

#LetEUknow



#SocialRightsFirst

**Time is running out
for the EU to deliver
for working people**



#TellJunckerEU #SocialRightsFirst
10 days for Social Europe



Trade unions across Europe want to make sure the EU takes concrete actions to improve the lives of working people.



Social Rights
 **First**

**I support a better
Europe for working
people and a
stronger Pillar of
Social Rights!**

www.socialrightsfirst.eu



Social Rights
 **First**

8 Days

**until EU leaders are
meeting in Gothenburg!**

**I demand
Investments!**



Contact your Politician!

Tell your leader via Facebook  and Twitter  that you expect more than nice words!

New Employment Rights Better Enforcement of Existing Rights

- Recognising the right to effective enforcement by bringing forward measures to enable workers and their trade unions to enforce rights.
- A Directive on a minimum floor of rights for self-employed workers to include the right to organise and to collective bargaining, the right to decent remuneration, the right to social security, the right to education and training and the right to safe and healthy working conditions.
- Workers' dignity and data need protection. A Directive on privacy at work should protect workers from overly invasive digital monitoring, protect the data of workers in an employment relationship, regulate the use of artificial intelligence and other practices that may endanger the dignity and health and safety of people at work.

New Employment Rights Better Enforcement of Existing Rights

- The new Directive on work-life balance should be agreed and put into practice quickly to improve family-related leave including payment and flexible working arrangements.
- Urgent measures are needed on exposure to diesel, reprotoxins and nanotechnologies to promote health and safety at work.
- Equal pay for equal work through an effective revision of the Posting of Workers Directive, and adequate measures to fight fraud and abuses in particular through letterbox-type practices.

What has the European Pillar of Social Rights to offer to Labour Lawyers?

- What is the European Pillar of Social Rights?
- Making the most of the opportunity and counteracting potential problems!
- First test ..the review of the Written Statement Directive
- An EU Labour Authority
- ETUC 10 Building Blocks for Social Europe : Social Progress Protocol



What is the European Pillar of Social Rights?

(14) The European Pillar of Social Rights expresses principles and rights essential for fair and well-functioning labour markets and welfare systems in 21st century Europe. It reaffirms some of the rights already present in the Union acquis. It adds new principles which address the challenges arising from societal, technological and economic developments. For them to be legally enforceable, the principles and rights first require dedicated measures or legislation to be adopted at the appropriate level.

(15) The principles enshrined in the European Pillar of Social Rights concern Union citizens and third-country nationals with legal residence. Where a principle refers to workers, it concerns all persons in employment, regardless of their employment status, modality and duration

17) Delivering on the European Pillar of Social Rights is a shared political commitment and responsibility. The European Pillar of Social Rights should be implemented at both Union level and Member State level within their respective competences, taking due account of different socio-economic environments and the diversity of national systems, including the role of social partners, and in accordance with the principles of subsidiarity and proportionality.

- 15) The principles enshrined in the European Pillar of Social Rights concern Union citizens and third-country nationals with legal residence. Where a principle refers to workers, it concerns all persons in employment, regardless of their employment status, modality and duration.



8. Social dialogue and involvement of workers

Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.

The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.



5. Secure and adaptable employment

Regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training. The transition towards open-ended forms of employment shall be fostered.

In accordance with legislation and collective agreements, the necessary flexibility for employers to adapt swiftly to changes in the economic context shall be ensured.

Innovative forms of work that ensure quality working conditions shall be fostered. Entrepreneurship and self-employment shall be encouraged. Occupational mobility shall be facilitated.

Employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts. Any probation period should be of reasonable duration




6. Wages

Workers have the right to fair wages that provide for a decent standard of living.

Adequate minimum wages shall be ensured, in a way that provide for the satisfaction of the needs of the worker and his / her family in the light of national economic and social conditions, whilst safeguarding access to employment and incentives to seek work. In-work poverty shall be prevented.

All wages shall be set in a transparent and predictable way according to national practices and respecting the autonomy of the social partners



7. Information about employment conditions and protection in case of dismissals

Workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship, including on probation period.

Prior to any dismissal, workers have the right to be informed of the reasons and be granted a reasonable period of notice. They have the right to access to effective and impartial dispute resolution and, in case of unjustified dismissal, a right to redress, including adequate compensation.

