

## **ETUC input for the Action Plan implementing the European Pillar of Social Rights**

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The Action Plan to implement the European Pillar of Social Rights (“EPSR”) should serve as a tool for Member States to address the well-known challenges facing Europe (e.g., digitalisation, green transition, migration and demographic change). It provides direction and also suggests common legislation to be adopted based on common objectives within the framework of strengthened cooperation, coordination and solidarity. This is even more necessary now, as we are facing the negative effects of the COVID-19 pandemic on health, employment, social and economic aspects.

A “fair and just transition” would allow us to combine environmental and health protection with social justice and full-time quality employment. This starts with the preservation of employment. To support the change (digital and green), and to adapt in a time of crisis, workers need to be reassured that they will continue to have a stable job or an income that is sufficient for preserving a good standard of living for them and their families.

The Recovery and Resilient Facility (RRF) must consistently respect and implement the European Pillar of Social Rights and integrate the upcoming Action Plan for its implementation, in order to create stable and quality jobs; to reduce inequalities; narrow the gender employment and pay gaps by reinforcing work-life balance; and provide protection for all workers in their workplace. Social objectives should be mainstreamed in all relevant legislation and regulations linked to the Recovery Plan, referring to the European Pillar of Social Rights.

Social dialogue is the cornerstone of the Recovery Plan creating ownership for reforms and investment, to ensure that labour transitions are fairer and that the recovery is a People’s Recovery. Collective bargaining is key to provide for efficient employment and social outcomes when responding to current and future challenges which are directly aimed at fulfilling people’s essential needs, and towards ensuring better enactment and implementation of social rights.

The COVID-19 outbreak underlines the need to reinforce universal and solidarity-based public health systems, as part of the EU social model and commitment to quality public services. This can be done by investing in public, non-profit systems, to ensure there is sufficient levels of qualified, well-trained and well-remunerated staff, who are able to cope with the population needs.

It is of paramount importance to invest in skills by improving the specialisation on occupational trainings. Improvements are required to incentivise young workers and promote programmes to train their Technological and Digital skills, with a life-long learning perspective. We also need to provide support for the remote study options.

All workers, regardless of their employment status or work sector, should benefit from the protection provided by labour legislation (particularly effective protection against unfair dismissal or redundancy) and/or collective agreements. Innovative solutions within and without the employment relationship may support households and increase equal opportunities among the working members of a family.

It is important to monitor the implementation of the Work-Life Balance Directive, provide guidance to social partners and encourage inter-professional agreements that reduce the time needed to transpose the directive. Moreover, workers should be given the “right to disconnect” to fully enjoy family time and leisure and prevent work-related illnesses.

This holds true especially in this moment, in almost all the Member States, where teleworking is becoming the rule, and its use is foreseen to rise in the next future.

Concerning the Occupational Safety and Health (“OSH”), work should be a safe place. Nobody should have to die or fall ill because of their job. Yet, during the last years, there were some thousands of work-related deaths in the EU and too many people develop stress-related illnesses, and diseases because of their jobs. This has an economic repercussion, but, more importantly, the human costs of poor occupational health and safety are unacceptable. The OSH regulation has to be updated. It needs to protect the health and safety of workers in every sector through effective preventive measures and the reinstatement of separate employee representative bodies.

Social Protection is also been affected by the pandemic. Fiscal resources are crucial for the financing of a high level of social protection and quality public services. The adoption of new radical redistribution policies is recommended, especially in relation to fair revisions of wage, social contribution and taxation policies.

In the current situation, governments must adopt clear measures to prevent people, who will be unemployed, from falling into poverty. These people will probably have difficulty finding a job for quite a while. Rules on the length and amount of unemployment benefits should be relaxed. Active employment policy, including its financing, needs to be significantly strengthened. It is crucial to avoid dismissals and to introduce short-time work compensation scheme with simple rules. Special attention needs to be given to women and young workers, which are some of the categories most hit during the crisis.

Moreover, as the social and environmental agenda are intrinsically linked, the EPSR should be aligned with the “European Green Deal”. The EPSR supports the ecological transition while, at the same time, protects workers affected by change, defends them against unfair dismissals, offers them new and better opportunities, improves labour market institutions (especially active labour market policies (ALMPs)) and increases access to training. The ETUC fully supports the Green Deal and advocates a human-centred digital transformation, as far as such policies bring benefit to all workers and properly protect those that are forced into labour transitions.

It is time to translate the good principles of the European Pillar of Social Rights in concrete actions. The ETUC believes the Action Plan should be the right tool **to set a minimum floor of rights at EU level and to provide the upward convergence of working and living conditions**. It means having the **social progress** as the compass for implementing the EU Recovery Plan.

The ETUC input for the Action Plan identifies challenges and provides policy options for each of the 20 principles of the EPSR.

## EPSR 20 Principles: Actions aimed at setting a minimum floor of rights at EU level and boosting the upward convergence

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### PRINCIPLE 1 Education, training and lifelong learning

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Ensuring that quality and inclusive education, training, and lifelong learning be a right and equality accessible for all learners and workers is crucial. 52 million adults in Europe are low-qualified and several countries one third of the workers have very low level of basic literacy and numeracy skills<sup>1</sup>. Upskilling and reskilling of the adults in Europe is therefore a social responsibility and the unemployed and the workers need effective support within the labour market for fairer technological and green transitions. Common projects run by the EU social partners and a [Joint Statement](#) provide proof that accessibility to employee training varies massively across the Single Market depending on contractual status, gender, and socio-economic background of the workers, and training rights differ depending of the different sizes of companies, industries and services, public and private companies, and the geographic areas in Europe. Adoption of this principle should also look at the removal of discrimination based on employment status and take into consideration the effect it has on fighting inequality and in promoting inclusion of women in the labour market.

It is essential to support the implementation of the first principle of the Pillar with sustainable public investment to education and training, enhances by the European Semester process and clear targets within the Social Scoreboard, and by companies taking financial responsibility towards workers' training. The link between ESF+ and implementation of the EPSR is clear. However, financial commitment on its own is not sufficient. In the negotiations for the next MFF (2021-2027) there is a proposal that would potentially lead to a double cut in spending by the European Social Fund+ (ESF+), as a result of scrapping the existing 23.1% minimum share of Cohesion Policy funding that has to be spent by the Member States in ESF+ projects. ESF+ should be used in a way that all workers, at all skill levels, may benefit from high-quality, inclusive employee training and paid educational leave leading to qualifications.

Each EU member state should guarantee access and right to education and training provisions for all age learners and countries where such right is not provided should make actions within effective social dialogue with the social partners to implement the first principle. Member states' actions should aim at enhancing the ability of workers to access quality and inclusive training relating to professional and basic skills and key competences, including digital skills, throughout their working lives. Best practice shows the added value of trade unions in designing a right-based approach to training and further education of workers, irrespective of employment status, and having regard to gender perspectives.

