

Autonomous Framework agreements to be implemented by EU SP

Framework agreement on inclusive labour markets

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EU SD agreements

1 - Framework agreements transposed into EU directives

- Agreements on **parental leave**, 14 December 1995 + 18 June 2009
 - Directive 96/34/EC of 3 June 1996
 - Directive 10/18/EC of 8 March 2010
- Agreement on **part time work**, 6 June 1997
 - Directive 97/81/EC of 15 December 1997
- Agreement on **fixed term contracts**, 19 March 1999
 - Directive 99/70/EC of 28 June 1999

2 - Framework agreements to be implemented by EU SP

- Agreement on **telework**, 16 July 2002
- Agreement on **work-related stress**, 8 October 2004
- Agreement on **harassment and violence at work**, 21 April 2007
 - Agreement on **inclusive labour markets**, 25 March 2010

Framework agreements to be implemented by EU SP

The choice of an Autonomous FA: when the European social partners have concluded an 'autonomous' agreements, whereby the social partners themselves take responsibility for implementing measures at national, sectoral and enterprise level.

Framework agreements are contractually binding on the signatory parties and their members.

The social partners at national level have an obligation for the transposition, while the signatory parties have an obligation to influence their members.

Outline

- Negotiation process – brief overview
- Content in a nutshell
- Annex 1 : Recommendations
- Annex 2 : References

Negotiation process: history

■ Before negotiations:

■ **European Social Partners work programme 2006-2008**

‘Negotiate an autonomous framework agreement on either the integration of disadvantaged groups on the labour market or life long learning. In order to define their respective mandates, they will explore different possibilities.’

■ **European Social Partners work programme 2009-2010**

‘Negotiation and implementation of an autonomous framework agreement on inclusive labour markets.’

■ **Follow up of the joint labour market analysis**

■ Negotiations:

