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TO THE COUNCIL, THE EUROPEAN PARLIAMENT,  
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE  
AND THE COMMITTEE OF THE REGIONS**

**MID-TERM REVIEW OF THE SOCIAL POLICY AGENDA**

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## **1. INTRODUCTION**

The European Commission launched in June 2000 the social policy agenda<sup>1</sup> for the period 2000-2005, following extensive consultation with actors and stakeholders. The agenda provides the roadmap for employment and social policy, translating the policy objectives of the Lisbon strategy for economic and social renewal into concrete measures.

The European Parliament hosted a large conference in September that year to help shape the Resolution<sup>2</sup> which it adopted in October.

Finally, the agenda was endorsed by the Nice European Council<sup>3</sup> in December 2000 and provided six main policy orientations, on the progress of which the Commission reports annually in its Scoreboards<sup>4</sup>.

From the outset, a mid-term review was scheduled in 2003. On the basis of the assessment of the past years, the mid-term review should help in determining the new policy measures needed to complete the agenda, with specific reference to the years 2004 and 2005.

The mid-term review should thus ensure that the implementation of the agenda remains dynamic and flexible, capable to respond to new challenges and needs while taking into account the experiences from the first years.

The Commission organised in March 2003 a conference<sup>5</sup> to prepare this Communication. The event provided a public forum to debate the future of employment and social policy. The rich exchange of views between the major actors has contributed significantly to the development of this Communication.

The conference ascertained successful enlargement as the EU's key challenge for the coming period. The mid-term review provides a unique opportunity to reflect the full scope of this dimension. However, the debate also validated that the established challenges underlying the social agenda – including the pervasive structural weaknesses in labour markets, demographic trends, the persistent gender inequalities, the changing nature of families, technological change and the requirements for the knowledge-based economy, disparities and poverty, the internationalisation of the economy - should remain a firm basis for future EU action in the field of employment and social policy as well.

## **2. MEETING THE CHALLENGES – SEIZING THE OPPORTUNITIES**

### **2.1. A new political and economic situation**

The economic and political situation in 2003<sup>6</sup> is very different from the one in 2000. The early 2000 economic optimism has been replaced since 2001 with an economic slowdown

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<sup>1</sup> COM(2000) 379 final of 28.6.2000.

<sup>2</sup> EP Resolution A5-291/2000 of 25.10.2000.

<sup>3</sup> Nice European Council: conclusions (December 2000)

<sup>4</sup> COM(2001) 104 final of 22.2.2001; COM(2002) 89 final of 19.2.2002; COM(2003) 57 final of 6.2.2003.

<sup>5</sup> See [http://europa.eu.int/comm/employment\\_social/news/2003/jan/1041848954\\_en.html](http://europa.eu.int/comm/employment_social/news/2003/jan/1041848954_en.html)

<sup>6</sup> See for instance European Commission (2003). Spring 2003 Economic Forecasts. European Economy Nr. 2/2003

which is turning out to last longer and cut deeper than originally anticipated by economic experts. In addition, geo-political stability has been put to the test and the war against Iraq has added further uncertainty.

In those domains for which there are recent data, the picture looks very different now than the outlook in 2000. Economic growth has fallen sharply, employment creation has been slowing down, unemployment is on the rise, and consumer and business confidence remains low.

However, this situation should not blur the appreciation for the past years of reform in the areas of employment and social policy through the implementation of the social policy agenda. A synthesis of the findings has been published earlier this year by the Commission in its main report to the Spring European Council<sup>7</sup>.

The mid-term review of the agenda is intended to contribute to the formulation of policy actions which should underpin the conditions for a continued period of high, non-inflationary growth. It should help in creating jobs, wealth, prosperity and enhance social cohesion.

This requires improving competitiveness and facilitating businesses to seize new opportunities for development. Success will be build on pursuing policies that take fully account of the interaction between different policy strands, as outlined in the Lisbon strategy: economic, internal market, enterprise, education and training, research<sup>8</sup>, environmental policies to name just a few whose interaction with employment and social policy is crucial to help Europe in strategically pursuing an improvement of quality of life, shared by all people living in the European Union.

The vulnerability of Europe's economy to external circumstances strengthens the case for pursuing the Lisbon strategy and speeding up the pace of change, including through the social policy agenda.

## **2.2. Enlargement**

In May 2004 the European Union will welcome ten new Member States, bringing a definitive end to the division of Europe following the second World War.

The 2004 enlargement will distinguish itself from previous enlargements in terms of growing diversity across the board. A new challenge in the social field will concern the discrimination faced by ethnic minorities and in particular the Roma for which joined-up solutions to the multiple layers of discrimination and deprivation will be imperative.

The increased diversity also concerns particularly economic divergence. The average income level of the ten accession countries will be less than half of the average GDP per head of the current Member States.

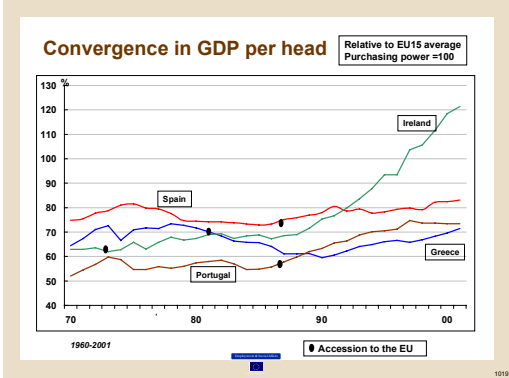
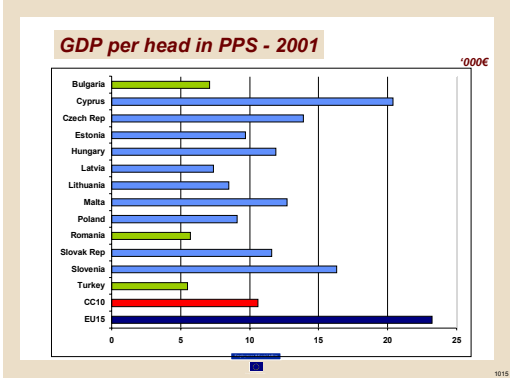
In the Kok report on enlarging the European Union, it was argued that "even in the most positive of scenarios, the economic convergence of the new member states with the present members will be a long-term process – a matter of decades. The costs and benefits will not

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<sup>7</sup> COM(2003) 5 of 14.1.2003

<sup>8</sup> About 1.2 million additional research personnel, including 700 000 additional researchers, are deemed necessary to attain the Barcelona objective to raise investment in Research and Development to 3% of GDP. See in particular 'Investing in Research: an Action Plan for Europe', COM(2003) 226.

necessarily occur in the same period; costs associated with increased competition and adjustment may come sooner, in the early years of membership. However, the long-term benefits can be very large, if appropriate policies are followed."<sup>9</sup>