An EU-level initiative to set up "Individual Learning Accounts" for people of working age may be one of the tools which can help to guarantee these rights and may provide a good solution to portability of training rights. However, since the topic impacts working conditions and collective bargaining in many Member States, the European Commission should not proceed with drafting a proposal without having involved the social partners in the process. Any initiative should combine individual access to training with collective rights to ensure that Individual Training Accounts fall under the joint responsibility of employers and authorities, in accordance with national practices. An EU-level initiative

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<sup>1</sup> <https://ec.europa.eu/social/BlobServlet?docId=22833&langId=en>

should set minimum standards while fully respecting the national training systems and the role of social partners and must fully respect existing collective agreements and national practices in the sector. Social protection may intervene to establish funding for Principle 1, but it should go hand-in-hand with more protection at work, including greater protection against (collective) dismissal. Otherwise, employers would be incentivised to opt for dismissals instead of investing in their own workforce to get through the transition together.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<p>1. EU initiative setting up Individual Learning Accounts for people of working age, including the right to training and training entitlements, and the right to fair and equal treatment and access to training for all workers regardless of their employment status.</p> <p>2. Recommendation to establish a right to receive high-quality, inclusive employee training leading to qualifications and validation/recognition of skills and competences for workers in employment.</p> <p>3. Effective follow-up of implementation of the Council recommendation on a European Framework for Quality and Effective Apprenticeships to provide a right on the part of apprentices to quality and inclusive apprenticeships, fair pay, working conditions, and a contract.</p> <p>4. A traineeship measure that obliges employers to sign an internship contract at the start of the internship.</p> <p>5. Promote collective bargaining to establish organisational matters around the right to receive employee training and paid educational leave and establish employers' financial contributions to the right of employees to receive training.</p>	<p>1. Monitor and measure employees' access to training with the aim of achieving a minimum number of days for each worker during the year and investment of the employers to their workers' trainings; the implementation of current EU programmes, including joint statements from social partners, which can provide euro-Area Recommendations or investment guidance for Member States. The objectives should include:</p> <ul style="list-style-type: none"> <li>- adequate economic and/or guidance measures so that the right to paid educational leave (in line with enforcing implementation of the ILO's Paid Educational Leave Convention, 1974 (No. 140) at EU level) could be effective;</li> <li>- ensure actual access by all workers to a right to training for: basic skills, key competences and professional skills, including digital and green skills, via legislation at European level and collective agreements at sectoral level and within the European Semester process, Social Scoreboard, and the Recovery Plan;</li> <li>- actual access by non-standard workers to the right to training as well;</li> <li>- enforcing implementation of effective systems for validating the skills and competences acquired by workers within non-formal and informal learning, including work experience;</li> </ul> <p>2. Sufficient EU funds to support skills development and lifelong learning, especially through ESF+, but also the European Global Adjustment Fund and a European Transition Fund.</p> <p>3. Indicators: companies' investments per employee compared to wage aggregates for vocational training available to employees, supported by research.</p> <p>4. Provide government support to trade unions to provide information to workers at company level on training opportunities, e.g. via "training reps/ambassadors"</p> <p>5. Provide effective support to low-skilled workers to access training on key competences, basic skills, and professional skills, particularly to those most at risk of losing their jobs</p>

**PRINCIPLE 2 Gender equality**

Employment disparities are not decreasing and large differences between Member States persist. Aggregate improvements in employment disparities are matched with increasing divergence in gender wage and pension gaps. Eurostat and SDG monitoring shows the disadvantages that women experience as they bear the burden of care within the household. While women achieve better results in education, their professional careers are less successful than those of men. Women dominate in crucial sectors of the economy, such as education, care, services and retail, nevertheless, their work is valued less than the one performed by men, both within the same sector and across sectors. Populist forces are endangering the progress that European society has achieved over the last few decades. This could endanger women’s participation in the labour market (already quite uneven across the EU) and take its toll on potential EU growth.

The aim of the EU is to achieve full gender equality, full equality in pay for equal work and work of equal value, and an equal sharing between men and women of professional and family responsibilities.

Against this backdrop, ETUC is advocating a legislative initiative to fight gender pay-gaps that would resolve deficiencies in the current EU acquis. ETUC demands legally binding pay-transparency measures leading to legislative convergence across member states in order to better tackle the gender pay-gap.

The ETUC also demands a substantial directive guaranteeing the representation of women from all backgrounds in both executive and non-executive company boards, in a binding quota of 40%.

It is also advisable to issue a Guide for implementation of the Work-Life Balance Directive. Such a guide should encourage transposition of the EU Directive through interprofessional agreements in a way that would reduce the amount of time between adoption of the directive and its subsequent application.

Based on the 2030 Agenda - and the SDGs concerning poverty, gender equality and decent work - the European Semester should monitor and support investments in work-life balance, fill the gender gap concerning the number of days of work lost due to family care and focus on reducing the gender-gap in pension income. Euro Area Recommendations and country-specific guidance should create the optimal conditions for public investments in affordable and high-quality childcare facilities.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<p>1. Directive on gender pay transparency - equal pay for equal work and work of equal value (wage transparency).</p> <p>2. Early and effective implementation of the Work-Life Balance Directive, including standards of paid leave at the same level of compensation as for sick leave, and at a level of at least 66% of earnings. Develop a Guide for implementation of the Work-Life Balance Directive.</p> <p>3. Legal initiatives to ensure gender equality and diversity in company boards, including approval of the Directive on Women on Supervisory Boards.</p>	<p>1. Target and remedy imbalances in pension income.</p> <p>2. In relation to Sustainable Development Goals (SDGs) 5 and 8, creating new benchmarks for the post-2020 strategy on work-life balance, such as childcare facilities and days of work lost due to family care. Promote CSRs in the EU Semester. Promote Euro Area Recommendations and investment guidance for Member States. This includes promotion of women to high executive positions in enterprises.</p> <p>3. Within the Semester, using the gender equality index, establishing and monitoring links</p>

<p>4. Develop systematic gender mainstreaming, to be enshrined in EU economic social and financial policy. Consider the gender dimension in a systematic manner via use of gender-based data and a gender equality index; evaluate the policy impact from a gender-sensitive perspective.</p> <p>5. Support EU accession to the Istanbul Convention combating violence against women; violence against women (including online violence) to be added to the list of EU crimes; ratification and implementation of ILO convention 190 by all EU MS</p>	<p>between investment policies in education, services and infrastructure, and their gender-sensitive impact. In particular, monitoring gender segregation in the labour market by sector, position, professional experience, salaries, hours of work. Evaluating Country Specific Recommendation (CSRs) implementation from a gender-sensitive perspective.</p> <p>4. Exchange of experience from campaigns and communication strategies for overcoming gender stereotypes in education and training with impact in job segregation (also in a sectoral perspective, i.e. IT). The aim is to limit gender segregation in the labour market.</p>
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### PRINCIPLE 3 Equal opportunities

Access to opportunities more often than not depends on the specific group to which a worker belongs. The objective is to incorporate a policy aimed at removing discrimination (ex-post) along with proactive policies that provide equal opportunities (ex-ante). Reducing protection in the workplace increases discrimination at work. Measures that soften sanctions against unfair dismissals, reduce the power of trade unions (or works councils) in the workplace, or spread non-standard working contracts, weaken the current anti-discrimination acquis that provides for strict sanction systems.

Labour market exclusion or the underperformance of specific groups jeopardises economic and social stability. Discrimination therefore has to be monitored and reported, especially LGBTQI\*, for which there are loopholes in terms of protection in national laws. Equal opportunities should be promoted using economic performance indicators. Remedies should come from a reinforced legal framework. They should remove discriminatory practices on labour platforms. Such practices may be deterred as a result of trade union surveillance. Trade unions have already denounced such tendencies, mainly within the context of discriminating against workers in relation to their access to “gigs” after they have undertaken any kind of collective action. Collective bargaining points the way ahead for better LGBTQI\* protection in the workplace.

A horizontal directive on non-discrimination may be more appropriate, even though there has been no consensus from the Council to date. Equal opportunities should also be granted to asylum-seekers, currently excluded from the scope of anti-discrimination directives. Of particular importance is the use of material and immaterial resources to reinforce public discourse against xenophobia and racism.

Social partners can, jointly or unilaterally, develop tools to recognise, prevent and sanction discrimination while focusing on active measures for disadvantaged groups. They can establish closer cooperation with national equality bodies and build on the developments of the European Union Agency for Fundamental Rights (FRA).

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
1. Horizontal Directive on non-discrimination that recognises, prevents and sanctions discrimination.	1. Trade Union Toolbox that helps the EU acquis recognise, prevent and sanction discrimination; support equality bodies and build on research and outcomes of the FRA.



