



TOGETHER FOR A FAIR DEAL FOR WORKERS

ETUC comments on the Proposal for Guidelines on the Employment Policies of the Member States

The accompanying document to the employment guidelines is heading in the right direction. However, ETUC regrets the continued narrative on labour shortages and how they can be addressed through mobility for workers and talent throughout the document. Positively, there are also references to quality jobs. Upward convergence and quality jobs are central to the proposal, with strong support for engaging social partners in the design of active labour market policies.

We also welcome the attention given to the impact of the war on the European labor market and the situation of Ukrainian refugees in the EU, with a request to engage with social partners. As a Member State on the pathway to European membership, Ukraine should also adhere to social partnership with trade unions and employers.

It is concerning to see the narrative on labour market reforms in line with the new fiscal rules. However, references to quality jobs and the involvement of social partners are also included.

We regret the very scarce proposals regarding workers with disabilities, which is unfortunate because nothing is mentioned about the employment package and its products under the Strategy for the Rights of Persons with Disabilities.

Guideline 5:

Throughout the document, there are references to the need to provide for a business ecosystem capable of creating quality jobs. This is, of course, to be welcomed; however, there are systematic references to eliminating the barriers that businesses face in hiring people, without getting into any detail or, in some sections, particularly giving leeway to companies on tax and social security obligations. Specific references are made to shifting taxes away from labour, not considering the necessary and fair contributions to society that companies should undertake.

It is welcomed that Member States are called to contribute to strengthening resilience in light of potential economic shocks, with specific reference to short-time work schemes such as those put forth to cope with the COVID-19 pandemic.

Wage developments enabling decent standards of living are called for under Employment Guideline 5. However, these are related to productivity developments, and no reference is made to inflation and the cost of living.

Guideline 6:

Action is requested to address the challenges of the teaching profession, which is a welcomed reference, yet one wonders why only this sector is referenced under this guideline. Measures are requested to enhance the attractiveness of the profession, yet the term "attractiveness" is vague and has no legal precedent in the European social acquis. Instead, clear references should enumerate all elements appertaining to quality jobs.

Similarly, references are made to the need for Member States to provide quality traineeships, eluding any mention of paid internships and apprenticeships.

Not surprisingly, the employment guidelines echo the demands of the European action plan on labour shortages, looking at migration from a market-oriented perspective around the idea of "talent" and filling untapped potentials, rather than a human-rights approach. References are



made to preventing exploitative working conditions, while the imperative to align the working conditions with those regulated by national legislation and collective agreements is not evoked. Also, our proposed amendments emphasize the need to open legal channels for managed migration and to prevent exploitative working conditions.

The guidelines put forth recommendations on support for unemployed persons. ETUC, however, remains critical of the proposed ceiling of 18 months, as the scarring effect on the lives of unemployed persons after such a long period detached from the labour market is significant.

It is good that references are made to workers with disabilities. However, it is concerning that no mention is made of the employment package enshrined in the European Strategy for the Rights of Persons with Disabilities.

Guideline 7

There is a concerning narrative about making employment protection rules dependent on "a suitable environment for recruitment and the necessary flexibility for employers to adapt swiftly to changes in the economic context."

While references are made to the need to provide employment opportunities for workers through digital labour platforms, there is no mention of the need to transpose and enforce the Directive on providing working conditions in platform work.

Regarding support for Public Employment Services, we disagree with relying on private employment services. Member States should also be called to fund public employment services, not solely through EU funds.

It is good to see a call to strengthen the labour inspectorate on enforcing working conditions in digital labour platforms and new forms of employment. However, it should be reminded that the labour inspectorate currently faces limitations due to cuts and restrictions of powers since the 2009 crisis.

We argue against the replacement of regular employment relationships with non-standard forms of employment, such as bogus self-employment, fraudulent traineeships, or other forms of disguised employment. This should be addressed by enforcing and strengthening legal protections, increasing labour inspections, and sanctioning employers who violate labour rights.

Regarding wages, while the text advocates for supporting social dialogue and collective bargaining, and underscores the importance of decent wages, it should also include a call for the transposition of the Directive on adequate minimum wages by the deadline of November 15, 2024. Additionally, it should advocate for the development of action plans to increase the coverage of collective bargaining.

Member States are invited to take into account the relevant experience of civil society organisations in employment and social issues. This practice should be without prejudice to the full respect to the competences and autonomy of social partners as well as their right to negotiate and conclude collective agreements.

Guideline 8 includes a strong narrative on the fight against discriminatory practices in the labour market and public services, which is welcomed.