Review of the Written Statement Directive

Right to predictability of work

- The Written Statement Directive was adopted at a time when regular, long term, secure, schedules based on a fair work week could, in the main, be relied upon. The aim of reforming the Directive in this regard should be to prohibit abuse by giving workers more predictability and control over their work schedules. This requires bringing forward provisions to:
 - ☐ ensure workers have proper advance notice of schedules;
 - ☐ ensure workers have a voice in the scheduling of their working time;
 - ☐ setting limits to “on-call” practices and split shifts;
 - ☐ increasing opportunities to work more hours and to move into full-time work;
 - ☐ banning zero hours practices/contracts – by requiring that every worker gets paid for a guaranteed number of hours each week;
 - ☐ prohibiting clauses that prevent workers from taking up other employment;
 - ☐ requiring Member states to have effective anti-avoidance measures in place, such as guaranteeing payment in respect of cancelled shifts.

An EU Labour Authority



“We should make sure that all EU rules on labour mobility are enforced in a fair, simple and effective way by a new European inspection and enforcement body. It seems absurd to have a Banking Authority to police banking standards, but no common Labour Authority for ensuring fairness in our single market. We will create one.”

European Commission President Jean-Claude Juncker, State of the Union Address, 13 September 2017

10 Days of Action for a Better Europe for Working People

- 1. Get started:** Workers cannot wait any longer. It's time to stop talking and start doing. The European Pillar of Social Rights needs support by EU National Governments. We need the EU and its Member States to stand up to employer backlash and to support the Pillar and the proposed package of legislative initiatives.
- 2. The EPSR needs an 'Action Plan' for implementation including** concrete actions and commitments for enforcing each of the 20 principles and rights: this has to include a road map on how the rights will be achieved.
- 3. Investment to make the rights real:** Mobilising existing EU funds, and the EU's new 7 year budget, to help fund implementation of the EPSR . Public Services must be given sufficient means to allow effective access to social housing, health care and essential services as foreseen in the European Pillar of Social Rights.
- 4. EU laws to enforce the rights:** Workers need new workplace rights and better enforcement of existing rights. There needs to be an end to all forms of Social Dumping.

- **5. Active support from all EU Bodies:** EU Institutions including the EU Court (CJEU) and the ECB should be required to respect the rights in the Pillar and their actions and policies should secure the achievement of these rights;
- **6. EU Economic Policy:** The European Pillar of Rights should be able to change the course of EU economic policy ‘governance’ and the so-called ‘Better Regulation Agenda’. The EU economic policy-making ‘Semester’, should be turned into an **Economic and Social Semester** that achieves social as well as economic objectives. This requires working with social partners at national level to identify **social recommendations**, set **standards and targets for upward convergence and enforcement**;
- **7. A Social Progress Protocol**, as a part of and condition **for any Treaty change** – backed up with other legislative initiatives, to ensure that economic freedoms no longer outweigh social rights in importance in EU rules and practices.

8. Support Trade Unions and Social Dialogue: Despite the difficulties that **social dialogue** is facing currently, it must be **kept alive and effective**, Social Partner Agreements must be implemented and the role of trade unions must be respected.

9. Promoting collective bargaining, closing wage gaps and improving conditions of work. This means

- Stopping **interference** from EU institutions that undermines collective bargaining and minimum wage systems;
- Increasing the number of workers and sectors covered by collective agreements including in non-standard work;
- Financial support for capacity building for collective bargaining particularly for sectoral and national bargaining and **legal frameworks** for delivering strong collective bargaining;
- Ensuring that public procurement rules promote the right to collective bargaining and privilege tenders from companies that respect collective bargaining;
- Action for increasing **minimum wages** and strengthening minimum wage systems, where they exist.
- Closing **gender pay gaps**, fighting unfair minimum wages for **young workers**, and addressing other unfair wage discrimination and **social dumping** by guaranteeing **equal pay for equal work**.

10. Establishing a Just Transition Fund, for managing change to **digitalisation and automation** in a sustainable manner: based on job creation, protection of workers' rights, skills updating and social protection.

16th November 2017

8.30 – 12.00

- **Visit to Volvo** and discussion with union and employer reps on negotiating a Just Transition in Industry 4.0

12.00 – 14.00

- (Hotel Clarion) Social Progress Protocol Event

15.00 – 17.00

- Trade Union Summit
- Preparatory meeting for the Tripartite Social Summit on 16th November

18.00 ...

- Extraordinary Tripartite Social Summit

November
17th

- The EU Social Summit (8 people on the delegation)
- ETUC Press Conference to give assessment of the European Pillar of Rights