<p>2. Remove derogations in the existing Anti-Discrimination Directive for third-country nationals who are seeking protection.</p> <p>3. Upcoming Council Recommendation on Roma equality, inclusion and participation.</p> <p>4. Upcoming new EU strategy on disability.</p>	<p>2. Innovative communication strategy and campaigns against xenophobia</p> <p>3. Highlighting links between trade union rights, labour legislation and equality and non-discrimination, starting from collective bargaining practices.</p>
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#### **PRINCIPLE 4: Active support to employment**

The labour market in Europe underwent a huge deterioration in the first half of 2020, this was initiated by the Covid-19 pandemic and the measures taken to prevent the contagion. A trade-off between boosting the economic activity on the one hand and creating quality jobs on the other should be avoided at all times. The failed policy responses to the economic crisis of 2008 is proof enough that putting forward a European agenda for quality jobs is not only a question of decency but due to the boost of the internal demand it is also good for the economy and therefore a key measure to exit this new crisis. ETUC has developed a definition of quality of work. Indicators for monitoring it should be aligned with this definition. European economic governance has repeatedly overlooked the quality of work, despite the reference made to it within the employment guidelines. Employment/unemployment indicators were the only ones showing upward convergence before the outburst of the crisis. The anticipated upward trend in unemployment throughout the EU may, additionally, be particularly challenging to overcome in those Member States where unemployment was already high before the beginning of the pandemic. In these regions, the economic recovery is expected to be slow. In the EU, between the last quarter of 2019 and the first quarter of 2020, the index of total actual hours worked in the main job (computed using the year 2006 as reference with an index of 100 points) dropped sharply 5.1 points.

The Covid-19 pandemic will make it necessary for EU Member States to adapt their employment policies, to make them more efficient and targeted. The pandemic is a common challenge and therefore there is a need for the EU to take a more ambitious approach in supporting and coordinating national policies aimed at protecting workers and labour markets.

Public employment services should be strengthened so as to contribute to the integration of the most vulnerable groups of society in the labour market; schemes for upskilling and reskilling should be established; and social partners should be involved in the design and monitoring of these policies. External flexibility approaches (easing redundancies or boosting temporary contract arrangements) in the current crisis will only put non-standard workers in a vulnerable situation. However, internal flexibility schemes (like the promotion of sound telework and flexible work arrangements) can be an effective manner to protect employment and boost economic activity.

Reskilling and upskilling will be a key component for the labour market to adapt during the Covid-19 crisis, but also to make sure that Europe emerges from this crisis stronger and more competitive. Member States should build up or strengthen job transition support mechanisms and systems, with support from the European Social Fund and European Structural and Investment Funds.

The European Commission is working on a proposal for a European Unemployment Benefit Reinsurance scheme. The idea of establishing EURS was already discussed before the Covid-19 outbreak, yet the economic and social consequences of the pandemic are making the discussion of such an instrument all the more necessary.

Principle 4 should be complementary to this proposal and be accompanied by harmonisation of performance criteria for ALMP in national systems based on universal coverage, adequacy of resources allocated to each unemployed person, equal opportunities (from temporary contracts to open-ended full-time contracts) and a reduction in transition periods (from unemployment to work) experienced in the region concerned.

However, it should be noted that the number of people exercising their right to free movement has doubled since the crisis. These are mostly young workers who are employed (contributing to good employment levels) but underperforming when it comes to job-quality indicators. Labour market performance in the Member States urgently needs to be harmonised through enhanced measurements that incorporate ETUC's definition of quality jobs (see P5). To this end, access to ALMP is crucial as well as an increase in equal opportunities through more ambitious public investment targets for activation measures and infrastructure. In this regard, the ESF+ resources should be better oriented towards these objectives.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<ol style="list-style-type: none"> <li>1. Develop a common understanding of actions and instruments that fall under the ALMP concept, with the aim of improving the collection of statistical evidence; monitoring government spending, investment and outcomes of activation measures.</li> <li>2. The right to training entitlements should be ensured (see Principle 1).</li> <li>3. Short-time work schemes and income support</li> </ol>	<ol style="list-style-type: none"> <li>1. Focus on labour market opportunities and working conditions of young workers exercising their right to free movement. Strengthen the involvement of social partners in the Youth Guarantee.</li> <li>2. Implementation of the Recommendation on Long-Term Unemployment.</li> <li>3. New benchmarks for the post-2020 strategy to monitor progress relating to ALMPs to encourage labour market transitions and access to skills and training, delivered as well-financed public services in order to promote Euro Area Recommendations, CSRs and investment guidance for Member States.</li> <li>4. Monitor and assess the impact of ESF+ based on the ETUC definition of quality jobs</li> <li>5. The European instrument for temporary Support to mitigate Unemployment Risks in an Emergency (SURE). It should be extended as long as necessary (and at least for the whole 2021). Moreover, it is needed to enlarge the coverage of such measure to all categories of non-standard, self-employed, precarious workers, and for the improvement of the adequacy of income compensation</li> </ol>

### **PRINCIPLE 5 Secure and adaptable employment**

The labour market in Europe underwent a huge deterioration in the first half of 2020, this was initiated by the Covid-19 pandemic and the measures taken to prevent the contagion. Workers with unstable, low-paid and/or part time jobs (including undocumented and undeclared workers) were the first to suffer the social consequences of the pandemic.

The dramatic expansion of non-standard and insecure work in recent decades is a direct result of a business model that shifts the risks from the employer onto the worker. Transitions toward open-ended contracts are limited because taxation and legislation create a negative economic bias against standard forms of employment. As a matter of



fact, indicators show neither convergence nor improvement at EU level concerning the quality of work. It is time to introduce a set of indicators that measures the quality of jobs as a sub-section of the social scoreboard. When measuring job quality, a dashboard could check for the following elements: decent wages; work security via standard employment and access to social protection; lifelong learning opportunities; decent working conditions in safe and healthy workplaces; reasonable working hours with a good work-life balance; and trade union representation and bargaining rights (see also P4). In the context of the Covid-19 crisis, a trade-off between boosting the economic activity on the one hand and creating quality jobs on the other should be avoided at all times.

Platform workers have been delivering food and goods to the homes of those in quarantine or infected by the virus. The global pandemic has shown the need for non-standard workers to have the same legal protection similar to workers with regular legal contracts, with access to preventive health and safety, social protection and all other labour rights. While fully respecting national labour market models and the autonomy of national social partners and their right to conclude collective agreements, this will be carried out through initiatives aimed at establishing and ensuring a comprehensive set of rights for all workers, including undocumented, undeclared, non-standard and self-employed workers, so that insecure workers have more power to negotiate working conditions that cater to their needs.

The legislative framework should be improved and ensure the coordinated transposition of the Transparent and Predictable Working Conditions Directive (TPWCD). Such a concerted effort should reduce the amount of time needed for transposition through the use of interprofessional agreements of national social partners.

Steps towards reducing fragmentation of the labour market will come from implementation and monitoring implementation of the EU Recommendation on Access to Social Protection (see also P13). In particular, the Social Scoreboard will monitor discrimination based on employment status (at the moment, discrimination is identified based on age, gender and educational attainment).

