



TIME FOR

QUALITY
JOBS

REINFORCED YOUTH GUARANTEE

IT IS TIME FOR
QUALITY JOBS

WHAT IS THE REINFORCED YOUTH GUARANTEE?

The Youth Guarantee is a commitment by all Member States to ensure that all young people under the age of 25 years receive a good quality offer of:

- ★ employment
- ★ continued education
- ★ apprenticeship
- ★ traineeship

within a period of **four months** of becoming unemployed or leaving formal education.



A number of independent evaluations have confirmed the problems reported by ETUC members. The European Commission and the European Court of Auditors report on the implementation of the Youth Guarantee identify a number of shortcomings:

the low quality of the offers provided

the challenges to provide a timely offer within the 4 months established by the Council recommendations

the poor outreach strategies to offer the Youth Guarantee programme to those young people who have the greatest difficulty to enter the labour market (NEETs).

in some of the Member States more than 60% of the Youth Guarantee interventions consist of the offer of a traineeship programme¹.



Following the ETUC demands the new Reinforced Youth Guarantee presented by the European Commission on 1st July 2020, includes improvements such as:

All young people below the age of 30 can benefit from the program

A targeted approach to vulnerable individuals based on wider partnership (social partners, youth organisations...)

Gender dimension

Post-placement feedback and monitoring



THIS IS NOT ENOUGH FOR YOUNG PEOPLE

The communication and presentation by Commissioner Schmit provided a correct assessment of the difficult situation that young people face at the moment²:

Young people are usually the first ones to be laid off

They work more often in the informal economy or in non-standard forms of employment, with no or little social protection.

They are over-represented in sectors ravaged by the pandemic (e.g. tourism, accommodation, seasonal agricultural work, wholesale and retail)

IMPORTANT CONSIDERATIONS:

The lack of quality criteria and quality control was considered a major obstacle for successful implementation of the youth guarantee between 2013-2020. Accepting any kind of offer under the Youth Guarantee scheme helps the Member States achieve their statistical objective, but this is not the purpose of this programme. In fact, this increases precariousness in the labour market and weakens the entry position of young people.

Freedom of association and collective bargaining have been the main point of access to decent working conditions and other benefits, and in many sectors, it is the most common way to determine wages. A worker's access to a trade union is an enabler to the improvement and application of all other labour rights. Therefore this freedom of association is critical in preventing precarious work arrangements and ensuring better working conditions for precarious workers.

The European Pillar of Social Rights covers 20 principles and rights in the areas of employment, social protection, social inclusion, education and equal opportunities that EU countries and the social partners need to implement at the national level. Many of these principles and rights reflect the various dimensions of job quality. **The time has come to make these principles a conditionality for publicly subsidised training or employment offer.**

YOUTH GUARANTEE IS A POLICY THAT NEEDS TO TACKLE YOUTH UNEMPLOYMENT, NOT ANOTHER EMPLOYER SUBSIDY POLICY.

ETUC CALLS FOR:

- ★ binding quality criteria framework jointly designed and implemented by the social partners for all offers under the Youth Guarantee scheme.
- ★ In synergy with the European Pillar of Social Rights, the reinforced Youth Guarantee must ensure the appropriate social protection for young people, to avoid increasing the risk of poverty and precarious work.
- ★ Better involvement of Social Partners on European, National, Sectoral and company level in design, implementation, control and monitoring of the Youth Guarantee scheme.
- ★ The quality criteria for Youth Guarantee offers must be binding for all providers. Since public money is being used, it is paramount to control the quality of the offers and protect young people from never ending cycle of training and internships.

¹ Report- Comitato Di sorveglianza, CGIL – May 2019

² COMMISSION STAFF WORKING DOCUMENT Accompanying the document Proposal for a Council Recommendation on a Bridge to Jobs - reinforcing the Youth Guarantee {COM(2020) 277 final}



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CRITERIA FOR EMPLOYMENT SUBSIDIES

With the absence of any European legal framework for quality traineeships, lack of integration into any training path and no prospect of certification of the skills, the traineeships that are outside of the formal education requirements are potentially increasing the precarious position in which young people find themselves. **The ‘dumping effect’ on standard work contracts (such as replacement of workers on permanent contracts with trainees) must be controlled, prevented and penalised.** We, therefore, propose the following criteria to be fulfilled by each employer receiving a subsidy to create a quality job for a person below 30 year old.

QUALITY CRITERIA FOR EMPLOYERS:

To be eligible for the Reinforced Youth Guarantee intervention the employer must:

Comply with legislation and collective agreements (no recent records of violation)

Comply with tax regulations

Respect the limitation of the number of subsidies according to the overall number of employed workers

Have an obligation to hire a certain number of workers before having the right to another subsidy

Not use it for hiring a young worker for the workstation (job function) from which the regular worker was previously dismissed

Assigning a supervisor responsible for the initial training and progress

QUALITY CRITERIA IN EMPLOYMENT:

To be eligible under the Reinforced Youth Guarantee offer the employment or traineeship must fulfil the following obligations:

A WRITTEN AGREEMENT

- ★ Duration of employment
- ★ Expected working hours or presence hours
- ★ Description of the role and tasks
- ★ Salary (for employment) / compensation (traineeship)
- ★ Skills outcomes with reference to the NQF/EQF in (case of traineeship)
- ★ Information about applicable Collective Labour Agreements and about any trade union at the workplace

EMPLOYMENT SALARY

- ★ For Full-Time employment the wage shall not be lower than either the salary established by a collective agreement, or the median income or the national or sectoral minimum wage or the EU poverty line, whichever is more favourable.
- ★ For part-time employment, the salary shall adapted according to the working hours.