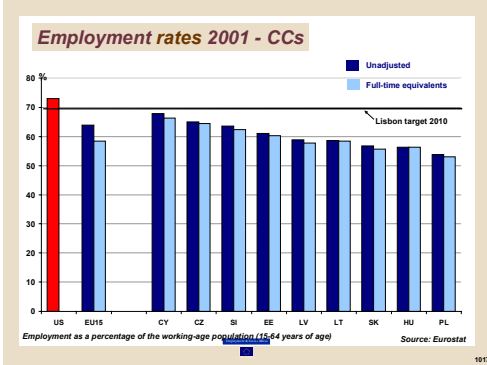
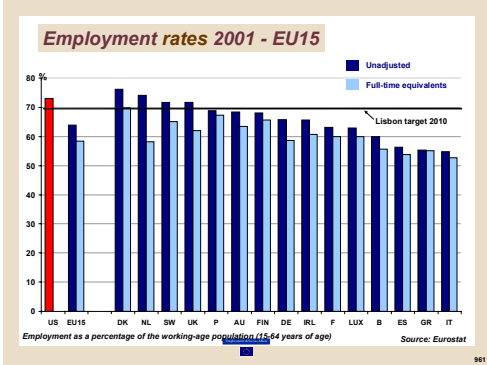


Experience shows that convergence is not automatic. On the contrary, evidence suggests that there are several paths of economic development following EU accession, making the case that there is no recipe for rapid success and that periods of convergence and divergence may alternate.

New Member States will continue to undergo rapid change in their economic structure. This will create immense new opportunities, which should be seized to underpin sustainable economic and employment growth, and thus contribute to long-term convergence in income. However, it will also contain adverse effects to segments of the population. The effective management of this process will be a main issue in the years to come.

Enlargement will slightly reduce the average employment rate in the European Union. On the basis of the Spring 2003 economic forecasts and demographic considerations, the employment rate in 2002 for the EU15 is now estimated at about 64.3% and that of the EU25 would stand at 62.4%, more than 7.5% below the Lisbon 2010 target. However, the decline at the time of enlargement does not justify a retreat from the Lisbon employment targets and should not jeopardise the attainment of these very targets.

Countries<sup>10</sup> like the Czech Republic and Cyprus have already employment rates above the EU average. The data also highlight the difference in full-time and part-time work between the current EU-15 and the accession countries.



<sup>9</sup> W. Kok (2003): Enlarging the European Union. Achievements and Challenges. Report to the European Commission, p.37-38.

<sup>10</sup> Data taken from the Employment in Europe 2002 Report. Data for Malta were lacking.

One element that has featured strongly in the public debate on accession is labour mobility in an enlarged Europe. Despite the fears, the most likely scenario<sup>11</sup> is one in which labour mobility will be moderate to limited and will after a likely short upsurge just after the accession period - with some 250.000 persons per year - start declining again to fall below 100 000 persons per year before the end of the decade.

Past experience shows that fears of mobility at previous rounds of enlargement were unfounded. On the contrary, the developments in those countries meant that many previous migrant workers actually returned to the home country, following EU membership.

The impact of enlargement on the employment and social situation will need to be closely monitored. It is clear that the ten accession countries have chosen to sign up to a constitutional framework, in which the improvement of social standards, including through social dialogue and social regulation forms an important part<sup>12</sup>. Specific attention will need to be paid to this issue in the coming years. The correct application of the social acquis communautaire is crucial in that respect.

### **3. THE LISBON STRATEGY AND THE SOCIAL POLICY AGENDA ACQUIS**

#### **3.1 The Social Policy Agenda: its origin and development within the Lisbon strategy**

The 2000 Lisbon Summit gave the European Union a decade long strategy for economic and social renewal. A year later, at Gothenburg, the EU's Sustainable Development Strategy added an environmental dimension to the Lisbon Strategy. In addition, it identified the unsustainable nature of certain social trends and the need to promote social inclusion as part of the Sustainable Development Strategy. The EU's response will shape the changes which are affecting every aspect of people's lives in a manner consistent with the EU's values and concepts of society and with a view to the forthcoming enlargement.

As much as the political orientation on the substance of policies, the Lisbon strategy also created an innovative method of policy delivery, by introducing and generalising the open method of co-ordination as an instrument improving EU governance. This new co-ordination method complements the set of policy instruments, in particular to help Member States to progressively develop their own policies.

The Lisbon policy framework was at the basis of the Social Policy Agenda, as initiated by the Commission in June 2000. At the centre of the past three years of work on implementing the agenda was the formulation of structural responses to the question as to how the European social model can be modernised and improved to better cater to existing and new social needs. This requires attention to social rights and social equity, as it calls for welfare systems adapted to facilitate economic transformation, granting individuals the opportunity to realise their full potential. This key objective will be further pursued in the coming two years.

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<sup>11</sup> See for instance European Integration Consortium (DIW, CEPR, FIEF, IAS, IGIER) (2001): The impact of Eastern enlargement on employment and labour markets in the EU Member States. European Commission. Also: K.F. Zimmerman (2003): Can migration from Eastern Europe alleviate the demographic burden of current EU Member States? DIW, Berlin.

<sup>12</sup> See also on this point W. Kok (2003): Enlarging the European Union. Achievements and Challenges. Report to the European Commission, p.2.

## 3.2 Progress to date

### 3.2.1 *The employment situation*

Despite the rise in unemployment in response to the downturn and the anticipated net loss of jobs in 2003<sup>13</sup>, there are strong signs that reforms over the last five years have produced important structural changes in many, but not all, European labour markets. Since 1997 – the launch date of the European Employment Strategy, about 10 million new jobs have been created, more than half of them taken up by women. In 2002, a year of economic downturn, 500,000 jobs were still added. Structural improvements have also been visible in the decline of long-term unemployment. Moreover, the improvement in the labour market and the net job creation has not led to a short-term increase in inflation. Nevertheless, several structural weaknesses continue to persist.

Although the employment rate increased from 62.3% in 1999, the year before the launch of the Social Policy Agenda, to 64.3% in 2002, it remains still well below the 67% intermediate employment target for 2005.

Moreover, performance varies considerably between countries – both in pursuing successfully a reform agenda and increasing the employment rate. Additional efforts will be required, to reach the Lisbon employment targets, including the one of keeping at least 50% of older workers in the workforce by the end of the decade and raising the average effective exit age from the workforce by five years. In addition, performance also differs importantly with regards to providing the workforce with the skills needed in an increasingly knowledge-based economy and improving quality of jobs, contributing to better productivity.

It has been shown that labour market reform and investment in quality in work is a necessary precondition to bring more people into work and improve productivity<sup>14</sup>. The evidence of past achievements and simulations shows that quality improvements in European labour markets are a precondition for further reductions in the various age, gender – in particular for people with care responsibilities - and skill-related gaps that continue to be among the main obstacles to improved employment performance in the EU, as well as for tackling the regional employment performance gap.

Those employed in jobs of relatively low quality – jobs that do not offer training and career development opportunities or job security - remain at much higher risk of unemployment and social exclusion. Moreover, the risk to be trapped in a vicious circle of low quality - low productivity employment, unemployment and social exclusion is real.