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<ol style="list-style-type: none"> <li>1. Introduce the right to fair and equal access to training for all workers regardless of their employment and immigration status and qualification levels in the initiative on access to training as in Principle 1.</li> <li>2. Monitor implementation of the Recommendation on Access to Social Protection and, in four years' time, decide whether a directive would be more effective.</li> <li>3. Ensure effective implementation of the TPWCD.</li> <li>4. Upcoming EU regulation on non-standard workers and workers in platform companies.</li> <li>5. Upcoming European Action Plan on Integration and Inclusion</li> <li>6. Ensure effective implementation of the Employers Sanctions Directive</li> </ol>	<ol style="list-style-type: none"> <li>1. EU Programme for Quality Employment: monitor effects of labour market segmentation and measure progress toward secure and adaptable employment, activation measures, and remove gaps based on occupational status. It includes a Social Protection Scoreboard that links work paths with adequacy of social protection entitlements. In particular, monitoring gaps due to professional careers and gender-based gaps. It includes pro-wage indicators and benchmarks to reinforce internal demand, offset macroeconomic imbalances and promote fairer working conditions. The scoreboard will break down data according to employment status in order to identify potential discrimination, especially in respect of the bogus self-employed. The Programme is implemented through Euro-Area Recommendations, CSRs and investment guidance for Member States.</li> <li>2. Assessment of the national and EU acquis in light of new forms of work and prepare for the future of work: labour guarantee, protection against unfair dismissal, right to full-time employment, workers' sovereignty over working time. it includes analysis</li> </ol>

	<p>of the effect of reforms promoted through CSRs on individual and collective dismissals and the effect on other individual and collective rights of workers, especially in light of the future of work, just transitions and modernisation of collective bargaining.</p>
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## **PRINCIPLE 6 Wages**

Data on wages and collective bargaining show that wage trends remain subdued and there is no upward convergence. This is predominantly due to:

- Lack of collective bargaining and collective agreements due to attacks on collective bargaining mechanisms and processes as well as reduced coverage of collective agreements.
- Stability and Growth Pact (SGP) rules that impose excessive pressure on national systems and Troika programmes that destroyed collective bargaining.
- Statutory minimum wages which - where they exist - can still be set below a threshold of decency and do not guarantee a decent standard of living for workers and their families and a lack of involvement by social partners in setting them.
- Too many workers not covered by collective agreements but only by personal contracts

Shortcomings in the institutional frameworks of collective bargaining penalise both employers and workers. Recent reforms proposed by the European Commission in the Semester process have attacked collective bargaining systems in a number of Member States.

Huge differences in wage levels and collective bargaining persist among and within Member States. This gives rise to a situation of social dumping and reduction in internal demand that has predominantly negative effects on the lowest segment of the labour market. In addition, inappropriate and unfair wage-setting related to non-respect of collective bargaining rights, also has an impact on mid-wage earners., and distorts macroeconomic dynamics.

It is therefore necessary to ensure that workers' rights to collective bargaining and fair remuneration are fully respected in all Member States. It is necessary to set a level playing field within the internal market and trigger an upward convergence in wages through actions and measures, including through the European Semester. A European Framework Directive on fair minimum wages and collective bargaining will need to ensure that statutory minimum wages are not set below a threshold of decency and are defined with the involvement of social partners, as well as increase the capacity of trade unions so that they can bargain for fair wages and safeguard well-functioning collective bargaining and industrial relations systems.

Upward wage convergence in Europe would bridge the wage gaps between and within countries (particularly between East and West) and improve the wage share in the economy, reduce inequalities and enhance internal demand and productivity. This can be achieved through:

- A European Framework Directive on fair minimum wages and collective bargaining;<sup>2</sup>
- Actions and measures that promote collective bargaining rights and capacity, including within the framework of economic and social governance tools, such as

<sup>2</sup> See ETUC Reply to the 2<sup>nd</sup> Phase Consultation of Social Partners on fair minimum wages - <https://www.etuc.org/en/document/reply-etuc-2nd-phase-consultation-social-partners-fair-minimum-wages>

the European Semester, the Employment Guidelines, the EPSR and the Social Scoreboard;

- Ensuring that only employers that respect workers' right to bargain collectively and implement the relevant collective agreement can be awarded public contracts, grants, funds, CAP payment, SURE, the Recovery Plan etc,

An EU directive to address the gender pay gap and binding pay-transparency measures is also needed in order to bridge the gaps that enhanced coordination within the EU Semester has been unable to address.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<p>1 A Framework Directive to ensure that statutory minimum wages are not set below a threshold of decency and are defined with the involvement of social partners, and ensure increase the rights of trade unions, so that they can bargain for fair wages, while safeguarding well-functioning collective bargaining and industrial relations systems.</p> <p>2. An EU directive to address the gender pay gap and binding pay-transparency measures</p>	<p>1. National Action Plans, developed by Member States in consultation with the social partners, to promote collective bargaining, as part of a Framework Directive on collective bargaining and fair minimum wages<sup>3</sup></p> <p>2. EU Semester: programme of pro-wage measures for the EU or country specific. Pro-wage means:</p> <ul style="list-style-type: none"> <li>- Public Investments for productivity</li> <li>- Rights-based measures to rebalance bargaining powers</li> <li>- Collective bargaining Institutions/frameworks which ensure high collective bargaining coverage</li> <li>- Ensuring that Statutory MW are not set below a threshold of decency and are defined with full involvement SPs.</li> <li>- Tackling wage gaps along different axes of discrimination</li> </ul> <p>Indicators and benchmarks to be moved towards the target:</p> <ul style="list-style-type: none"> <li>- Level of statutory MW where they exist in comparison to national gross median and average wage</li> <li>- Labour share of GDP</li> <li>- Collective agreement coverage</li> <li>- Institutional conditions for collective bargaining (i.e. to identify obstacles)</li> <li>- Compensation per worker per hour worked</li> <li>- In-work poverty rate</li> <li>- Gender pay gap in business sector</li> </ul>

**PRINCIPLE 7 Information about employment conditions and protection in case of dismissals**

The European Semester has promoted reforms that relax or reduce worker protection as well as the laws on individual dismissals at national level (for example, capping severance payments in case of unfair dismissal or eliminating the reinstatement of a worker in his/her job in case of illegal dismissal, etc.). There is a positive correlation between these reforms and reduced access to collective bargaining.

The impact assessment of the proposal for a TPWCD provides evidence of all major challenges concerning this principle.

<sup>3</sup> *ibid*

As stated above, the Covid-19 pandemic has demonstrated even more that new forms of work need to be legally covered so that workers have access to the protection they need, and that platform workers are recognised as workers. Some measures are already part of this Action Plan, such as the announced legal instrument on a minimum wage and collective bargaining, access to social protection, reducing gender pay gaps or implementing the Recommendation on Access to Social Protection. Besides, the European Commission has announced an upcoming regulation on non-standard workers and workers in platform companies.

Technological, green and demographic transitions are changing the productive fabric of the EU, but workers are rarely protected against the adverse effects that these changes may have on their individual positions. The majority of Member States are not recording progress; more effective measures that ensure fairer transitions are needed to reinforce the collective and individual rights of workers involved in technological or green transitions. These could include:

- the right to receive vocational training, or validation of skills, for workers in employment;
- the right to receive an ALMP package during professional transitions;
- an obligation on the employer to negotiate transition plans to anticipate change and define strategies that safeguard employment levels and limit externalities and negative impacts on the supply chain.
- the right of trade unions to be informed and consulted in case of decisions that concern more than 5 people, in one or more countries, as well as the obligation to start negotiations with representative trade unions in case of decisions connected to technological or environmental transitions that affect the working position of more than 5 people.
- SME transition plans at a local level, covering a territory or a group of companies.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<p>1. Ensure early and effective implementation of the Transparent and Predictable Working Conditions Directive and provide support to ETUC members for a smooth and quick implementation.</p> <p>2. Reinforce collective and individual rights of workers involved in technological or green transitions, to drive change, protect workers, and offset trade-offs between environmental and social objectives where they exist.</p> <p>3. Ratification of ILO Termination of Employment Convention, 1982 (No 158), and acceptance of Articles 24 and 29 ESC on protection against unfair dismissal as well as Article 2(6) ESC on written information by all Members States and their effective implementation</p> <p>4. Decision No 573/2014/EU on enhanced cooperation between Public Employment Services (PES), which will be officially amended by a Council decision at the beginning of 2021.</p>	<p>1. Assessment of national and EU acquis in light of new forms of work and prepare for the future of work, as in Principle 5.</p>

## **PRINCIPLE 8 Social dialogue and involvement of workers**

At EU level, social partners are exploiting the leeway that the Treaty provides for social dialogue, including negotiations for autonomous European agreements in their working

programmes. However, the lack of multi-employer collective bargaining in Member States makes it very difficult to implement autonomous European agreements (see also P6). This requires greater efforts to ensure the enforcement of autonomous agreements through enhanced capacity-building. In this regard, both resources and tools for capacity-building should be *ensured* (and not *encouraged* as stated in P8). The European Semester may establish benchmarks to measure progress in the implementation of autonomous collective agreements.

