employment and labour market policies, in full compliance with the Treaty and with due regard for the powers of the Union's institutions and organs.
2. The tasks of the Committee shall be:
 - to monitor the employment situation and employment policies in the Member States and the Union,

- without prejudice to Article 240 of the Treaty on the Functioning of the European Union, to formulate opinions at the request of either the Council or the Commission or on its own initiative, and to contribute to the preparation of the Council proceedings referred to in Article 148 of the Treaty.

3. To this end, the Committee should in particular:

- promote the consideration of the objective of a high level of employment in the formulation and implementation of Union policies and activities,
- contribute to the procedure leading to the adoption of the Broad Economic Guidelines in order to ensure consistency between the Employment Guidelines and those guidelines and contribute to the synergy between the European Employment Strategy, macroeconomic policy coordination and the process of economic reform in a mutually supportive way,
- participate actively in the macroeconomic dialogue at Union level,
- contribute to all aspects of the European Semester within its mandate and report on them to the Council.
- promote exchanges of information and experience between Member States and with the Commission.

4. Each year, the Committee shall adopt a work programme, taking into account the policy priorities of the Council and the Commission. The work programme shall be transmitted to the Council.

Article 2

Membership

1. Each Member State and the Commission shall appoint two members of the Committee. They may also appoint two alternates.

2. The members of the Committee and the alternates shall be selected from among senior officials or experts possessing outstanding competence in the field of employment and labour market policy in the Member States.
3. Member States and the Commission shall use their best endeavours to achieve a gender balance in the composition of representatives for the Committee's membership.
4. The Committee may call on external experts where appropriate to its agenda.

Article 3

Operation

1. The Committee shall elect its Chairperson from among the members appointed by the Member States for a term of two years, which shall be renewable once. The Committee may, to ensure the efficiency and continuity of its work, decide to extend a Chairperson's term by up to eight months in duly justified cases. **A chairperson may serve up to a total of 4 years and 8 months.**
2. The Chairperson shall be assisted by four vice-Chairpersons, of whom two shall be elected by the Committee from among its members for a term of two years, which shall be renewable once. The third shall be a representative from the Member State holding the Presidency of the Council and the fourth shall be a representative from the Member State which will hold the next Presidency.
3. The Chairperson shall delegate his voting right to his alternate.
4. The Commission shall provide adequate analytical and organisational support for the Committee. It shall designate a member of its staff as Secretary. The Secretary and the staff assisting him shall act on the instructions of the Committee when assisting the Committee in carrying out its tasks. The Secretary shall liaise with the General Secretariat of the Council with regard to the holding of meetings.
5. The Committee shall establish its own rules of procedure.

6. Expenses shall be reimbursed in accordance with the administrative rules in force.
7. Meetings of the Committee shall be convened by the chairperson, either on his own initiative or at the request of a majority of the members of the Committee.
8. The Committee shall work, as appropriate, in cooperation with other relevant bodies and committees dealing with social and economic policy matters, such as the Social Protection Committee, the Economic and Financial Committee the Economic Policy Committee, the Education Committee and the governing board of the European Network of Public Employment Services.

Article 4

Working groups

The Committee may entrust the study of specific questions to its alternate members or may establish working groups to this end. The chair of such a working group shall be taken by either a vice-Chairperson of the Committee, a member or an alternate member of the Committee, a Commission official, or a member of the working group itself appointed by the Committee. The Commission shall provide adequate analytical and organisational support for the workings groups. The working groups may call upon experts to assist them. The Committee may equally establish joint working groups with other committees or bodies, the governing rules of which shall be determined jointly.

Article 5

Consultation of the social partners

In fulfilling its mandate, the Committee shall consult the social partners. It shall, in this context, establish contacts with the social partners represented at the Tripartite Social Summit for Growth and Employment.

Article 6

Transitional measures

The term of any member elected in accordance with Article 3 of Decision 2000/98/EC shall continue until the end of that term as determined in accordance with Article 3 of this Decision. The date of the beginning of such a term shall be considered to be the date of the election having taken place in accordance with Article 3 of Decision 2000/98/EC.

Article 7

Repeal

Decision 2000/98/EC shall be repealed as from the date of the first meeting of the Committee following the entry into force of this decision. That meeting shall take place no later than four months after the date of adoption of this Decision.

Article 8

Publication

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, ...

For the Council

The President
