



European Confederation of Independent Trade Unions (CESI)

Preliminary main messages
To be adopted by the Presidium of CESI

Consultation of the European Commission **Towards a European Pillar of Social Rights** *Launching, implementing and enforcing*

Further information

European Confederation of Independent Trade Unions (CESI)

info@cesi.org

+32 2 228 18 60

www.cesi.org

EN

Brussels, August 2016

European Confederation of Independent Trade Unions

Confédération Européenne des Syndicats Indépendants ★ Confederazione Europea dei Sindacati Indipendenti

Europäische Union Unabhängiger Gewerkschaften ★ Confederación Europea de Sindicatos Independientes

Avenue de la Joyeuse Entrée 1-5, B-1040 Bruxelles ★ Tel. +32.(0)2.282.18.70 ★ Fax. +32.(0)2.282.18.71

Internet: <http://www.cesi.org> ★ email: info@cesi.org



The European Commission has repeatedly stressed the need for a 'new start' for social dialogue. Formal consultation meetings with social partners on the European Pillar of Social Rights have so far unfortunately been restricted to the cross-sector social partners. As a recognised European sectoral social partner and the voice of more than five million employees across Europe, CESI believes that a truly systematic inclusion of all recognised social partners in formal consultation meetings would be desirable.

There is a vital role to be played by the EU to bring economic and social cohesion: The growing interconnections of the Member States' economic, financial and social architectures require a strong signal towards more (effective) action by the EU. Solidarity among the Member States must be the bedrock of the EU and its social model. Renationalisation of measures cannot be the answer.

Decreasing economic and social inequalities is the EU's most important contemporary challenge. After years of increasing social dumping in the name of 'competitiveness', it is high time for the EU to be there much more for citizens and workers again, not only for businesses, banks and multinationals. Otherwise, the dismantling of the European integration project is a real danger.

A European Pillar of Social Rights which covers the EU in its entirety can be a vital instrument to achieve more economic and social justice, cohesion and equality throughout the EU. However, any Pillar's success will depend on its ability to bring a real upward social convergence. If workers and citizens feel no substantial positive changes, the much-advertised Pillar initiative of the European Commission will fail and likely boomerang on the EU, further strengthening existing disillusion about European integration, reinforced by surging populist voices throughout the Union.

CESI in principle appreciates the European Commission's exercise to collect and take stock of existing rights and objectives existing in treaties, legislation and other documents of the European Union, including the Charter of Fundamental Rights, as an important precondition to set up a comprehensive European Pillar of Social Rights (c.f. Preliminary outline of the Pillar by the European Commission). Institutions, decision-makers and social partners must increasingly draw on social fundamental rights established in the Charter when creating a European consensus on social rights, identifying gaps in social and employment legislation, taking measures to close them and enforcing rights which already exist to concretely benefit all workers and citizens. However, texts adopted by the Council of Europe and the UN/International Labour Organisation (ILO) should not be forgotten in the analysis.



In the end the Pillar initiative should be as broad as possible and ensure above all the following:

1. **Gaps in fields in which the EU has legislative competences must be filled via binding standards based on the highest level of job quality and protection** for workers and citizens. This concerns especially directives and regulations concerning (1) new, flexible forms of employment and digital-based work, (2) work-life balance for families and singles, (3) fair labour mobility and portabilities of pensions, social security and healthcare entitlements across employers and Member States, and (4) effective and comprehensive information and consultation for all workers.
2. **The European institutions, together with the Member States and the social partners, must ensure the proper and swift implementation and enforcement of EU law and rules in employment and social affairs without exception.** This concerns both infringement procedures as well as other means of enforcing existing rules. To this end, it is also the task of trade unions to ensure a seamless representation of workers through high union membership density and inclusive cooperation and agreements among themselves, also transnationally.
3. In areas in which the EU has no clear legislative competences, the EU must apply bold solutions with teeth to achieve higher levels of employment, social protection, social inclusion as well as better education, training and health (cf. Art. 9 TFEU). In the absence of 'large solutions' (revision of the treaties, a large fiscal capacity for the EU to deal with social challenges, a totally new 'consensus' for cohesion in employment and social affairs, ...), a step forward could be the **development of a set of commonly accepted and meaningful indicators and benchmarks which can measure social change timely and effectively.** Once established, such social indicators/benchmarks should be monitored regularly by means of ambitious parallel benchmarks in the Member States – and failures to meet them should trigger sanctions within the scope of EU powers in the form of e.g. financial (dis)incentives.
4. The Pillar will require substantial public spending to ensure the delivery of services of general interest (SGI) necessary to implement its objectives. This requires new investments into the public administrations providing public services in employment and social affairs. However, public spending possibilities under the EU's macroeconomic and fiscal surveillance framework (Stability and Growth Pact) remain very restrictive. More flexibility for increased public social investments should be enabled and encouraged by the EU – **A new Golden rule for public social investments is needed.**
5. While the effectiveness of the Pillar should be assessed regularly, it must be designed in a way that allows it to respond to new and emerging social and employment-related developments and challenges. Developing and implementing the Pillar should involve all recognised European social partners.