The ETUC Trade Union Involvement Index for the EU Semester shows that efforts aimed at establishing the right for social partners to be involved in the EU Semester are not delivering results. It especially concerns the national dimension of the European Semester. A European rule (possibly via a new Directive or via amendments to Regulation 1466/1997) could establish an obligation for national governments to consult social partners at the milestone of the Semester along with some quality criteria such as appropriate timing, appropriate level of dialogue, meaningful access to information and ensuring material and immaterial capacities of social partners.

Employee involvement in company decision-making processes is at risk due to corporate mobility within the Single Market. Evidence shows that corporate decisions are often taken to avoid employee involvement. For example, flaws in national laws transposing EU directives and, in particular, the recast EWC Directive, impede rights to information and consultation. Sanctions provided in national laws are rarely proportionate, effective and dissuasive. Information and consultation rights do not allow for the involvement and protection of workers. EU legislation should trigger upwards convergence in Europe.

Under principle 8, a case should be made for the right of workers (independently of the nature of their work contract) to bargain collectively. The right to collective bargaining is a fundamental right and recognised as such by the EU. The societal benefits collective agreements bring in terms of fairness, level-playing field and social progress such agreements covering non-standard workers and workers in platform companies (including the self-employed), should be considered to fall completely outside the scope of Article 101 TFEU and national competition rules. EU competition law and national competition rules must be interpreted in the light of fundamental rights, recognising the right to collective bargaining for all workers, atypical and platform workers (including the self-employed).

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<ol style="list-style-type: none"> <li>1. Reinforced framework for social partners' involvement in the EU Semester, possibly via a legislative initiative.</li> <li>2. Revision of the EWC Directive in order to ensure that workers' right to establish an EWC and to be informed and consulted before relevant decisions are taken, are fully respected; as well as to ensure effective enforcement and dissuasive sanctions in case of violation of workers' rights.</li> <li>3. Legislative initiative on information, consultation and participation, including legally-binding minimum standards on workers' board-level representation for European company forms (such as SE, SCE) based on the ETUC proposal for an escalator. It would also apply to companies wishing to use EU company law instruments enabling company mobility, such as cross-border mergers, cross-border divisions or cross-border transfers of a registered office.</li> </ol>	<ol style="list-style-type: none"> <li>1. Strategic plan to create capacities and opportunities for social dialogue at national level (not connected to the Semester). Earmarking ESF+ resources by creating a dedicated EU fund or budget line for social partner capacity-building.</li> <li>2. Support social partners for the implementation of autonomous framework agreements, especially in countries where it is lacking. This also includes targeted financial resources linked to implementation of the agreements in the context of the COVID-19 crisis.</li> <li>3. Increase resources in the MFF for training of worker representative bodies. Increase resources for initiatives to support the establishment and the correct functioning of EWCs and other transnational bodies for worker information and consultation.</li> </ol>

<p>4. Ratification of ILO Workers' Representatives Convention, 1971 (No. 135), and acceptance of Article 28 ESC on the right of workers' representatives to protection in the undertaking and facilities to be accorded to them by all Member States, and their effective implementation.</p> <p>5. A European directive on due diligence, focusing on the respect, promotion and enforcement of human rights and responsible business conduct.</p>	
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## PRINCIPLE 9 Work-life balance

As part of the larger fight against gender-based discrimination, work-life balance is one of the challenges of the century. While the position of women in the labour market is deteriorating, populist forces are turning a blind eye to the difficulty women face in the labour market and in society. Innovative solutions within and without the employment relationship may support households and increase equal opportunities among the working members of a family. SDG monitoring is particularly effective in identifying these gender-based disadvantages.

It is important to monitor the implementation of the Work-Life Balance Directive, provide guidance to social partners and encourage interprofessional agreements that reduce the time needed to transpose the directive. The "ETUC Toolkit on the implementation and transposition of the Work Life Balance Directive" - guidelines for ETUC affiliates - could be useful in this phase.

The experience of the Covid19 pandemic should encourage the investment in public care and social services in order to allow women to take more active part into the labour market. In addition, social partners should monitor that national legislations foresee flexible working arrangements and should be empowered to bargain in order to ensure that these are undertaken without any detrimental consequence on women's' careers or pay levels.

The EU Semester could investigate EU practices that fund work-life balance instruments (e.g. public means and collective bargaining measures) to trigger upward convergence. This Principle will be connected to innovation in labour laws such as working time sovereignty, childcare guarantees and fair transitions towards open-ended and full-time working contracts.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<ol style="list-style-type: none"> <li>1. Monitor early implementation of the Work-Life Balance Directive, including focus on leave pay.</li> <li>2. Development of ETUC pan-European framework for monitoring the impact of collective agreements on work-life balance at all levels.</li> <li>3. Assess the adequacy and effectiveness of the Maternity Directive.</li> </ol>	<ol style="list-style-type: none"> <li>1. Exchange of EU practices to fund work-life balance instruments (public means and collective bargaining measures)</li> <li>2. EU Semester should monitor:           <ul style="list-style-type: none"> <li>- female participation in the labour market, and provide a breakdown for full-time/part-time employment;</li> <li>- women and men not in work due to care responsibilities (SDG 5).</li> </ul>           Other indicators to be developed: men taking parental and paternity leave; number of persons using family leave; duration of the leave; position of the person using the leave; salary before and after such leave.         </li> <li>3. Within the Semester, develop and monitor the links between public investment in education and</li> </ol>



	<p>training, activation policies and services (especially care) and women's employment; use the gender equality index.</p> <p>4. Support and encourage social partners to ambitiously negotiate and conclude agreements implementing the WLB directive. Develop tools and training for collective agreement on measures related to work-life balance. Specific focus to be put on flexible working arrangements and increased information on the effectiveness of work-life balance measures that improve the productivity of labour and quality of life.</p>
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**PRINCIPLE 10 Healthy, safe and well-adapted work environment and data protection**

COVID-19 is the biggest health, economic and social challenge in the history of the European Union. The dimension of Occupational Safety and Health (OSH) is a fundamental part of the European strategy for limiting the spread of the virus and for maintaining economic activities. Numerous national measures have been implemented to fight the spread of COVID-19, also including those pertaining to workplaces and commuting to work.

Since the COVID-19 outbreak, workers in many sectors (most of them female workers) have continued being physically present at the workplace, at the frontline, fighting the virus, such as in healthcare, cleaning industry and retail. In the frame of a second wave of contagion, Governments have let aside lockdowns measures and established a controlled retake of work and access to the workplace. The success of the EU exit strategy will largely depend on putting forward effective OSH-appropriate policies.

