



Council of the
European Union

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SOC 140
EMPL 93
SAN 87
CONSOM 58

DRAFT MINUTES

Subject: **3453rd** meeting of the Council of the European Union (**EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER AFFAIRS**) held in Brussels on 7 March 2016

CONTENTS

Page

1. Adoption of the agenda	3
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NON-LEGISLATIVE ACTIVITIES

2. Approval of the list of 'A' items.....	3
3. European Semester 2016: Contribution to the European Council (17–18 March 2016)	3
a) Implementation of the Country-specific recommendations	
b) 2016 Country reports	
c) Priorities for action in the areas of employment and social policies: Political guidance in 2016	
4. Proposal for a Council Decision on guidelines for the employment policies of the Member States	5
5. New start for social dialogue	5
a) State of play	
b) Tripartite Social Summit	
6. Investing in Youth Employment: Implementation of the Youth Guarantee	5
7. Labour mobility package	6
8. Towards a new Skills Agenda for Europe	6
9. Equality.....	7
a) Draft Council conclusions: Response to the Commission's strategic engagement for gender equality	
b) Draft Council conclusions: Response to the Commission's list of actions to advance LGBTI equality	
10. Any other business	8

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1. **Adoption of the agenda**

6623/16 OJ/CONS 12 SOC 129 EMPL 88 SAN 72 CONSOM 46

The Council adopted the above agenda.

NON-LEGISLATIVE ACTIVITIES

2. **Approval of the list of 'A' items**

6627/16 PTS A 16

The Council adopted the list of "A" items as set out in doc. 6627/16.

NON-LEGISLATIVE ACTIVITIES

*(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure
[proposed by the Presidency])*

3. **European Semester 2016: Contribution to the European Council (17–18 March 2016)**

– Policy debate

6147/16 SOC 63 EMPL 38 ECOFIN 102 EDUC 25

+ COR 1 (fr)

The Council held a policy debate on the implementation challenges of Country Specific Recommendations and national best practices, with a particular focus on those related to labour market segmentation and contractual arrangements.

Against an uncertain economic background, Ministers concurred there has been progress in CSR implementation. Though concrete results in the employment and social domain are displaying with a time lag, first results are beginning to show. They highlighted that a shared awareness of challenges, and widespread support and consensus, is crucial for any reform agenda. This implies in particular that social partners need to play an important role in the implementation and be closely involved in the reforms. Public and political support are key to achieve full ownership of the reform agenda, thus ensuring that it is effectively pursued.

Ministers highlighted that the specific historical and socioeconomic background needs to be taken into account when formulating CSRs. For this reason, CSRs need to be grounded on facts and evidence and on the specificities of Member States, and they need to focus on outcomes, indicating the broad objectives to be achieved. The redistributive effects of reforms remain a central issue - structural reforms need to be inclusive, paying attention to specific groups such as the young and the long-term unemployed.

a) Implementation of the Country-specific recommendations

- EMCO contribution on the labour market segmentation and contractual arrangements
6151/16 SOC 66 EMPL 41 ECOFIN 105 EDUC 28
+ ADD 1

The Council took note of the contribution of the Employment Committee.

b) 2016 Country reports

- Presentation by the Commission
6245/16 ECOFIN 114 UEM 44 SOC 79 EMPL 48 COMPET 60 ENV 76
EDUC 34 RECH 23 ENER 32 JAI 107

The Council took note of the presentation by the Commission.

c) Priorities for action in the areas of employment and social policies: Political guidance in 2016

- i) Draft Council conclusions on the 2016 Annual Growth Survey and Joint Employment report: Political guidance on employment and social policies
6148/16 SOC 64 EMPL 39 ECOFIN 103 EDUC 26
- ii) Draft Joint Employment report
6149/16 SOC 65 EMPL 40 ECOFIN 104 EDUC 27
- Adoption

The Council adopted the conclusions on the 2016 Annual Growth survey and Joint employment report: political guidance on employment and social policies. The final version is to be found in doc. 6643/16 .

The Council adopted the Joint Employment report. The final version is to be found in doc. 6263/16.

4. **Proposal for a Council Decision on guidelines for the employment policies of the Member States**

– General approach

6152/16 SOC 67 EMPL 42 ECOFIN 106 EDUC 29
6153/16 SOC 68 EMPL 43 ECOFIN 107 EDUC 30
6538/16 SOC 100 EMPL 59 ECOFIN 152 EDUC 43

The Council reached a general approach on the 2016 Employment Guidelines.

5. **New start for social dialogue**

a) State of play

6232/16 SOC 78 EMPL 47

b) Tripartite Social Summit

– Presentation by the Presidency and the Commission

The Council took note of the presentation by the Commission (doc. 6232/16) on the recent developments concerning the "New start of social dialogue" and the background note.

The Council also took note of the information by the Commission and by the Presidency on the preparations for the next Tripartite Social Summit to take place on 16 March.