### 3.2.2 *The social situation*

Monitoring progress in relation to the fight against poverty and the promotion of social inclusion remains impeded by the lack of up to date data in several areas. However, the improvements in employment, in particular the fall in structural unemployment with about 40% over the past couple of years should have contributed in strengthening social cohesion.

Performance differs considerably between countries, both for poverty rates and for income distribution. On the latter point, the gap between the income of the top and bottom 20% of

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<sup>13</sup> European Commission (2003) Spring 2003 Economic Forecasts. Published as European economy n°2/2003.

<sup>14</sup> See for instance 'Employment in Europe 2002', published by the Commission.

society in the three best performing Member States is half of that in the three worst performers. Furthermore, little progress has been made in reducing gender inequality or in bringing back the numbers of early school leavers.

The modernisation of social protection systems is a crucial aspect of the reform of the European social model. The long-term sustainability and quality of social protection systems, particularly in the face of an ageing population, is a crucial aspect determining the success of the reform agenda.

### **3.3 The 'cost of non-social policy'**

A major guiding principle in the Social Policy Agenda was to strengthen the role of social policy as a productive factor. This has been extended during the past years in particular through the promotion of quality as the driving force for a thriving economy, more and better jobs and greater social cohesion.

After three years, the progress made so far is most clearly visible in the European employment strategy, as the promotion of quality in work has been fully incorporated into the strategy.

For the coming years, particular attention will be paid to quality in industrial relations. The basis has been laid<sup>15</sup>. The Commission will strengthen the work on indicators and increasing the understanding of industrial relations' practices. This is a crucial task now, as enlargement will require increased capacity building to ensure delivery in this essential component of the European social Model<sup>16</sup>.

Also within the field of social protection, significant progress has been made in the work on quality. One example here concerns pensions, in particular the work done on adequate and sustainable pensions. The streamlined social protection approach, in particular through the generalised use of the open method of co-ordination, should deepen this.

The Commission has been pursuing the rationale, initiated by social policy as a productive factor and the promotion of quality, by examining 'the costs of non-social policy'<sup>17</sup>. This approach is related to the 'better regulation' approach and the impact assessments to be carried out on major new future initiatives, examining the economic, environmental and social consequences of new legislation and policy measures, catering both for shorter and long-term costs and benefits<sup>18</sup>.

In the light of these analyses and debates, it is now easier to appreciate that the role of social policy is integral to the dynamic development of modern, open economies and societies and that it brings cumulative benefits through time. Social policies cover a variety of areas, including:

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<sup>15</sup> For instance in the Report by the High-level Group on Industrial Relations; in COM(2002) 341-1 and 341-2 of 26.6.2002 on the European social dialogue and the Tripartite Social Summit; and in the autonomous work programme of the social partners for the period 2003-2005 (agreed in November 2002)

<sup>16</sup> Presidency Conclusions from the Barcelona European Council (2002)

<sup>17</sup> See for instance COM(2002) 89 of 19.2.2002 and COM(2003) 57 of 6.2.2003; D. Fouarge (2003): Costs of non-social policy: towards an economic framework of quality social policies – and the costs of not having them. Study for the European Commission; webpage conference [http://europa.eu.int/comm/employment\\_social/news/2003/jan/1041848954\\_en.html](http://europa.eu.int/comm/employment_social/news/2003/jan/1041848954_en.html)

<sup>18</sup> COM(2002) 275 final, 276 final, 277 final, 278 final of 5.6.2002



- Promoting active labour market policies and investments in research, education and training – which strengthens human capital for a knowledge-based economy, underpins productivity growth and reduces social failure. Research demonstrates how increased educational attainment substantially increases productivity and life-time earning.<sup>19</sup> Skills development is crucial to increase the ability to adapt to changes in the workplace.
- Investments in high performance standards (including health and safety) at the workplace – which raise productivity and reduce accident losses. Poor or unsafe working conditions are estimated to cost the EU economy some 3 per cent of GNP a year, with some 500 million workdays a year lost<sup>20</sup>.
- Investments in active inclusion policies, as well as equal opportunities for all - to increase the prospects of bringing into economic life those groups and individuals who risk being unable to participate without help<sup>21</sup>.
- Investments in social peace – minimising costly social or industrial conflict. Social partnership strengthens the social capital and institutional infrastructure that enables other policies to be effective. A recent World Bank report shows how social partnership can lead to reduced earnings inequalities, lower unemployment and inflation, as well as higher productivity and a more rapid adjustment to shocks.<sup>22</sup>

The main structure of the European social model has proved very resilient. There is strong popular support, as evidenced by recent Eurobarometer results, and it has been shown that the most dynamic, high performance economies in the EU are those where economic and social policies inter-act in positive ways.<sup>23</sup> It has also been shown that labour market reform and investment in quality in work is a necessary precondition to bring more people into work and improve productivity.<sup>24</sup>

In this context, the Community action programmes<sup>25</sup> and the flagship reports, such as those on Employment in Europe, the social situation, industrial relations in Europe and gender equality play a crucial role in the in-depth analysis of the employment and social situation and contributes to shaping the appropriate response to the diverse challenges and needs the European social model is confronted with. However, the lack of appropriate and timely data and statistics, holds back the research and leads to suboptimal conclusions.

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<sup>19</sup> See for instance A. de la Fuente (2002): Human capital in a global and knowledge-based economy. Study for the European Commission.

<sup>20</sup> See for instance COM(2002) 118 of 11.3.2002; this theme is also well documented by the European Agency for safety and health at work – see <http://agency.osha.eu.int>

<sup>21</sup> For instance, work undertaken in the OECD suggests that increased active social spending - on active labour market policies, payments to low income households, expenditures on family and child care, and investment in health – may have a significant impact on productivity and economic growth. R. Arjona, M. Ladaique and M. Pearson (2001): Growth, inequality and social protection. OECD.

<sup>22</sup> World Bank (2003): Unions and Collective Bargaining: Economic Effects in a Global Environment.

<sup>23</sup> See for instance COM(2003) 5 of 14.1.2003 and European Commission (2002): Public Finances in EMU 2002. European Economy Nr 3/2002

<sup>24</sup> See for instance European Commission (2002): Employment in Europe; G. S. Lowe (2003): The case for investing in high quality work. Presentation to the European Commission's Mid-Term Review of the Social Policy Agenda: Achievements and Perspectives Brussels, 19-20 March 2003 (see conference webpage).

<sup>25</sup> This concerns in particular the current action programmes on employment incentive measures, social inclusion, non-discrimination and gender equality.

### 3.4 Improved governance

An innovation of the social policy agenda was that right from the beginning it was developed with a view to achieve an improved form of governance. This concerns a better involvement of actors in the shaping and implementation of the agenda and an appropriate combination of different policy instruments.

#### 3.4.1 *The actors*

The social policy agenda provides an active role to a wide range of actors to participate effectively in managing the policies associated with this agenda: European institutions, bodies and agencies; Member States, including authorities at regional and local level; the social partners, civil society, companies.