Occupational safety and health measures, through legislation or collective agreements, offers practical support for returning to the workplace. Trade union involvement in developing such measures is key. Appropriate preventive measures by employers will help to achieve a safe and healthy return to the workplace, following the moderation of the containment measures, and in particular of physical distancing measures and availability of personal protective equipment. They also contribute to eradicating the transmission of COVID-19.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<p>1. Swift adoption of the European Commission's decision on June 3 to include the Covid-19 virus (SARS-CoV-2) in the list of biological agents in annex III of Directive 2000/54/EC on the protection of workers from risks related to exposure to biological agents at work with a focus on the provisions on necessary protections for workers, including informing staff in writing about all safety measures. Implementation of the EC commitment to workplace inspections to enforce regulations.</p> <p>2. Recognition of Covid-19 as occupational diseases in all sectors and to all workers regardless of their status. According to the European legislation (Commission Recommendation of 19 September 2003 concerning the European schedule of</p>	<p>1. Develop and pursue our demands for zero tolerance of fatal accidents and the prevention of accidents at work. "Zero fatal accidents vision" in the forthcoming EU OSH strategy, which should be monitored by an indicator on fatal accidents in the social scoreboard</p> <p>2. Mapping role of employee representatives and assessing effectiveness of trade union rights to ensure actual enforcement of EU legislation on H&amp;S in the workplace.</p> <p>3. Develop a uniform/single standard methodology and a common information system in the EU on: reporting occupational accidents, information on insurance systems for occupational accidents and diseases, and sharing of good practices.</p>

<p>occupational diseases) COVID could only be compensated as an occupational disease only in the healthcare sector (as any other infectious disease in that sector). However, many other workers from other sectors are also very exposed to disease. For example, care workers, council workers, postal workers, transport, retail and distribution, construction, contact-center and fast-food workers as well as couriers and delivery workers are among those with a risk which is significantly higher to the risk in the general population and is caused by their working conditions.</p> <p>3. Monitor and reinforce transposition of Directives 2017/2398, 2019/130 and 2019/983 and enforcement of the current EU acquis. EC Proposal for a fourth amending of the Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work.. Add to the list of substances with legally-binding occupational exposure limits, including a litigation strategy for lack of enforcement.</p> <p>4. Develop and pursue our demands for zero work-related cancer, including the development of risk assessments and a revision of the Asbestos Directive.</p> <p>5. Continue the pursuit of EU Directives on psychosocial risks (PSR) and musculoskeletal disorders (MSD). This includes, among other things, the protection of workers against psychosocial risks arising from the use of new information and communication technologies in the workplace and recognising the impact of organisational factors at work that increase such pathologies.</p>	
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**PRINCIPLE 11 Childcare and support to children**

The majority of Member States underperformed in the EU2020 and Barcelona Objectives. Public investments in this field are decreasing instead of increasing. Poverty among children and opportunities for children strongly rely on the income and social assets of the household they grow up in. It is also important to ensure access to high quality and accessible childcare, together with access to quality education, leisure facilities and health care in order to allow children to fully develop their personality and talents and also workers, particularly women, to be able to fully participate in the labour market, and in the long-term increased equality in society.

A child guarantee should cover all children without exception, and should encompass free access to education, child care, educational leisure, health care, housing and nutrition of high quality. The EU should reinforce the universality - and quality - of public services, which also benefits vulnerable children and their families. The child guarantee should be a way to achieve full application of the UNCRC, universality being a key principle. The Barcelona targets should be updated and fostered.

As regards childcare facilities, these must be accessible (geographically and for children with disabilities), affordable and of high quality.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<p>1. An EU Universal Child Guarantee for all children in order to combat child poverty and foster social inclusion.</p> <p>2 European social partners seminar on childcare provisions in the EU, as part of their autonomous work programme 2019-2021</p>	<p>1. Anti-Poverty Action Plan (see also principle 14) with specific focus on:</p> <ul style="list-style-type: none"> <li>- Ensuring accessible, free and quality public services, including health, housing, social services and childcare facilities</li> <li>- Access to quality education for all children</li> <li>- Addressing household (including in-work) poverty while supporting the financial situation of children in poverty</li> </ul> <p>The action plan should include the achievement of SDGs 1, 5, 10 and their targets.</p> <p>2. Social Partners had a joint seminar to discuss how to guarantee accessible, affordable childcare, and how to improve the performance of labour markets and social systems. The seminar aimed at discussing the social partners demands for public investment in care facilities for children and collective bargaining potential to meet the specific needs of working parents.</p>

## **PRINCIPLE 12 Social protection**

The impact assessment of the proposal for a Recommendation on Access to Social Protection aptly describes the challenges behind Principle 12. ETUC made a case for social protection in the 2019 EU Semester providing evidence of the biased approach of the EU, which takes sustainability of national systems as the main, and often, only, policy objective of country specific recommendations.

In four years' time, an impact assessment should draw conclusions on whether a Recommendation is the appropriate tool to obtain this objective or whether a Directive would be more suitable.

Access to social protection is strongly correlated with quality of employment. That is why this principle will need to be consistent with Principle 5. As regards social protection, the following items should be monitored:

- coverage and adequacy of social protection benefits, irrespective of the form of employment;
- guarantee of effective minimum protection for all;
- the balance trade-off between employment flexibility features and access, duration and level of social protection benefits;
- the employment levels of the workforce;
- set adequate benefits (especially for pensions);
- improve access to training for workers;
- effective work-life balance instruments;
- ensure access to health care and prevent injuries at work.
- gaps due to professional careers, in case of long periods of unemployment, especially gaps that are gender-based or age-based, or stemming from precarious forms of employment.

Other elements can be investigated through social dialogue, such as the future of work, including protection against unfair dismissals, the right to full-time employment and working time sovereignty.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<p>1. Implementation of the Recommendation on Access to Social Protection. Priorities: extending formal (mandatory) and effective coverage, effectiveness and adequacy of benefit to employed and self-employed workers. Impact of the Recommendation should be closely monitored through the European Semester; also introducing indicators in the field of social protection, such as adequacy of pensions and coverage gaps in social protection systems. An impact assessment of the Recommendation should be carried out in four years' time, with the social partners being given the opportunity to confirm the most appropriate legal instrument for achieving the expected results.</p>	<p>1. Social Protection Scoreboard - Upward convergence with targets, as part of the Quality Jobs Programme - see Principle 5).</p>

### **PRINCIPLE 13 Unemployment benefits**

The Stability and Growth Pact (SGP) tends to reduce the adequacy and coverage of unemployment benefits schemes in favour of balancing government budgets, but to the detriment of workers' protection. Unemployment benefits have nevertheless decreased (replacement ratio, or duration of the benefits, obligations of the beneficiary not linked to participation in ALMP, etc.). The objective of aligning it to a greater extent with Active Labour Market Policies remains valid for a few countries. It is dependent on national models and the EU does not harmonise the performance of activation measures. The consequences of this can be seen in national accounts and poverty rates as part of the benchmarking process within the EU Semester.

An EU initiative on free movement of workers and the portability of rights in labour market transitions may trigger convergence in the field of workers' rights to adequate unemployment benefits and/or activation measures to transition from unemployment to employment, or from temporary to standard employment contracts.

The European Commission is working on a proposal for a European Unemployment Benefit Reinsurance scheme. It will likely be conceived as an instrument of fiscal stability rather than a labour market instrument, with the unwanted consequence that sustainability will be more relevant than adequacy of performance. The Reinsurance Scheme should not interfere with the rules and practices of national systems or serve as a new instrument for disciplining Member States and/or harmonising national systems for unemployment insurance. A European unemployment reinsurance scheme could contribute to ensure a basic standard of support during unemployment cycles. The idea of establishing EURS was already discussed before the Covid-19 outbreak, yet the economic and social consequences of the pandemic are making the discussion of such an instrument all the more necessary. It must be made clear that SURE does not substitute the need for a discussion on a more permanent scheme.

