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3625th Council meeting

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

**Employment, Social Policy and Health issues**

Luxembourg, 21 and 22 June 2018

Presidents

**Biser Petkov**

Minister for Labour and Social Policy of Bulgaria

**Kiril Ananiev**

Minister for Health of Bulgaria

# P R E S S

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

### **ITEMS DEBATED**

EMPLOYMENT AND SOCIAL POLICY .....	4
Coordination of social security systems.....	4
Transparent and predictable working conditions .....	4
European Semester.....	5
– Country-specific recommendations (CSRs) .....	5
– Employment Committee and Social Protection Committee .....	5
– Guidelines for the employment policies of the member states .....	6
European Labour Authority .....	6
Work-life balance for parents and carers .....	6
Equal treatment .....	7
Future of work.....	7
Free movement of workers .....	8
Early childhood development .....	8
2018 pension adequacy report.....	8
Any other business .....	8
– European social fund plus and European globalisation adjustment fund .....	8
– Current files (legislative and non-legislative proposals) .....	9
– Transitional arrangements regarding the free movement of workers from Croatia.....	9

<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.

– Recent international developments in the field of employment and social policy .....	9
– Work programme of the incoming presidency .....	9
<b>HEALTH.....</b>	<b>10</b>
Health technology assessment .....	10
The future of health in the EU .....	10
Conclusions on "Healthy nutrition for children: The healthy future of Europe" .....	11
Any other business .....	12
– Current legislative proposals .....	12
– Communication and recommendation on strengthened cooperation against vaccine preventable diseases .....	12
– Communication on enabling the digital transformation of health and care in the Digital Single Market .....	12
– Outcomes of conferences organised by the Bulgarian presidency .....	12
– Work programme of the incoming presidency .....	12

## **OTHER ITEMS APPROVED**

### *EMPLOYMENT AND SOCIAL POLICY*

– Posting of workers directive .....	13
--------------------------------------	----

### *HEALTH*

– Food regulation on flavourings .....	13
--	----

### *FOREIGN AFFAIRS*

– Relations with Uzbekistan .....	13
-----------------------------------	----

### *INTERNAL MARKET*

– Professions: proportionality test before establishing new requirements .....	14
--	----

### *TRANSPARENCY*

– Public access to documents .....	14
------------------------------------	----

## **ITEMS DEBATED**

### **EMPLOYMENT AND SOCIAL POLICY**

#### **Coordination of social security systems**

The Council agreed its negotiating position (general approach) on the coordination of social security systems (revision of regulations 883/2004 and 987/2009). On the basis of this mandate, the Council presidency will start negotiations with the European Parliament once the latter has adopted its position ([10295/18](#)).

The revision of the regulations on coordination of social security systems aims at modernising the rules by bringing them in line with the development of national social security systems, as well as making them clearer, fairer and simpler to enforce. This will make it easier for people to move freely within the EU.

The draft amending regulation focuses on five areas: unemployment benefits, long-term care benefits, access to benefits for economically inactive persons, family benefits and applicable legislation for posted workers and persons working in two or more member states. It also includes a number of other smaller amendments.

[Coordination of social security systems: Council agrees general approach](#)

#### **Transparent and predictable working conditions**

The Council agreed its negotiating position (general approach) on the directive on transparent and predictable working conditions. On the basis of this mandate, the Council presidency will start negotiations with the European Parliament once the latter has adopted its position ([10299/18](#)).

This draft directive addresses challenges brought by developments in the world of work, including growing flexibilisation of the labour market and, in particular, the increase in the number of 'non-standard' forms of employment, such as temporary employment, part-time and on-call work, zero hours contracts, on-demand and multi-party employment. New forms of employment are often not as regular or stable as traditional employment relationships, and can lead to reduced predictability for the workers concerned, creating uncertainty over applicable rights and social protection. It can even lead to situations where the workers are put in a very dependent and precarious situation, with uncertainty as to if and when they will work the next day.

The draft directive includes revised obligations to inform workers of the essential aspects of their work, in a written form and in a timely manner. A number of minimum rights for workers are also defined.

### [Transparent and predictable working conditions: Council reaches general approach](#)

#### **European Semester**

Ministers held a policy debate covering all sub-items on the 2018 European Semester, guided by a presidency note ([10015/18](#)).

#### – *Country-specific recommendations (CSRs)*

The Council approved the employment and social policy-related elements of the country-specific recommendations ([9454/18](#)).

#### – *Employment Committee and Social Protection Committee*

The Council endorsed the opinions of the Employment Committee (EMCO) and the Social Protection Committee (SPC) ([9931/18](#)).

These opinions provide for an assessment of the employment and social protection/inclusion challenges in the 2018 national reform programmes focusing on the implementation of the 2017 CSRs. They also provide an analysis of the 2018 CSRs and the related process, while focusing on horizontal issues, on the political dimension of multilateral surveillance and on the implementation of the CSRs.