In the Communication on the Social Policy Agenda<sup>26</sup>, the Commission spelled out how it saw the tasks and responsibilities of each actor in an agenda based on an improved form of governance.

*The **Commission** will make all relevant proposals using its right of initiative. Furthermore, it will act as a catalyst and will support Member States' and other actors' policies with all means at its disposal. It will also monitor and steer the implementation of the Agenda. **The Council of Ministers** and the **European Parliament** will have to fulfil their legislative responsibility. Within the Member States, the **national governments** and the **regional and local authorities** should undertake their own policies to implement this Agenda. **Social partners at all levels** should play their full role, in particular to negotiate agreements and to modernise and adapt the contractual framework and contribute to a sound macro-economic policy. The **Non governmental organisations** will be closely associated with the development of inclusive policies and equal opportunities for all.*

The Commission considers that the direct involvement of actors is a strong point of the agenda and believes that this approach should be further pursued vigorously. However, there is significant scope for further improvement, at all levels to contribute to the modernisation of the European Social model and to ensure that this agenda is widely shared and supported, establishing a large ownership.

#### 3.4.2 *The combination of policy instruments*

The role of the actors differs, according to the method and instrument being used. The Communication on the Social Policy Agenda also underlined that meeting the challenges would require finding the appropriate combination of the different instrument available at European level, while fully respecting the EC Treaty. These instruments involve the open method of co-ordination, legislation, social dialogue, structural funds, action programmes, 'mainstreaming' measures, policy analysis and research. The appropriate European Agencies, notably the European Foundation for the improvement of living and working conditions in Dublin, the European Agency for Health and Safety at work in Bilbao and the Monitoring Centre on racism and xenophobia in Vienna, have a key contribution to make to furthering the social policy agenda.

A consequence of that approach is that reaching policy objectives is based on the success of a wide range of initiatives and measures. Also on this point, there is evidence that the first half of the implementation of the social agenda has been largely successful. However, there is no reason for complacency, as the EU has still a long way to go to meet the Lisbon objectives.

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<sup>26</sup> COM(2000)379fin of 28/06/2000

As to the future, reinforced attention will be given to the evaluation of existing policies, building further in particular on the experience gained in assessing the European employment strategy. Such policy evaluation will concern for instance the financial instruments in support of the European social dialogue in 2004 and the mid-term evaluation of the said inclusion process in 2005.

An in-depth evaluation will also be carried out for the financial support measures, including the action programmes on employment incentive measures, social inclusion, non-discrimination and gender equality, as well as on the Year of European people with disabilities. This will help determining the most appropriate follow-up to these activities.

#### **4. THE SOCIAL ACQUIS – CONSOLIDATING SOCIAL STANDARDS THROUGHOUT THE EU**

The European Union has an important acquis in the employment and social field. Legislation, whether in the form of directives, regulations or other regulatory instruments are a crucial part of the European achievements. A table with an overview of EU employment and social legislation is attached (*annex 1*). They ensure a level-playing field for businesses, facilitate the workings of the internal market, and address social needs of workers in an economically integrated Europe. In addition the co-ordination of national policies belong to the social acquis.

In the employment and social field, the regulatory instruments concern, in the first place, workers (and sometimes their family) and businesses. Working conditions, free movement of people, occupational safety and health, equality between women and men, and non-discrimination, are a few areas which have a tremendous impact on the quality of life of people living in the European Union.

The European Commission has committed itself to ensure that the legislative acquis is fully complied with. The European Council, reinforced at each Spring Summit, has entirely endorsed this approach. In Stockholm in 2001, the European Council set a target transposition rate of 98.5% of all internal market directives. In Barcelona in 2002, Heads of State and Government committed to a zero tolerance for measures which were more than two years overdue. In 2003, the European Council reinforced this approach and called for a progress report for the 2004 Spring European Council.

Simply transposing Community rules into national law is not enough, however. The law should also be correctly applied in practice. The correct application and the enforcement of European legislation is a pre-requisite for the European Union to function well and to guarantee the citizens, workers, consumers and businesses fair and equal treatment. Effective monitoring of correct application is also decisive to guarantee that Community rights can effectively be exercised.

In the second half of the Social Policy Agenda, the Commission will make of compliance with the social acquis as well as the monitoring of its application<sup>27</sup> a top priority. Close co-operation between the Commission and the Member States being a crucial element in the effective monitoring of the application of Community law, effective use should be made of all available instruments allowing effective and rapid handling issues or cases concerning non-compliance with or wrong application of Community law. It will benefit heavily from the

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<sup>27</sup> See also Commission Communication "Better monitoring of the application of Community law", COM(2002) 725 final of 11 December 2002

working groups and networks that have been put in place of the past couple of years, in particular to associate the services in the Member States more closely to the implementation, monitoring and follow-up of Community law. Recently established structures such as the high level group on industrial relations or the network of labour inspectors should play a major role in detecting implementation problems and should help overcoming the obstacles at national level, in particular through exchange of information.

Such networks and groups, involving the lead actors at national level, will play a determining role in supporting the implementation and respect for Community law. Enlargement will make the task of these groups even more important. They will help in ensuring that the legitimate expectations from workers from the new member states can be met, in the most efficient and cost-effective way.

## **5. POLICY HEADLINES AND ACTION**

During the first half of the implementation of the social policy agenda, virtually all actions have been launched as foreseen. During the second half, this work should receive the appropriate follow-up. This includes that specific attention will be given to verify and ensure that the initiated measures are correctly implemented and applied throughout the European Union.

The following sections contain a detailed set of intended actions with a time schedule, building on the structure of the Nice political orientations, to guarantee the consolidation of the work launched and, importantly, to announce new planned measures to address the outstanding challenges and new needs in the fields of employment and social policy. This list should ensure full transparency concerning the priorities and activities for the period until 2005. However, it is obvious that the agenda and its implementation should remain sufficiently flexible and dynamic to allow the most suitable measures to be taken at the appropriate time.

### **5.1 More and better jobs<sup>28</sup>**

*The prospect of achieving full employment must be underpinned by resolute efforts to open up access to the labour market to as many people as possible; this in particular means firming up policies on the promotion of gender equality at work, on reconciling professional and family life, on helping older workers to keep their jobs, on combating long-term unemployment and (by mobilising all of the actors concerned, especially those working in the social economy) on providing the most vulnerable categories of people with the prospect of integration. Opting for a knowledge-based society requires investment in human resources to encourage workers to acquire skills and accept mobility. At the same time it is important to promote quality in employment and to develop effective life-long learning and training strategies to benefit as many people as possible.*

A top priority is to realise Europe's full employment potential by working towards raising the employment rate to as close as possible to 70 % by 2010, with specific employment rate targets of 60% for women and 50% for older workers, whilst taking into account the different starting positions of the Member States.

The review of five years of the European Employment Strategy confirmed the positive role of the strategy in supporting the employment performance and facilitating Member States' structural reforms in recent years. It inspired the architecture of a renewed strategy which

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<sup>28</sup> The text in italics and in a box is taken from the Social Policy Agenda as endorsed by the Nice European Council (December 2000).

should be better harnessed to cope more effectively with challenges such as the demographic trends, regional disparities, globalisation and restructuring.