Regarding benchmarking within the European Semester, more emphasis could be placed on young workers that are particularly affected by precariousness at the beginning of their career path and who are sometimes penalised even more within the existing national unemployment benefit scheme or even ignored. The same may apply

to workers aged between 52 and 67. The question of penalties also seems relevant in view of the structural reforms spreading across Europe to reduce job seeker access to unemployment benefit schemes or to create more precariousness among job seekers through the prism of austerity. Furthermore, the growing tendency, in some Member States, of rendering job seekers “invisible” in order to serve short-term political gains - starting with young NEETs - should also be addressed.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<ol style="list-style-type: none"> <li>1. Investigate the added value of a legal instrument that, under the framework of free movement of workers, would establish a right of access and portability of entitlements to both unemployment benefits and ALMP packages available to unemployed workers.</li> <li>2. Unemployment Benefit Reinsurance scheme.</li> <li>3. Reference to Title X of the Treaty on the Functioning of the European Union (TFEU), setting of legally-binding minimum standards for unemployment benefits in terms of coverage, adequacy, the right to training, and the duration of the entitlements.</li> </ol>	<ol style="list-style-type: none"> <li>1. Benchmarking systems that can be followed through the European Semester. Indicators: long-term unemployment and government expenditure for ALMP (other indicators may be: quality of benefits, welfare and contributory benefits, gender- and age-based data, duration of benefits).</li> <li>2. The European Employment Strategy and the European Network of Public Employment Services are two very important tools for convergence, and they should be further developed.</li> <li>3. Development of indicators and benchmarks that drive upward convergence in performance of unemployment benefit schemes, in support of the establishment of minimum standards and safeguarding features for national systems. (see also Principle 5 - Quality Jobs Programme)</li> </ol>

#### **PRINCIPLE 14 Minimum income**

The EU exhibits improvements only in combating absolute poverty (material deprivation). However, efforts are not being undertaken to keep people out of poverty or social exclusion: in-work poverty is increasing. The majority of minimum income schemes across the EU are far from providing sufficient coverage, duration and adequacy of benefits. This is resulting in growing social divisions and labour market and economic disruptions.

ETUC believes that European citizens should also have the right to receive a guaranteed minimum income across all ages. This can be achieved through a combination of social protection tools and public investments in training for unemployed people with public employment services and activation policies that help every single person in the EU who is at risk of poverty or of social exclusion. EU standards for a minimum income cannot be seen as a disincentive to work.

Minimum income schemes must guarantee sufficient income to meet the essential needs of people and their dependents and be highly inclusive and accessible; for those able to work, they must be combined with a series of services and embedded within a broader EU and national policy response to active inclusion. The recently adopted Council conclusions on minimum income schemes empower the EC to reinforce the EU framework to combat poverty and social exclusion. A legislative proposal in this field should ensure equivalent performance of national systems without altering their features, provided that the system ensures outcomes aligned to European standards. The ETUC demands that a binding initiative such as a European framework Directive establishes common principles, definitions and minimum standards to grant this right across the EU. In many countries, trade unions are key players in the management of social security bodies, often with joint-body entities, and through collectively bargained tools for social inclusion and protection of vulnerable categories. This is an asset that any EU initiative

should build upon and accentuate and not threaten with undesired harmonizing legal frameworks.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<p>1. Investigate characteristics and performance of national systems in order to define the characteristics of a European Framework Directive on an adequate minimum income to combat poverty and social exclusion embedded within a broader EU; national policy response to active inclusion, social cohesion and equality.</p> <p>2. An instrument to define and design the functions of a minimum income. This includes defining a basket of goods that should serve as a parameter for setting living income levels in order to complement or replace other sources of income or ensure a subsistence income.</p>	<p>1. In connection with SDG 1 and, as part of the European Semester, Anti-Poverty Action Plan as in Principle 11.</p> <p>2. Elaborate a Social Dialogue framework for social partners and governments to assess coverage, adequacy and effectiveness of Minimum Income Schemes in combination with social benefit (in cash and kind) and activation policies; focus on conditionality.</p>

### **PRINCIPLE 15 Old age income and pensions**

The needs of an ageing population should be better understood, and solutions found to ensure assistance for older people, adequate pensions, good health and social care and safety nets. Comprehensive social protection systems cannot be built through legislation alone. They need financial resources and a commitment from Member States to make the necessary funds available to move forward in implementing the EPSR. Within this context, the role of the EU is crucial to ensure that people reach the end of their professional careers in good health and with sufficient resources - guaranteed primarily by strong statutory pension systems - to enjoy a dignified retirement. Workers employed in arduous activities need particular rules within the broad sphere of pension schemes in order to ensure good health in retirement and adequate income at pension age.

In the EU Semester pensions are still treated as purely fiscal sustainability issues rather than social demands linked to demographic challenges. Coverage, quality, and access have suffered as a result of cuts to public expenditure, dismantling of collective risk-sharing and marketisation often prescribed by Country Specific Recommendations (CSRs).

The adequacy of social protection benefits must be ensured by statutory public and collective systems for all workers and self-employed. Fiscal objectives should be compatible with decent living conditions for elderly people. The Council Recommendation on Access to Social Protection should be supported and implemented. Progress should be monitored for workers and self-employed. A set of indicators should be introduced, within the framework of closer cooperation between Member States, to find alternatives to raising the retirement age and to make prolonged careers workable. Efforts should be made to create more and better jobs across all ages, to strengthen first pillar pensions, ensuring universal coverage and adequacy in all Member States, and to support European and national-level coordination for the development of occupational pensions based on collective agreements and as a voluntary supplement to a stronger public pensions system.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions



<p>1. Implementation of the Recommendation on Access to Social Protection</p>	<p>1. Introduce an “adequacy” indicator that establishes Medium Term Budgetary Objectives for the Member States and monitoring quality of life of old-age people, especially people in retirement and people dependent on pension incomes (this includes an increase in pension income).</p> <p>2. Linking fiscal sustainability and adequacy of pensions with labour market performance, employment dependency ratio, quality of work and remuneration, fairness of contributory obligation between employers and workers, gender pay and pension gap. Special focus should be placed on the employment situation of workers between 52-67, monitoring effects of unemployment on adequacy of awaited pension income.</p> <p>3. Monitoring evidence concerning demographic, migration and retirement trends for different categories of workers, including those performing arduous jobs. In particular, there should be a focus on the positive effects of well-managed migration inflows on sustainability of social protection schemes.</p> <p>4. Anti-Poverty Action Programme as in Principle 11.</p>
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**PRINCIPLE 16 Health care and PRINCIPLE 18 Long-term care**

Health care workers across Europe are working hard to treat and stop the spread of the COVID-19 virus. In many cases, their task is made harder because of staff shortages, inadequate facilities and lack of personal protective equipment and testing kits. The European governing bodies and national governments should take immediate measures to ensure that health services receive much needed emergency funding and to boost staffing levels in the short term. The European Semester is addressing sustainability and accessibility to health services. Austerity measures have drastically reduced the scope of public services and their accessibility. At the start of the 2019 Semester, ETUC stated that health care and long-term care systems were a source of huge concern and suffering for a growing proportion of the EU’s population, and require immediate action. More than 15 Member States show very poor performance in health care. Coverage and access to long-term care is insufficient in several Member States. Informal care dominates the sector, to the detriment of services and female participation in the labour market. While public structures are often lacking, private options are extremely costly, inaccessible, and often lead to a deterioration in services as well as working conditions in the health sector. No substantial investments were contemplated in the past Semester cycle. In the medium and longer term, increased public spending on health and increased investment in public health are crucial, not just to reverse years of underspending in many countries but also to ensure that health staff and facilities can cope with future demands. Europe had a shortfall of around one million health workers even before the COVID-19 outbreak. Governments need to radically change their approach to public health and public services: short-term contracts and precarious jobs in the health sector are not enough to tackle emergencies such as this.