– *Guidelines for the employment policies of the member states*

The Council reached a political agreement on the guidelines for the employment policies of the member states ([10088/18](#)). Since the 2015 revision, the employment guidelines had been maintained stable. They are now being amended to align them with the principles of the European pillar of social rights.

### **European Labour Authority**

Ministers took note of progress on the regulation on establishing a European Labour Authority on the basis of a presidency report ([9659/18](#)).

The Commission proposal, presented on 13 March 2018, aims to create a new agency, the European Labour Authority (ELA). This authority will, in particular:

- facilitate access to and exchange of information related to cross-border mobility for workers, employers and national administrations,
- support coordination between member states in cross-border enforcement of relevant EU law,
- mediate between member state authorities in cross-border disputes between them,
- facilitate solutions in the event of labour market disruptions.

The ELA will pool the technical and operational tasks of 7 existing EU bodies to form a permanent structure.

### **Work-life balance for parents and carers**

The Council agreed its negotiating position (general approach) on the directive on work-life balance for parents and carers. On the basis of this mandate, the Council presidency will start negotiations with the European Parliament once the latter has adopted its position ([10291/18](#)).

The aim of this proposal is to improve access to work-life balance arrangements, such as leave and flexible working arrangements for parents and carers. It should boost the take-up of family-related leave by men, which will help increase female labour market participation.

[Leave and flexible work for parents and carers: Council agrees general approach on the draft directive on work-life balance](#)

## Equal treatment

The Council took stock of progress on the equal treatment directive, on the basis of a presidency note (9734/18). The proposed directive implements the principle of equal treatment between persons, irrespective of religion or belief, disability, age or sexual orientation. It aims to extend protection against discrimination to areas outside employment, including social security, healthcare, education and access to goods and services, including housing.

The Bulgarian presidency, on the occasion of the 10th anniversary of the proposal, proposed a questionnaire in order to find ways to overcome the persisting deadlock in Council negotiations and to find ways forward. It focused on the aim, the scope and the economic impact of the proposed directive. The presidency hopes that this debate will give a new impetus to the file.

The presidency also continued work on:

- **multiple discrimination:** the presidency sought to further clarify the concept, specifying that it could occur on the basis of any combination of the grounds for discrimination and that it could also occur where the situation would not give rise to discrimination if the grounds were taken separately
- **equality data:** the presidency streamlined the text in the recital and added a reference to data based on human rights indicators (which would allow to include data collected by UN bodies)

## Future of work

The Council adopted conclusions on the future of work from the perspective of a lifecycle approach. (10134/18)

The conclusions call on member states and the Commission to undertake a range of actions to adapt skills, education and training and to manage new forms of work and working conditions.

## Free movement of workers

The Council adopted conclusions on a Court of Auditors' special report on "Free movement of workers - the fundamental freedom ensured but better targeting of EU funds would aid worker mobility" ([10301/18](#)).

## Early childhood development

The Council adopted conclusions on integrated early childhood development policies as a tool for reducing poverty and promoting social inclusion ([10306/18](#)).

These conclusions were drafted on the basis of a dedicated peer review by the Social Protection Committee, which took place in Sofia on 21 March 2018. They highlight the importance of developing integrated policies in order to reduce poverty and promote social inclusion. The focus of the conclusions is in the social field, where much can be done to improve the situation of children.

## 2018 pension adequacy report

The Council endorsed the key conclusions on the 2018 pension adequacy report ([9523/18](#)). This report is drafted by the Commission and the Social Protection Committee every three years. The 2018 edition analyses how current and future pensions help prevent old-age poverty and maintain the income of men and women for the duration of their retirement.

## Any other business

### – *European social fund plus and European globalisation adjustment fund*

The Commission informed the Council about the proposals on the European social fund plus and the European globalisation adjustment fund, in the context of the next multiannual financial framework for the years 2021-2027.



– ***Current files (legislative and non-legislative proposals)***

The presidency briefed the Council on the state of play of current legislative and non-legislative proposals.

– ***Transitional arrangements regarding the free movement of workers from Croatia***

The Commission informed the Council about transitional arrangements regarding the free movement of workers from Croatia ([10043/18](#)).

– ***Recent international developments in the field of employment and social policy***

The Commission briefed the Council on recent international developments in the field of employment and social policy.

– ***Work programme of the incoming presidency***

The Austrian delegation informed the Council about its work programme.

## **HEALTH**

### **Health technology assessment**

Ministers held a debate on the proposed regulation on health technology assessment, providing guidance on possible ways to improve current cooperation. Several member states indicated that the obligatory nature of health technology assessment as included in the Commission proposal would not be acceptable for them. They instructed the preparatory bodies to continue their analysis of the text, taking into account today's discussions.