The revamped employment strategy is built around three key overarching objectives: full employment by increasing employment rates; quality and productivity at work; cohesion and an inclusive labour market which are interrelated and mutually supportive. The March 2003 Spring European Council confirmed that the Employment Strategy has the leading role in the implementation of the employment and labour market objectives of the Lisbon strategy. It also demanded that the new three-year perspective of Employment Guidelines provides a stable basis for a simplified, better governed and more effective strategy. The Commission adopted on 8 April 2003, as part of a "guidance package" with the Broad Economic Policy Guidelines, proposals for employment guidelines and recommendations.<sup>29</sup> The proposed employment guidelines contain a list of ten priorities for action underpinning the aforementioned key objectives, including new priorities such as the transformation of undeclared work in regular employment and a better visibility of the immigration issue.

The implementation of the Lisbon strategy and the social policy agenda will benefit from the streamlining in a new three year perspective of the Union's main policy tools for structural reforms – the Broad Economic policy guidelines (BEPG), the Internal Market Strategy and the Employment Guidelines.

Further to the invitation of the 2003 Spring European Council, the Commission established a European Employment task force, with a mandate to identify practical reform measures that can help the Member States to implement the revised European Employment Strategy.

The European Social Fund mid-term review will be finished by the end of 2003. Appropriate conclusions will be drawn for the rest of the programming period 2000-2006 as well as the future ESF assistance. While being the key financial instrument of the European Employment Strategy, the ESF is also involved in the social inclusion process. The ESF also supports the common agreed dual goals of achieving and strengthening equal opportunities for women and men and gender mainstreaming. Furthermore, the launch in 2004 of the second phase of the Community Initiative EQUAL will support innovative approaches and the exchange of good practices, in particular with regards to measures developed in the Employment Strategy, the Social Inclusion Process and the Framework Strategy on Gender Equality.

## **Actions**

### *Implementing the revised European employment strategy*

- The implementation of the revised European employment strategy, based on Employment Guidelines and Recommendations and monitored through an annual Joint Employment Report (2004-2005)
- Revision and development of indicators for the monitoring of the employment strategy, to be used in the Joint Employment Reports (2004-2005)
- Strengthening employment analysis for an EU of 25 Member States (2004-2005)

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<sup>29</sup> COM(2003) 170, 176 and 177 of 8 April 2003

- Exploitation of the reports by the social partners on the implementation of the Employment Guidelines in the Member States with the aim of launching a 'peer review' by the social partners (2004)
- Follow-up to the Employment Task Force report (2004)
- Invite the Social Partners to submit an input into the Tripartite Social Summit (2004-2005)
- Increase the visibility of the macro-economic dialogue within the context of European economic and social governance (2004-2005)

#### *Implementing the Skills and mobility action plan*

- Introduction of a European Health Insurance Card (2004)
- Commission Communication on the knowledge based economy with more and better jobs and greater social cohesion (2005)

#### *Role of the European Social Fund*

- Investment in human capital formation through the European Social Fund
- Report on the mid-term review of the European Social Fund (2004)
- Launch of second phase of the Community Initiative EQUAL (2004), and integration of the innovations and good practices already developed into the Employment Strategy and Social Inclusion process.

### **5.2 Anticipating and capitalising on change in the working environment by creating a new balance between flexibility and security**

*The far-reaching changes in the economy and the labour market, resulting specifically from the emergence of a knowledge-based economy and from globalisation, are gaining momentum in all Member States. These changes call for fresh collective responses that take account of workers' expectations. Social dialogue and consultation must create the right conditions for workers to participate in change, by anticipating new developments in enterprises, sectors of industry and countries. The search is on for new kinds of collective framework more suited to the new forms of employment and these must allow for mobility and individual investment in increasingly diversified forms of work by making it easy to go from one situation or one job to another. The measures adopted to accompany these changes must strike a balance between the various existing Community instruments, in particular the open method of co-ordination and leave the social partners considerable scope for initiative.*

The key message underlying the Lisbon strategy is 'transformation', engendering a structural process of economic and social renewal. The policy approach following from this objective is to embrace change as a factor renewing Europe's economy and fostering dynamism and innovation as well as accelerating productivity growth and strengthening businesses' capacity to raise profitability. Public authorities and social partners in Europe and its Member States have a long tradition in facilitating change and accompanying the process of change through rules and practices.

The convergence process which will be brought about by enlargement will further accelerate the need to manage such economic change to ensure that it contributes to a sustainable improvement of the standard of living, largely shared and with equal opportunities for all to benefit from change. At the same time, measures will continue to be necessary to maintain social stability and to accommodate the needs of those adversely affected by that change.

Managing change is built on partnership. However, partnership is also crucial to adapt and improve working conditions and contractual relations. It also underpins the development of social capital. The social partners have a crucial role to modernise the employment relations and to strengthen the quality of industrial relations to meet that challenge. Fostering adaptability will remain a crucial objective for both sides of industry.

The development of interprofessional and sectoral social dialogue at European level, as a specific component of the Treaty, is a key tool for the modernisation and further development of the European social model. With the adoption of their joint work programme for the period 2003-2005, the social partners have taken a decisive step to act, in full autonomy, in support of the implementation of the Lisbon Strategy. Enlargement will have a major impact on the functioning of the social dialogue, as social partners' structures still have to be developed and strengthened, especially at sectoral level. The Commission intends to facilitate this process by an appropriate strengthening of capacity building and the promotion of good practice. The continuation of the representativeness study and monographies on social partners in several sectors in the new Member States will help to focus such activities.

Furthermore, the approach launched on Corporate Social Responsibility (CSR) can play a crucial role in strengthening Europe's capacity for sustainable development, helping in finding acceptable trade-offs and reaching win-win scenarios concerning economic, social and environmental needs and desires.

Finally, the promotion of health and safety at work will be a top priority in the following years, in particular through the further implementation of the new health and safety strategy (2002-2006) and by consolidating a culture of risk prevention on the basis of a global approach to well-being at work, combining a variety of policy instruments.