Access to health services and to long-term care is an EU emergency. The EU Semester cycle promoted “rationalisation” and “cost-efficiency”, implying aggregation of structures, a shift in already allocated resources, de-hospitalisation of care, but almost never public investment in necessary personnel and services. Out-of-pocket expenditure for health is

on the increase in many Member States. SGP rules have extended the scope of the private market supplying health services and insurance to people. This reduces access to health services, which is one of the main reasons for discontent among the population.

The care sector is crucial to ensuring a decent standard of living for elderly people. It is necessary to improve the attractiveness of the sector in order to raise the quality of the work and services supplied. There is a high incidence of migrants, undeclared and undocumented workers in the sector, especially female migrants. It is important to eliminate all areas of vulnerability for people working in this sector and give workers the opportunity to improve their skills and their working conditions for their own benefit as well as the benefit of users.

The EU should push for a rights-based approach and public investment in universal, solidarity-based and gender-responsive social protection systems at international, European and national levels. It should also pursue upward convergence goals and funding allocation in child, health, elderly, long-term, disability and dependency care in order to guarantee universal coverage and high-quality care.

In order to meet the current and future needs of an ageing population, greater expenditure on universally accessible, affordable and good-quality public services for health and long-term care must be undertaken and viewed as an investment. Preventive care must be enhanced through proper policies and funding. Professional development, training, education and career recognition are crucial in order to improve quality and coverage of care and provide quality job opportunities. Work-life balance policies should support workers with care responsibilities. The EU should introduce an EU Right2Care backed with national action plans.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<ol style="list-style-type: none"> <li>1. Guarantee access to quality and affordable health and long-term care (LTC) in all MS.</li> <li>2. Free movement: Revision of Regulation 883/2004 on coordination of social security systems to strengthen the coordination of such systems including health and LTC in order to improve the rights of mobile workers.</li> </ol>	<ol style="list-style-type: none"> <li>1. EU Right2Care programme, backed with national action plans through the European Semester, based on transparent and ambitious objectives (monitoring the right of access to free public health services).</li> <li>2. Monitoring capacity, functioning and impact of occupational welfare, role that it plays in national systems, under what condition it is beneficial for people and role of collective bargaining.</li> <li>3. EU initiatives to strengthen the resilience of publicly-funded, universal and accessible healthcare systems. Monitor public investments in high level education and training in the sector and establish a link with the care needs satisfied.</li> </ol>

### **PRINCIPLE 17 Inclusion of people with disabilities**

80 million people in Europe live with a disability and many are victims of discrimination. For these people, the EU should be a source of augmented freedom and opportunities. People with disabilities face a dire situation in the European labour market, with an employment rate of 48.1% in comparison to 73.9% for the general population. Women and young people with disabilities are confronted with even lower employment rates. These figures, however, do not give an insight into quality of employment. The EU should allocate funds, especially the ESF+, to increase the resources that Member States allocate to equal opportunities, infrastructure inclusion and activation measures. The legislative protection and promotion of people with disabilities within the labour market,

both in access to employment and in keeping the job, will be assessed and monitored in all Member States, so as to fill the loopholes.

Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market	Actions aimed at establishing upward convergence in living and working conditions
<p>1. Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) and clarify the concept of reasonable accommodation. Building on the European Strategy for Disability and Directive 2000/78.</p> <p>2. Fitness check of the EU and national laws to propose further rules that ensure full inclusion of people with disabilities in society and in the labour market.</p> <p>3- New European Disability Strategy, which should address the current social and economic European context, considering the situation of people with disabilities in the framework of the health and economic crisis as a result of the Covid-19 pandemic. The strategy should be built on the objectives not achieved by the current European Disability Strategy, the commitments of the European Pillar of Social Rights and the UN Sustainable Development Goals.</p>	<p>1. Monitor the employment rates of people with disabilities in connection with investment for active inclusion, provision of enabling services, poverty and exclusion.</p> <p>2. Monitor effectiveness of existing legal frameworks within Member States aimed at integration of people with disabilities into the Labour Market and envisage an EU legal framework.</p>

**PRINCIPLE 19 Housing and assistance for the homeless - PRINCIPLE 20 Access to essential services**

Liberalisation and privatisation of public services, including an excessive and non-accountable use of Public-Private Partnerships (hence putting profit above the interests of people) deprive society and most of the population of essential tools to meet their needs. Unmet needs, lack of affordable public structures, and too-costly private provisions are found in crucial sectors influencing Europeans’ quality of life, such as health and care, education and training, childcare and housing.

Public services - ranging from health, child and elderly care, education and training and employment services, transport, water, waste, energy, social housing, information and social services to justice systems as well as infrastructure as a whole - represent the backbone of European provision of services and common goods to citizens and residents. High-quality and accessible public services and common goods provision are a fundamental right. They are essential in order to combat inequalities and social exclusion, to guarantee equal treatment and to tackle the social, economic demographic and environmental challenges facing Europe.

Social housing, and decent housing for all households, is a pillar of many social models across Europe. In this regard, and in conjunction with just transitions and the inclusion of the UN2030 Agenda, there should be more emphasis on combating household energy poverty.

Member States could take measures (also through the Semester) to intervene more actively in controlling and shaping the private housing market, e.g., through building permits, rent controls, tax on 2nd properties etc., and to prevent speculation.

In general, Principles 19 and 20 should be construed as a bridge between the UN2030 Agenda and the EPSR in order to prevent poverty, banish hunger and deprivation, promote good health, ensure equal opportunities and sustainable cities and agriculture. The human right to water and sanitation, recognised by the United Nations in the Social

Development Goals (SDGs), must be backed by concrete proposals in order to be accessible to all.

Local workers, mobile workers and migrant workers, irrespective of their immigration status or nationality, must have the same rights and should benefit from equal treatment, quality jobs and decent working conditions, while everyone should have equal rights to adequate, safe and affordable housing and social protection.

Some priorities that may also be promoted through closer cooperation between Member States and, where necessary, leading to EU legislation:

- Promote universal social services as public services, organised collectively on the basis of public service principles and underpinned by clear legal frameworks.
- Fight against budget cuts in social services, and for adequate funding and staffing for social services. Support access to training and qualifications, higher levels of professionalisation, representation and defence of workers’ rights by trade unions; and develop effective recruitment and retention policies at all levels.
- Pursue the professionalisation of these jobs for better collective guarantees. Increase collective bargaining coverage.
- Improve working conditions in the people care sector, especially filling the gaps between migrants and local workers.
- Advocate the development, implementation and monitoring of standards for the quality of services and jobs, building on the EU voluntary quality framework for social services of general interest (SSGI), which recognises the need for high-quality services and employment.

<b>Actions aimed at setting a minimum floor of rights in the EU, a level playing field in the Single Market</b>	<b>Actions aimed at establishing upward convergence in living and working conditions</b>
<p>1. Explore the viability of EU legal instrument(s) on public services, based on Article 14 of the Treaty to develop regulatory framework(s) for public service providers.</p> <p>2. Mainstream principle 19 in the EU Directives on access and working conditions for third country nationals for reasons of employment.</p>	<p>1. See also Anti-Poverty Action Plan. This principle will be an element of the Plan. It may include targets for public investment in social housing.</p> <p>2. Develop benchmarks for government expenditure within the Stability and Growth Pact to ensure necessary funding for universal, affordable and high-quality public services (e.g. through the “golden rule”). This would also support implementation of many of the SDGs of the UN2030 Agenda.</p> <p>3. Access to decent housing must be ensured.</p> <p>4. Support initiatives to integrate public service elements and fundamental rights in relevant EU sectoral initiatives (e.g. right to health, right to water, right to energy, right to good administration, right to public transport, right to internet access, etc.)</p>