WORK ENVIRONMENT AND WORKING CONDITIONS

The employer shall ensure decent working conditions:

- ★ Personal Protective Equipment must be provided if the activities performed by the worker require it.
- ★ Designated and accessible working space with all tools and materials.
- ★ The workplace shall meet the prescribed standards on health and safety at work, as defined in national legislation, collective and/or sectoral agreements, or other binding documents.

A LIMIT TO WEEKLY WORKING HOURS

- ★ The average working time for each seven day period must not exceed 48 hours, including overtime
- ★ Depending on national legislation and/or collective agreements, the 46 hour average is calculated over a reference period of up to 4, 6 or 12 months
- ★ In every 24 hours, a worker is entitled to a minimum of 11 consecutive hours of rest
- ★ A rest break during working hours if the worker is on duty for longer than 6 hours
- ★ A minimum daily rest period

Workers shall benefit at least from the resting time established by the national legislation or the sectoral collective agreement. Limits to weekly working hours, rest break, minimum daily rest period, and minimum weekly rest period shall meet the provisions of the principle 10 of the European Pillar of Social Rights (Healthy, safe and well-adapted work environment and data protection), articles 2 (on the right to just conditions of work) and 31 (on fair and just working conditions) from the European Charter of Fundamental Rights of the European Union and the EU's Working Time Directive (2003/88/EC). This Directive requires the European Union (EU) Member States to guarantee the following rights for all workers:

A MINIMUM WEEKLY REST PERIOD

- ★ For each 7-day period a worker is entitled to a minimum of 24 uninterrupted hours in addition to the 11 hours' daily rest

PAID LEAVE OF AT LEAST 2 WEEKS PER 6 MONTHS

EXTRA PROTECTION IN CASE OF NIGHT WORK

- ★ Average working hours must not exceed 8 hours per 24-hour period
- ★ Night workers must not perform heavy or dangerous work for longer than 8 hours in any 24 hour period
- ★ Night workers have the right to free health assessments and, under certain circumstances, to transfer to day work

OTHER CONDITIONS

- ★ In the case of parental leave, accident or long-lasting illness, workers shall have the right to return to their job at the host organization, either in the original position or a suitable alternative.
- ★ Workers shall have access to a complaint channel to report abuses. This complaint channel can be at the host organization, at a trade union presence in the company, at a third party.
- ★ Trade unions at the company level, where they exist, shall also be involved in the monitoring of the working conditions of the interns.

SOCIAL PROTECTION AND INSURANCE

Workers shall be included in the social security system irrespective of the duration of the contract. All workers in the subsidized position have to be entitled:

Unemployment **benefits**

Paid sick leave

Accident **insurance**

In synergy with the European Pillar of Social Rights, the reinforced Youth Guarantee must ensure the appropriate social protection for young people to avoid increasing the risk of poverty and precarious work.

ETUC CALLS ON THE EUROPEAN COMMISSION

- ★ To execute a study that looks onto the link between young people in jobs without social protection and youth precarious work. The EC can monitor the loopholes in the universal access to social protection and quality jobs across Europe.
- ★ Monitor and close the loopholes. In the EU there are many forms of contracts not covered by employment law and therefore workers have no rights to holidays, employment protection or the benefits gained by paying social insurance contributions. This affects a large, but unknown, number of younger workers.
- ★ Develop action against forced labour mobility. The lack of access to social protection forces young people to seek higher earnings to cover their daily as well as exceptional needs. This often leads to forced mobility to another region or country where the earnings are higher. National and European institutions can not turn a blind eye to this problem in the name of the revitalisation of the economy because it leads to a never-ending and poisonous circle of precariousness life, poverty and social exclusion.

The Youth Guarantee can contribute to the creation of quality jobs and reach the most vulnerable groups by providing the access to social security and therefore a chance for stability that is very much sought for by all young people in Europe.



ANY JOB IS NOT ALWAYS BETTER THAN NO JOB AT ALL!

In the aftermath of the crisis, we can not let the burden of choosing the quality job on the shoulders of individuals. We did last time, and here we are the second half of 2020 with millions of unemployed workers without any safety net. The vulnerable workers will be again in the situation to prioritize any kind of income over working conditions and labour rights.

We have the highest-skilled generation we have ever seen, particularly in digital skills. So this generation doesn't need never ending training, they need quality jobs. Young people want a job - not a bridge to a job.

With the empirical evidence seen daily, we believe that the momentum for the quality criteria for the Youth Guarantee is now. These criteria have to be negotiated by Social Partners and be compulsory for any subsidised training or employment offer created under the Youth Guarantee scheme.

ETUC YOUTH

The ETUC Youth Committee represents young workers within the European Trade Union Confederation (ETUC) and influences its work, ensuring that the different policies take account of young people. The committee adopts positions on subjects concerning young people at work; those positions are then submitted to the ETUC Executive Committee. Finally, its role is to develop action programs by organising seminars, conferences, study sessions and campaigns for young workers in Europe.

With the support of:



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