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## OUTCOME OF THE COUNCIL MEETING

3453rd Council meeting

**Employment, Social Policy, Health and Consumer Affairs**

### **Employment and Social Policy**

Brussels, 7 March 2016

President            **Lodewijk Asscher**  
Minister for Social Affairs and Employment of  
Netherlands

# P R E S S

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# **CONTENTS<sup>1</sup>**

## **ITEMS DEBATED**

EUROPEAN SEMESTER 2016.....	3
Annual growth survey (AGS)/ Joint employment report.....	3
EMPLOYMENT GUIDELINES .....	4
SKILLS AGENDA .....	4
RELAUNCHING SOCIAL DIALOGUE.....	5
Tripartite Social Summit (TSS) .....	5
LABOUR MOBILITY PACKAGE.....	5
IMPLEMENTATION OF THE YOUTH GUARANTEE.....	5
EQUALITY .....	6
Response to the Commission's strategic engagement for gender equality .....	6
Response to the Commission's list of actions to advance LGBTI equality .....	6
ANY OTHER BUSINESS.....	7

## **OTHER ITEMS APPROVED**

### *INTERNAL MARKET*

– Professional qualifications.....	8
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### *TRANSPORT*

– Civil aviation safety: negotiations with China and Japan.....	8
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<sup>1</sup>

- 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.

## **ITEMS DEBATED**

### **EUROPEAN SEMESTER 2016**

The Council held a [policy debate](#) on the employment and social policy aspects of the 2016 European Semester exercise.

The debate was centred on implementation of the country-specific recommendations (CSRs), having as a case study labour market segmentation and contractual arrangements.

Ministers concurred that a shared awareness of challenges and widespread support and consensus were crucial for any reform agenda. This means in particular that social partners need to play an important role and should be closely involved in the reforms. Public support (from civil society) and political support from across the whole political spectrum are also necessary to ensure full ownership of reforms. Information, good communication and increased transparency are also key.

Structural reforms need to be inclusive, paying attention to specific groups such as the young and the long-term unemployed. Reforms need to be based on a long-term vision since they involve extensive consultations and preparation, and given that their effects take time to materialise.

Ministers also highlighted that CSRs need to be grounded on accurate and balanced evidence as well as on the practice of member states. CSRs should focus on outcomes rather than process, indicating objectives and not prescribing in detail how these should be achieved, thus giving leeway for implementation.

[Labour market segmentation and contractual arrangements](#) (+[ADD1](#)).

The Council took note of Commission's presentation of the [country reports](#) for 2016.

### **Annual growth survey (AGS)/Joint employment report**

The EPSCO Council adopted the 2016 [joint employment report](#) and also [conclusions](#) on the basis of the annual growth survey and the joint employment report, providing political guidance for employment and social policies in 2016.

The **annual growth survey** outlines priorities for action to be taken by member states to ensure better coordinated and more efficient policies that should put the EU's economy on a path to sustainable growth.

The **joint employment report** contains an analysis and key messages based on the employment and social situation in member states. This annual report constitutes the basis for the European Council to consider the employment situation in the EU.

## **EMPLOYMENT GUIDELINES**

The Council reached a general approach on [guidelines](#) for member states employment policies.

The 2015 employment guidelines were adopted by the EPSCO Council on 5 October 2015. For 2016, the Commission proposes leaving the employment guidelines unchanged.

## **SKILLS AGENDA**

The Council held a policy debate on a new skills agenda on the basis of a presidency [policy note](#).

The Commission is expected to present the new skills agenda in May.

The discussion provided useful policy orientations from the labour market perspective to help the Commission design the skills agenda.

Ministers discussed the mismatches between labour demand and supply and agreed that skills must meet the needs of the labour market. They emphasised the growing importance of socio-emotional and 'transversal' skills, such as entrepreneurship, creativity and problem solving.

Similarly, digital skills are becoming vital to keep people in jobs, particularly those involving tasks of a largely routine nature. Life-long learning will increasingly become an absolute necessity for workers to stay competitive on the labour market. Ministers stressed the importance of involving all relevant stakeholders, such as enterprises, education institutions and employees' representatives, in order to ensure a smooth transition from school to work.

The role of the social partners is considered crucial in this process, as is cooperation between management and the workforce. Ministers also stressed the importance of ensuring that formal and non-formal learning receive due recognition. With regard to skills, attention should be paid to the integration of migrants into the labour market.

This debate complemented the policy debate held at the Education Council in February by the education ministers.

## **RELAUNCHING SOCIAL DIALOGUE**

The Commission and the presidency informed the Council about the recent developments concerning the new start for social dialogue, and the preparations for the tripartite Social summit (16 March 2016).

The re-launch of the social dialogue at European level in March 2015 has been followed up by a series of tripartite discussions organised by the Commission.

The general aim of strengthening social dialogue is widely supported. Ministers were updated on the social partners' positions and the presidency explained how it intended to draw conclusions from the tripartite discussions.