## **Actions**

### *Social partnership*

- Commission Communication on the implementation of negotiated agreements through voluntary instruments (2004)
- Commission report on the implementation of the social partners' autonomous working programme (2005)
- Review of the European centre for managing change, based in the European Foundation for the Improvement of Living and Working Conditions, to adjust to enlargement and to reinforce the network with national centres (2004-2005); as well as the development of exchange of experience of the modernisation of work organisation to be undertaken by the Foundation (2004)

### *Corporate social responsibility*

- Report of the Corporate Social Responsibility Forum (2004)
- Commission Communication on Corporate Social Responsibility (2005)
- Establishment of a consultative group of enterprise representatives in the social field (2004)

### *Consultation and agreements*

- Follow-up to the discussion of the social partners on the social consequences of restructuring (2004)
- Consultation of social partners on recasting the Working Time Directives (2004)
- Consultation of social partners on a possible revision of Directive 2001/23/EC to address cross border transfers (2005)
- Follow-up to the consultative document of the social partners on alternative modes of dispute resolution (2004)

### *Labour law*

- Negotiation and adoption of a Parliament and Council Directive on the protection of workers' personal data (2004-2005)
- Negotiation and adoption of pending legislative proposals on the European Association and Mutualities (2004-2005)
- Commission Communication on economically dependent work (2005)

### *Follow-up reports and studies*

- Study on the social and legal implications of cross border transfers (2004)
- Follow-up to the study on individual dismissals (2004-2005)
- Setting up an advisory expert group to facilitate a harmonious and correct application of the review of Directive 96/71 on posting of workers (2004-2005)
- Report of the High-Level group on obstacles to transnational financial participation schemes (2004), and exchange of information and benchmarking (2005)
- Report on the evolution of labour law (2004)
- Study on transnational collective bargaining (2004)
- Establishment of a technical group on the development of indicators on the quality of industrial relations (2004)

### *Health and safety at the workplace*

The occupational health and safety agenda is based on carrying out and correctly implementing the full health and safety strategy<sup>30</sup> agreed in 2002, which includes:

#### *Legislation*

- Simplification of the administrative follow-up to all health and safety legislation (2005)
- Codification of the Directive on carcinogenic agents (2004)

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<sup>30</sup> COM(2002) 118 of 11.3.2002



- Codification of the asbestos and work equipment directives (2004 and 2005)
- Negotiation and adoption of directives on physical agents – electromagnetic fields (to be completed in 2004) and optical radiation (to be completed in 2005)

*Consultations, follow-up reports and studies*

- Analysis of the results of the joint programme of the social partners on stress (2004) and on moral harassment and violence at work (2005)
- Preparation of practical guidelines to facilitate the application of the directives 'Chemical Agents' (2004), and 'Scaffolding' (2005)
- Creation of a risk observatory within the European Agency for Safety and Health at Work (2004)

### **5.3 Fighting poverty and all forms of exclusion and discrimination**

*The return to sustained economic growth and the prospect of full employment in the near future do not mean that poverty and exclusion in the European Union will automatically decrease. These factors do, however, make the continued existence of poverty and exclusion even less acceptable. The Lisbon European Council underlined the need to take steps to make a decisive impact on the eradication of poverty. That political will has been affirmed at the highest level in each of the Member States and must be transmitted to the grass roots by mobilising all the local actors, in particular NGOs and the social services. It must be accompanied too by action to ensure equal treatment for all third country nationals residing lawfully on Union territory.*

Poverty is unacceptably high, as Europe's Heads of State and Government acknowledged at the Lisbon Summit. This was the signal to give effect to a policy to fight poverty throughout the European Union on the basis of an intensified co-operation between the Member States, as implemented in the social inclusion open method of co-ordination launched at the Nice Summit. Enlargement will make of social exclusion and poverty an even more pressing issue.

A high level of social cohesion is based on the principles of solidarity and social inclusion. The second generation of National Action Plans should support bringing the 2010 Lisbon objective in reach, in particular through the setting of appropriate national targets to significantly reduce the number of people at risk of poverty and social exclusion. Success will require an integrated and comprehensive approach, under which a concern with poverty and exclusion is mainstreamed in all relevant branches of public policy making and which includes a gender perspective, and advances through a strong partnership at all levels, between public authorities, social partners, non-governmental organisations and other interested parties.

Simplifying and streamlining the various strands of work on social protection and social inclusion into a coherent framework within the open method of co-ordination<sup>31</sup> should help in facilitating making effective progress on these fronts.

During 2003 the Commission is working with the acceding countries to conclude Joint Inclusion Memoranda with each of them; a synthesis report on these will be submitted to the Spring 2004 European Council meeting, at the same time as the Joint Commission/Council report on the 2<sup>nd</sup> round of the National Action Plans for inclusion. This means that all 25

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<sup>31</sup> See Presidency conclusions from the Brussels European Council of 20 and 21 March 2003, § 51.

Member States in the enlarged Union will be in a position to proceed together in relation to the next steps in this process.

At the same time the European Union must continue to underpin fundamental social rights and develop effective policies and measures to combat discrimination and eliminate barriers to participation on the grounds of race or ethnic origin, religion or belief, age, disability and sexual orientation. It is also important that measures are taken to ensure equal treatment for all third country nationals legally resident in the European Union.

Non-discrimination is one of the most fundamental of human rights and the fight against discrimination constitutes a major challenge for the European Union. The adoption of the Anti-discrimination package (two directives and a Community Action Programme) in 2000 was a major step forward to achieving equality in a whole new range of grounds. Member States are now in the process of transposing this legislation into national law and developing their own strategies and policies in this area.

A key priority over the next years is to ensure that the ground-breaking anti-discrimination legislation is correctly transposed and fully enforced in the enlarged European Union. Apart from consolidating and taking stock of the gains that have been made, there is a need to look to the future strategy in this area, in order to address new challenges post enlargement, such as the discrimination faced by ethnic minorities and in particular, the Roma. In this context, the work being carried out in the area of fundamental rights in the Convention for a future Constitution, will be of great importance.

## **Actions**

### *Social inclusion*

- Joint Report on social inclusion (2004)
- Revised indicators on poverty and social exclusion (2004)
- Consultation of Social Partners regarding the feasibility concerning minimum income following the 1992 Council Recommendation on minimum guaranteed resources (2004)

### *Disability*

- Follow-up to the EU action plan and Communication on the integration of people with disabilities (2004-2005)
- Commission report on the situation of people with disabilities (2005)

### *Non-discrimination and fundamental rights*

- Commission Communication on the future strategy on the fight against discrimination (2004)
- Report to the European Parliament and the Council on the application of Council Directive 2000/43/EC (2005)

## 5.4 Modernising social protection

*Social protection systems are an essential component of the European social model, and although they remain the responsibility of each Member State, they face common challenges. To confront them more effectively, co-operation between Member States must be strengthened, particularly through the Social Protection Committee. The modernisation of social protection systems must meet the requirements of solidarity: that is what is at stake in the action we have to take on retirement and health and to achieve an active welfare state that strongly encourages participation in the employment market.*

The modernisation of the European social model, linking the objective of economic performance and solidarity, requires the improvement of social protection to respond to the transformation to the knowledge economy, as well as to the change in social and family structures. It should build on the role of social protection as a productive factor and take into account the costs of non-social policy.

Increased co-operation in the different strands of social protection calls for the increased involvement of all relevant actors at all levels. The streamlining of the different policy strands into a coherent framework within a single open method of co-ordination, will considerably strengthen the social dimension of the Lisbon Strategy<sup>32</sup>. A fundamental component of EU action on social protection concerns the regulatory framework to facilitate free movement of people, in particular through the co-ordination of social security systems. The original regulation 1408/71 is undergoing major modifications and will continue to require legislative action in the years to come. This is particularly the case for the European Health Insurance Card and for updating the list of non-exportable benefits for which work is ongoing. Another major element to facilitate free movement concerns the portability of pension rights.