The Commission adopted the proposal on 31 January 2018. While health technology assessment is a complex process, involving clinical evidence but also an evaluation of costs and other non-clinical aspects, the proposal focuses on clinical aspects. Its main aim is to support joint EU clinical assessments that compare selected new medicines or medical devices to existing ones. The proposal also aims to harmonise member states' rules on carrying out clinical assessments for health technologies at national level.

### **The future of health in the EU**

Ministers discussed the future of health in the EU. Member states expressed the importance of shaping an EU agenda on health that focuses on the needs of citizens. They highlighted that EU action aiming at promoting health is particularly useful when it facilitates improving national measures based on exchange of best practices. They outlined a series of topics in which cooperation should be supported, including cross-border health threats, chronic non-communicable diseases, antimicrobial resistance, digital healthcare, pharmaceutical regulation, healthy nutrition and networks for rare diseases.

This debate takes place during a period of intense debate on the future of the policies of the European Union, triggered by the March 2017 Commission white paper on the future of Europe and the upcoming negotiations on the multiannual financial framework. It should also be seen against the rapid development in fields such as eHealth, pharmaceuticals and medical devices. It is a follow-up to a number of preparatory debates at political and technical level organised by the Bulgarian presidency with the aim of identifying key perspectives and areas for cooperation important for Member States.

### **Conclusions on "Healthy nutrition for children: The healthy future of Europe"**

The Council adopted conclusions on 'Healthy nutrition for children: The healthy future of Europe'.

The conclusions aim at the protection of young people's health.

Childhood is a unique window of opportunity for influencing health and quality of life with lifetime effects through healthier diets.

Bearing in mind that an unhealthy diet is one (avoidable) risk factor behind serious chronic diseases, the conclusions focus on promotion of healthier diets for children, as one of the best investments for a young European generation in good health.

The conclusions stress in particular that valuable results could be achieved through preventive action from the earliest stage of life involving actors from all policy areas.

The conclusions suggest possible measures to be taken by the authorities with a view to creating the proper environment for a healthy lifestyle for children.

[Council conclusions on "Healthy nutrition for children: The healthy future of Europe"](#)

## **Any other business**

### **– *Current legislative proposals***

The Council took note of the information provided by the Hungarian delegation on some issues related to the 'manufacturing waiver' introduced by the Commission proposal for a regulation amending EU legislation on supplementary protection certificates for medicinal products.

The Council took note of the presidency information regarding amendments to regulation 726/2004 as part of the veterinary medicines package.

### **– *Communication and recommendation on strengthened cooperation against vaccine preventable diseases***

The Commission presented to the Council a proposal for a Council recommendation on strengthened cooperation against vaccine preventable diseases and a communication on the same subject.

### **– *Communication on enabling the digital transformation of health and care in the Digital Single Market***

The Commission presented to the Council a communication on enabling the digital transformation of health and care in the Digital Single Market.

### **– *Outcomes of conferences organised by the Bulgarian presidency***

The presidency briefed the Council on the outcomes of conferences organised by the Bulgarian presidency.

### **– *Work programme of the incoming presidency***

The Austrian delegation briefed the Council on its work programme.

## **OTHER ITEMS APPROVED**

### **EMPLOYMENT AND SOCIAL POLICY**

#### **Posting of workers directive**

The Council formally adopted a revised directive on posting of workers (PE-CONS 18/18).

The directive aims to facilitate the transnational provision of services whilst ensuring fair competition and respect for the rights of those workers who are employed in one member state and sent to work temporarily in another by their employer ([see also press release](#)).

### **HEALTH**

#### **Food regulation on flavourings**

The Council decided not to oppose the adoption of a Commission regulation amending regulation No 873/2012 on transitional measures regarding the flavouring 'grill flavour concentrate (vegetable)' ([8719/18](#)).

The Commission regulation is adopted through the so-called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

### **FOREIGN AFFAIRS**

#### **Relations with Uzbekistan**

The Council adopted a decision on the conclusion, on behalf of the EU and of the member states, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the EU and Uzbekistan to take account of the accession of Croatia to the EU.

## **INTERNAL MARKET**

### **Professions: proportionality test before establishing new requirements**

The Council adopted by unanimity a directive that will require EU member states to carry out a [proportionality test before establishing new requirements for professions](#).

The directive will improve transparency in the way certain professions are regulated in the member states. It will ensure that national measures are proportionate, and that they do not unduly restrict access to professional activities or create unjustified burdens in the internal market.

When regulating professions, member states will have to assess whether new or revised rules are justified by public interest objectives.

For more details see press release: [Easier access to professions: Council adopts new measures](#)

## **TRANSPARENCY**

### **Public access to documents**

On 21 June 2018, the Council approved the reply to confirmatory application No 12/c/01/18 (8908/18).

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