6. **Investing in Youth Employment: Implementation of the Youth Guarantee**

– Endorsement of the EMCO key messages on the way forward

6154/16 SOC 69 EMPL 44 ECOFIN 108 EDUC 31 JEUN 17
+ ADD 1 – ADD 3

The Council endorsed the key messages of the Employment Committee on the way forward for the Youth Guarantee post-2016.

7. **Labour mobility package**

- Presentation by the Commission

The Council took note of the presentation by the Commission on the announced package to be presented in two steps: the targeted revision of the Posting Directive and a revision of the Regulation 883/2004 on Social Security Coordination. It announced that the Posting Directive should be discussed, and possibly adopted, by the collège of Commissioners on 8 March. The revision of Regulation 883/2004 was to be expected after the UK referendum in June 2016.

As the proposal was not yet adopted by the collège, the Presidency pointed out that no debate on substance was to take place at this stage. Nevertheless, several delegations expressed concerns about splitting the package and the timing of the proposal on the posting of workers. Several questions were raised on the principles of fair competition, freedom to provide services and the protection of worker's rights. A number of other delegations supported the Commission's approach. The Presidency indicated that it intends to start discussing the file immediately after publication.

8. **Towards a new Skills Agenda for Europe**

- Policy debate
6166/16 SOC 71 EMPL 46 EDUC 33 JEUN 18

The Council held a policy debate based the Presidency Note as set out in doc. 6166/2016. The outcome of the debate should provide an input to the new Skills Agenda to be adopted by the Commission towards the end of the first semester 2016. The Presidency undertook to summarise the key messages in a joint letter to be sent to the Commission, together with the results of the debate in the Education Council of 24 February.

Ministers shared their experiences and exchanged their views on how to adapt best the skills to the needs of the labour markets, and thus to reduce the existing mismatch between labour demand and supply. In this context, they stressed the growing importance of transversal and digital skills. Life-long learning and recognition of formal and non-formal education have been referred to as a means to maintain competitiveness of the workforce in the labour market and to increase the employability. Ministers shared the view that the involvement of social partners at all levels was indispensable for the success of the transition to a modern 21st century society. A workforce with enhanced digital and socio-emotional skills would enable it to keep pace with the rapid technological and societal developments.

9. Equality

- a) Draft Council conclusions: Response to the Commission's strategic engagement for gender equality
- b) Draft Council conclusions: Response to the Commission's list of actions to advance LGBTI equality
- Adoption
 - 6254/16 SOC 80 GENDER 12 ANTIDISCRIM 12 FREMP 33
 - 6255/1/16 REV 1 SOC 81 GENDER 13 ANTIDISCRIM 13 FREMP 34

Noting that HU maintained a reservation on the LGBTI conclusions, the President concluded that the Council was unable to reach an agreement on the adoption of the two sets of Conclusions set out in docs. 6254/16 and 6255/1/16 REV 1, which had been presented as a package. The President indicated that the Council would return to this subject at its meeting in June.

10. Any other business

(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency]) for items 10 b) to e)

a) Legislative issues

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

- Information from the Presidency

The Council has been informed on the state of play of ongoing legislative files.

The Presidency congratulated the Luxembourg Presidency for reaching an agreement on the Undeclared Work Platform Directive and the EURES Regulation. It informed that the Undeclared Work Platform was adopted by the Council on 24 February, while the EURES Regulation is to be adopted on 15 March. Both files should be published in the Official Journal as soon as the adoption process was finalised.

b) Other issues:

i) European pillar of social rights

ii) State of play on ESF/YEI implementation

iii) Energy Union – employment and social dimension

- Information from the Commission

6354/16 SOC 89 EMPL 52 ENER 41

The Council took note of the information provided by the Commission.

The Commission emphasised the link between the November 2015 Communication on the State of Energy Union on the transition to innovative low carbon technologies and the Skills Agenda, stressing the need for up-skilling the workforce in order adapt to the new challenges. Social partners should be strongly involved in the process. In this context, the Commission raised awareness to a new emerging phenomenon called "energy poverty".

c) Violence against women – Istanbul Convention

- Information from the Commission

6351/16 SOC 88 GENDER 16

The Council took note of the information provided by the Commission.

d) Monitoring of social developments: Update of the Social Protection Performance Monitor

- Information from the SPC Chair
6494/16 SOC 95 EMPL 56

The Council took note of the information provided by the SPC Chair on recent social developments "trends to watch". The country-specific challenges will be presented in the larger framework of the SPC Annual Report at the October EPSCO.

e) EMCO and SPC Work Programmes 2016

- Information from the respective Chairs
5932/16 SOC 57 EMPL 35 ECOFIN 76 EDUC 19
6182/16 SOC 72 EMPL 54 ECOFIN 149 SAN 67

The Council took note of the information provided by the EMCO and SPC Chairs on their Committees' respective work programmes for 2016.