### **Tripartite Social Summit (TSS)**

The EPSCO Council was also informed of the preparations for the TSS, which will be held on the afternoon of 16 March, one day before the March European Council. The main theme of the summit is 'A strong partnership for job creation and inclusive growth', taking stock of the new start for social dialogue. There are also a number of sub-themes, covering the country-specific recommendations, the impact of the refugee crisis on the labour market and the challenges linked to digitalisation.

## **LABOUR MOBILITY PACKAGE**

The Commission informed the Council about the labour mobility package announced in its 2016 work programme.

At this stage, attention focused on the proposal for a targeted revision of the posting of workers directive. The College of Commissioners were due to discuss the proposal on 8 March and might adopt it on that occasion.

## **IMPLEMENTATION OF THE YOUTH GUARANTEE**

The Council endorsed the [key messages](#) from the Employment Committee (EMCO) on the way forward for the youth guarantee post-2016.

EMCO's key messages, provide its input for the Commission's upcoming report on the implementation of the youth guarantee and on the operation of the youth employment initiative, which is expected to be published in late 2016.

In order to support the youth guarantee schemes, and to tackle youth unemployment more generally, the February 2013 European Council agreed on a EUR 6 billion financial envelope for the youth employment initiative for 2014-2020. The European Council in June 2013 called on member states benefitting from the youth employment initiative to adopt plans for the implementation of the youth guarantee by the end of 2013, so that the EUR 6 billion could be used as of January 2014. It supported frontloading the funds in 2014 and 2015.

## **EQUALITY**

The Council was unable to reach an agreement on following conclusions on equality:

### **Response to the Commission's strategic engagement for gender equality**

The Commission's strategy for equality between women and men 2010 - 2015 expired at the end of 2015. The Council and the European Parliament have invited the Commission to adopt a new strategy, and stressed that it should have the same status as the previous one, meaning it should be officially adopted as a Communication.

At the EPSCO Council on 7 December 2015, ministers held an exchange of views on the Commission's strategic engagement. Many ministers lamented the fact that no formal strategy had been adopted, as this implicitly downgraded the status of gender equality policy within the EU.

Nevertheless, as regards the substance of the Commission's strategic engagement, member states generally supported the five priorities identified in the document: equal economic independence for women and men; equal pay for work of equal value; equality in decision-making; dignity, integrity and ending gender-based violence; and promoting gender equality beyond the EU.

### **Response to the Commission's list of actions to advance LGBTI equality**

In December 2015, the Commission published a list of specific targeted actions to combat LGBTI discrimination in the EU in 2016-19. The actions have been defined in consultation with the EP, civil society and member states, and in the light of research carried out by the EU fundamental rights agency, information from relevant international bodies, and the Commission's own data.

Despite the evidence of widespread discrimination and harassment experienced by LGBTI persons, only limited action has been taken so far at EU level to address the problem.

Workplace discrimination on the grounds of sexual orientation is already prohibited by Council directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.

Since 2008, the Council has also been examining the Commission's proposal for a new equal treatment directive which would also prohibit discrimination in access to goods and services on the grounds of religion or belief, disability, age or sexual orientation in the following areas: social protection, including social security and healthcare; social advantages; education; and access to goods and services, including housing.

Directive 2000/78/EC and the proposed anti-discrimination directive are of relevance to lesbian, gay and bisexual persons (LGB), but do not cover transgender and intersex persons (TI).

### **ANY OTHER BUSINESS**

- The presidency informed the Council about legislative issues.
- The Commission informed the Council about the following issues: European pillar of social rights; state of play on ESF/YEI implementation; Energy Union - employment and social dimension.
- The Commission informed the Council about a planned initiative for combatting violence against women (proposal for EU accession to the Istanbul Convention).
- The Chair of the Social Protection Committee informed the Council about the monitoring of social developments and specifically the update of the social performance monitor.
- The EMCO and SPC Chairs informed the Council about their work programmes for 2016.

## **OTHER ITEMS APPROVED**

### **INTERNAL MARKET**

#### **Professional qualifications**

The Council decided not to object to a Commission [decision](#) amending directive 2005/36/EC on the recognition of professional qualifications, as regards the evidence of formal qualifications and the titles of training courses.

The decision aims to [update annex V](#) to the directive 2005/36/EC to include new professional titles in order to inform the public and member states of all professional titles which currently qualify for automatic recognition.

Directive 2005/36/EC was amended by [directive 2013/55/EU](#), which entered into force on 17 January 2014.

Seven sectoral professions (architect, doctor of medicine, dental practitioner, midwife, nurse responsible for general care, pharmacist and veterinary surgeon) may qualify for automatic recognition of their qualification, subject to that qualification meeting minimum training standards.

Member states must notify the Commission of the rules they adopt with regard to the issuing of evidence of formal qualifications benefiting from automatic recognition. Following an evaluation, holders of those qualifications which are in compliance then benefit from the automatic recognition of their qualification across member states. Annex V contains a list of evidence of formal qualifications which offer this benefit.

The Commission decision is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has decided not to object to it, the act can enter into force, unless the European Parliament objects.

### **TRANSPORT**

#### **Civil aviation safety: negotiations with China and Japan**

The Council adopted decisions which authorise the opening of negotiations on bilateral civil aviation safety agreements between the EU and China and between the EU and Japan.