### Actions

#### *Implementing the Open method of co-ordination*

- Gradual move towards a streamlined social protection process, including an annual social protection report as a mechanism for assessing progress towards the overall goal of modernising and improving social protection (2004-2005)
- Exchange of good practice on main issues at stake and of policy strategies in order to improve co-ordination in the field of health care (2004)

#### *Regulatory framework for facilitating free movement*

- Conclude negotiations on the Regulation simplifying and modernising Regulation 1408/71 on the co-ordination of social security systems (2004)
- Commission legislative proposal for an implementing Regulation for the simplified and modernised co-ordination Regulation (2004)
- Commission Report on the implementation of Directive 98/49/EC on supplementary pensions (2004)
- Follow-up to the second stage consultation of the social partners on the portability of occupational pension rights (2004)

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<sup>32</sup> See also COM(2003) 5 of 14.1.2003.

## 5.5 Promoting gender equality

*Equality between the sexes must be established across the board throughout the whole Social Policy Agenda and be supplemented by a number of specific measures concerning women's access to decision-making and the reinforcement of equality-related rights and those reconciling family life and working life.*

The long-standing commitments to equality between women and men at European level should be reinforced.

Initiatives announced in the Scoreboard of February 2003 are well advanced. A communication on gender mainstreaming in the Structural Funds has been published<sup>33</sup>. A proposal for a new directive to extend the domains in which the principle of equal treatment should apply and discrimination based on sex should be eliminated, should be submitted in 2003. The Commission has also launched a wide consultation on the recasting of the existing directives on equal treatment. In addition a joint communication on domestic violence and a report on parental leave<sup>34</sup> are in preparation.

A major step forward in 2004 will be the first reporting to the March 2004 Spring Summit on developments towards gender equality and orientations for gender mainstreaming of policy areas. Also the possibilities to create a European Institute for Gender should be considered.

2005 is the last year of the current Framework Strategy to promote gender equality and the Commission will make a proposal to renew it. The Commission will take stock in 2005 of several initiatives taken in the field of women in decision making.

### Actions

- Annual Report for the Spring European Council on strengthening gender equality and gender mainstreaming (2004 and 2005)
- Recasting of Equality directives in the areas of employment and social policy (2004)
- Communication on a new Framework Strategy on gender equality 2006-2010 (2005)
- Communication on women in decision-making (2005)
- European conference to celebrate Beijing +10 (2005)

## 5.6 Strengthening the social policy aspects of enlargement and the European Union's external relations

*Enlargement and external relations are, in several respects, a challenge and an opportunity for Community action in the social field. It is necessary to develop the sharing of experience and strategy with applicant States, particularly so as better to face together the challenges of full employment and the fight against exclusion; and to promote an integrated economic and social agenda consistent with the European approach in international bodies.*

Following the Copenhagen European Council Conclusions (2002), the Commission is intensifying from 2003 onwards the monitoring of legislative and policy developments in the ten acceding countries with a view to ensure their best preparation for membership. In the

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<sup>33</sup> COM(2002) 748 final

<sup>34</sup> implementation of directive 96/34

employment and social area, this includes efforts with regards to legislation, social dialogue, preparation for the participation in the European employment strategy and in the open method of co-ordination in the areas of social inclusion and pensions as well as preparation for the future intervention of the European Social Fund.

Furthermore, the participation of the ten acceding countries in Community programmes, agencies and Committee meetings will provide a useful preparation for accession by familiarising them with the Union's policies and working methods.

As to international co-operation, the social dimension should be actively promoted in EU international relations, co-operation with international organisations and bilateral co-operation. In this context a strong emphasis should be put on social development and poverty alleviation contributing to the achievement of the UN Millennium Development Goals by 2015. Key elements include the employment and social dimension of globalisation through the promotion of core labour standards, an integrated approach to sustainable development, promotion of gender equality in development co-operation and promotion of health and education as key factors for poverty alleviation.

### **Actions**

- Continue and reinforce the monitoring exercise of candidate countries' implementation of the employment and social acquis
- Ensure the correct application of the transitional arrangements on the free movement of workers
- Continue the preparation for accession of Bulgaria, Romania and Turkey
- Commission Communication on the social dimension of external relations (2005)
- Further develop Community co-operation with international organisations in the field of employment, education and training, health, gender equality, social protection and fundamental social rights
- Continue the strengthening of relations and co-operation with the ILO on the decent work agenda and the promotion of core labour standards with particular attention to the fight against child labour
- Contribute to the implementation of the report of the World Commission on the social dimension of globalisation
- Contribution to UN convention on the rights of people with disabilities
- Promote the social dimension in Euromed and Balkans co-operation
- Pursue bilateral co-operation with Japan and the USA
- Ensure correct functioning of the EU/Swiss Agreement on the Free Movement of Persons and the Working Group on Social Security

- Negotiations on the free movement and social security provisions of the Association and Stabilisation Agreements between the EU and Croatia, Russia, Macedonia, former Yugoslavia and Albania
- Decisions of the EEA and EU/Swiss Joint Committees on amending the social security annexes to those Agreements with a view to the accession of the new Member States

#### *Employment*

- JAP with Turkey - 2004
- Co-operation with OECD to ensure convergence between the European Employment Strategy and the OECD Jobs Strategy

#### *Social inclusion*

- Synthesis Report on Joint Memoranda on social inclusion of the ten acceding countries (2004)
- Conclusion of a Joint Memorandum on social inclusion with Bulgaria and Romania (2004)

#### *Social protection*

- Enlargement Conference on the co-ordination of social security systems (2004)
- Commission legislative proposal for decisions of the Association Councils of the EU Association Agreements with Morocco, Tunisia, Turkey and Macedonia on the co-ordination of social security (2004)

## **6. CONCLUSION AND OUTLOOK**

The Social Policy Agenda has created an enormous momentum to pursue the modernisation of the European Social Model, helping to redesign the architecture of the welfare state to meet the new economic and social challenges and needs of the European society of today and tomorrow.

The mid-term review has given a unique opportunity to reflect about the past achievements and to orient the key measures to the future of an enlarged Europe with 25 Member States.

The years 2004 and 2005 will be crucial to facilitate the integration of ten countries into the European Union. That is why the mid-term review makes the compliance with the social acquis, and in particular the identification of supportive measures to do so, a top priority. The European Social Fund will provide significant help in facilitating integration through its policy-oriented financial support. Enlargement can only be successful if all relevant actors at all levels are fully involved in shaping and implementing policies.

Knowledge and understanding are key words in bringing about a Europe in which all energy is geared towards improving living standards and quality of life, widely shared and with equal opportunities for all, to benefit from economic and social prosperity. The European Commission invests significantly in analysis, publishing its results and transferring the gained insight in appropriate policy measures. The analysis and information made available by the European Foundation for the improvement of living and working conditions in Dublin, the European Agency for Health and Safety at work (Bilbao) and the Monitoring Centre on

racism and xenophobia (Vienna) contribute richly to this goal. The Lisbon objective, formulated around a dynamic economy with non-inflationary growth, more and better jobs, greater social cohesion, and respect for the environment give the European Union a clear long-term focus. The mid-term review of the social policy agenda has as its ultimate aim to contribute to reaching this strategic objective.

For the period beyond 2005, the European Commission has established a High-level expert group on the future of employment and social policy. The mandate of this group is to examine the new needs the European Union will be confronted with in the second half of the decade and to reflect about the main orientations for future action.

The High-level expert group will submit a report in 2004 to the Commission, which will be made available to the actors and the public at large. This report should feed into a public debate on the future direction of EU policy and measures and should help the Commission to develop in 2005 a new agenda, suited to the needs and expectations of European society and businesses.

The debate on the new Agenda will be further supported through a Conference on the main lessons to be learned from the evaluation of the policies and instruments of the 2000-2005 Social Policy Agenda.

## ANNEX

<b>1. LABOUR LAW</b>
<b><i>Directives in force:</i></b>
80/987/EEC protection of employees in the event of the insolvency of their employer
91/383/EEC to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship
91/533/EEC an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship
93/104/EC organisation of working time
94/33/EC protection of young people at work
94/45/EC establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees
96/71/EC posting of workers in the framework of the provision of services (deadline: 16.12.99)
97/74/EC extending, to the United Kingdom of Great Britain and Northern Ireland, Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (15.12.99)
97/81/EC framework agreement on part-time work concluded by UNICE, CEEP and the ETUC (deadline:20.01.2000)(98/23-UK)
98/23/EC extension of Directive 97/81/EC on the framework agreement on part-time work concluded by UNICE, CEEP and the ETUC to the United Kingdom of Great Britain and Northern Ireland (7.4.00)
98/50/EC approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses (deadline:17.07.2001)
98/59/EC approximation of the laws of the Member States relating to collective redundancies – codification - OJ 98.225 16-21
99/63/EC agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (deadline 30.06.2002)
99/70/EC framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (deadline: 10.07.2001)
2001/23/EC approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses (codification Dir 77/187 and 98/50)
<b><i>Directives whose transposition deadline has not yet expired:</i></b>
2000/34/EC organisation of working time to cover sectors and activities excluded from that Directive (transposition date: 1.8.03)
2000/79/EC European agreement on the organisation of working time of mobile workers in civil aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA) (1.12.03)
2001/86/EC statute for a European company with regard to the involvement of employees (8.10.04)
2002/14/EC general framework for informing and consulting employees in the European Community (23.3.2005)



2002/74/EC approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer (amendment Dir. 80/987) (08.10.05)
<b>2. EQUAL TREATMENT</b>
<b><i>Directives in force:</i></b>
75/117/EEC approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women
76/207/EEC implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions
79/7/EEC progressive implementation of the principle of equal treatment for men and women in matters of social security
86/378/EEC implementation of the principle of equal treatment for men and women in occupational social security schemes
86/613/EEC application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood
92/85/EEC introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding
96/34/EC framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (97/75 – UK) (deadline:15.12.99)
96/97/EC implementation of the principle of equal treatment for men and women in occupational social security schemes (amendment Dir 86/378)
97/75/EC extending, to the United Kingdom of Great Britain and Northern Ireland, Directive 96/34/EC on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (15/12/99)
97/80/EC burden of proof in cases of discrimination based on sex (deadline:1.1.2001)(UK: 98/52)
98/52/EC extension of Directive 97/80/EC on the burden of proof in cases of discrimination based on sex to the United Kingdom of Great Britain and Northern Ireland (22/07/2001)
<b><i>Directives whose transposition deadline has not yet expired:</i></b>
2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (19/07/03)
2000/78/EC establishing a general framework for equal treatment in employment and occupation (02/12/03)
2002/73/EC implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (05.10.05)
<b>3. FREE MOVEMENT OF WORKERS</b>
<b><i>Directives in force:</i></b>
68/360/EEC abolition of restrictions on movement
98/49/EC safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community (deadline: 25.01.2002)

<b>Council Regulations:</b>	
1612/68/EEC	freedom of movement for workers within the Community
1408/71/EEC	application of social security schemes to employed persons, to self-employed and their families moving within the Community
574/72/EEC	procedures for implementing regulation 1408/71
<b>Commission Regulation</b>	
1251/70/EEC	right of workers to remain in the territory of a Member State after having been employed in that state
<b>4. HEALTH AND SAFETY AT WORK</b>	
<b>Directives in force:</b>	
78/610/EEC	approximation of the laws, regulations and administrative provisions of the Member States on the protection of the health of workers exposed to vinyl chloride monomer
82/130/EEC	approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp
83/477/EEC	protection of workers from the risks related to exposure to asbestos at work
86/188/EEC	protection of workers from the risks related to exposure to noise at work
88/35/EEC	adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp
89/391/EEC	introduction of measures to encourage improvements in the safety and health of workers at work
89/654/EEC	minimum safety and health requirements for the workplace
89/655/EEC	minimum safety and health requirements for the use of work equipment by workers at work
89/656/EEC	minimum health and safety requirements for the use by workers of personal protective equipment at the workplace
90/269/EEC	minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers
90/270/EEC	minimum safety and health requirements for work with display screen equipment
90/394/EEC	protection of workers from the risks related to exposure to carcinogens at work
91/269/EEC	adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp
91/322/EEC	establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work
91/382/EEC	protection of workers from the risks related to exposure to asbestos at work
92/29/EEC	minimum safety and health requirements for improved medical treatment on board vessels
92/57/EEC	minimum safety and health requirements at temporary or mobile construction sites
92/58/EEC	minimum requirements for the provision of safety and/or health signs at work

92/91/EEC minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling
92/104/EEC minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries
93/103/EC minimum safety and health requirements for work on board fishing vessels
94/44/EC adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp
95/30/EC adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work
95/63/EC minimum safety and health requirements for the use of work equipment by workers at work
96/94/EC establishing a second list of indicative limit values in implementation of Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work
97/42/EC protection of workers from the risks related to exposure to carcinogens at work (deadline: 27.06.00)
97/59/EC adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work
97/65/EC adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work
98/24/EC protection of the health and safety of workers from the risks related to chemical agents at work (deadline: 5.5.2001)
98/65/EC adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (dead: 31.12.99)
99/38/EC protection of workers from the risks related to exposure to carcinogens at work and extending it to mutagens (deadline: 29.04.2003)
2000/39/EC establishing a first list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work (31.12.01)
2000/54/EC protection of workers from risks related to exposure to biological agents at work
<b>Directives whose transposition deadline has not yet expired:</b>
99/92/EC minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (30.06.2003)
2001/45/EC minimum safety and health requirements for the use of work equipment by workers at work (deadline: 19.04.04)
2002/44/EC minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (06.07.05)
2003/10/EC minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (15.2.06)