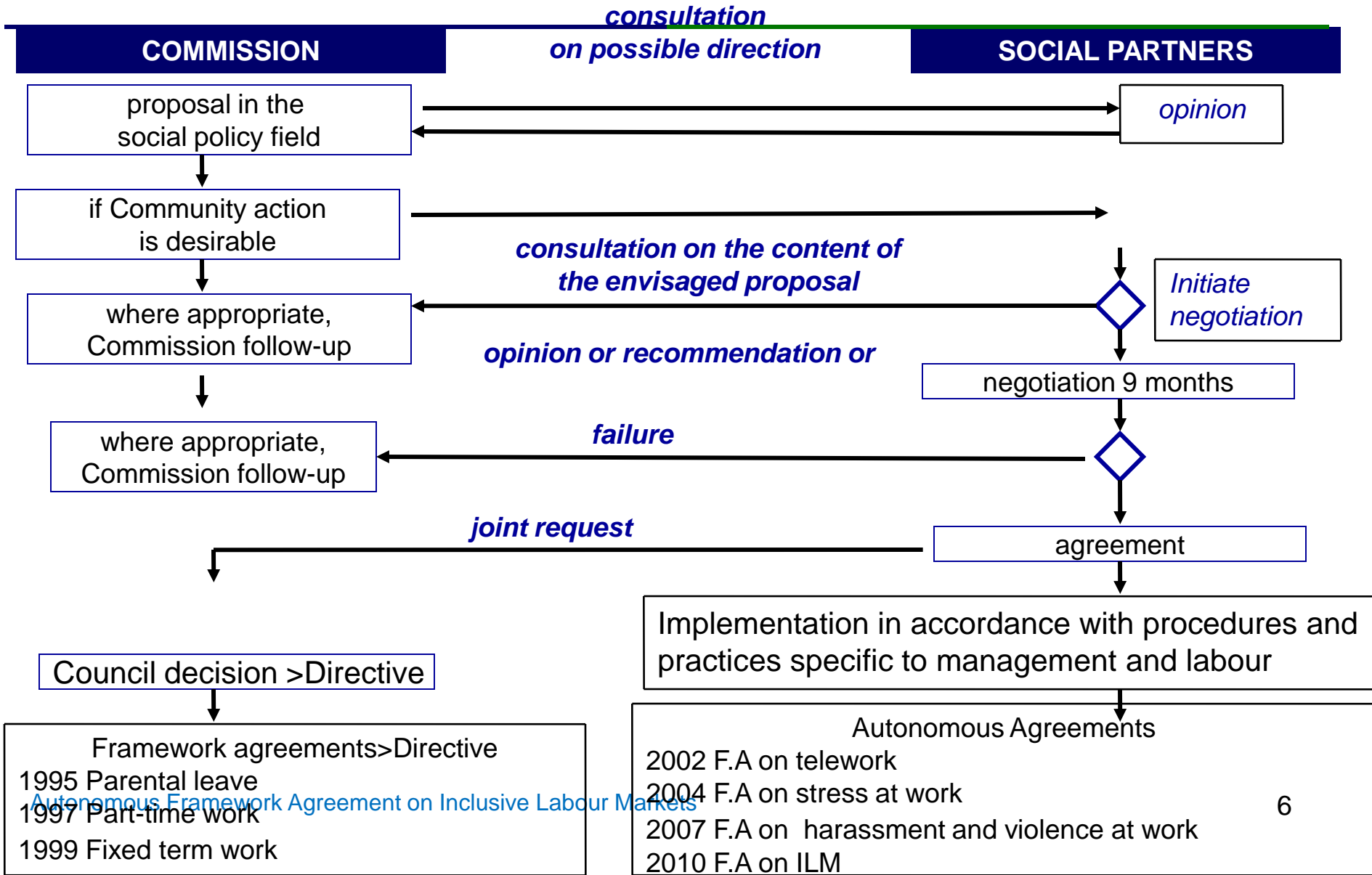
■ 15 meetings – 14 months

■ Signed on **25 March 2010**

■ Implementation deadline: **25 March 2013**

Negotiation process

Consultation process under Art. 138(2) EC Treaty



Negotiation process

Signatory parties

Representing European workers

- **ETUC** – European Trade Union Confederation;
 - Established in 1973;
 - 84 member organisations in 36 countries;
 - 60m workers;
 - 12 European Industry Federations;
 - Eurocadres (professional & managerial staff)
 - FERPA (retired retired & older people)

Representing European employers

- **BUSINESSEUROPE** – the Confederation of European Business;
- **UEAPME** – European Association of Craft, Small and Medium-sized Enterprises;
- **CEEP** – European Centre of Enterprises with Public Participation and of Enterprises with General Economic Interest

Content of the agreement

1. Introduction and context
2. Aim of the agreement
3. Description and scope
4. Obstacles
5. Social partners' actions
6. Implementation and follow up

Annexes

Annex 1 : Recommendations to public authorities and other actors

Annex 2 : References

Content

1. Introduction

- **A key concern** for European social partners
- SP have **an important role to play** to address this challenge
- **Objective** : to promote inclusive labour markets, to maximise the full potential of Europe's labour force and to increase employment rates and to improve job quality, including through training and skills development
- Inclusion is also an important element of Europe's response to long-term challenges (demographic change, working-age population and sustainability of social protection systems)

Content

1. Introduction

Shared responsibilities and role of other actors

- **Shared responsibilities** of employers, individuals, workers, workers' and employers' representatives
- Achieving an inclusive labour market **does not depend exclusively on their action** (public authorities and other actors) // *Cf : Annex 1*
- There exist several European legislative and non-legislative instruments of which the implementation and application is particularly relevant // *Cf : Annex 2*

Content

2. Aim

The main aim of the Framework Agreement is to:

- **Consider the issues of access, return, retention and development with a view to achieving the full integration of individuals in the labour market;**
- **Increase the awareness, understanding and knowledge of employers, workers and their representatives of the benefits of inclusive labour markets;**
- **Provide workers, employers and their representatives at all levels with an action-oriented framework to identify obstacles to inclusive labour markets and solutions to overcome them.**

Content

3. Description and scope

- This Framework Agreement covers **those persons who encounter difficulties in entering, returning to or integrating into the labour market (OUT)** and those who, although in employment, **are at risk (IN)** of losing their job due to the factors referred to below.
- This Framework Agreement does not focus on specific groups.

Content

3. Description and scope

Several factors or their combination may encourage or discourage labour market participation

- **Contextual factors** (linked to the economic and labour market environment)
- **Work-related factors** (work organisation and work environment, recruitment processes, technological evolution and training policies...)
- **Individual factors** (skills, qualification and education levels, motivation, language knowledge, health status and frequent or long unemployment periods...)

Content

4. Obstacles

**Access, return, retention and development :
fundamental steps to achieving the full
integration of individuals in the labour
market.**

- **Identification of obstacles to ILM:**
- Do not necessarily occur simultaneously
- Not an exhaustive list

Content

4. Obstacles

Types of obstacles

- Obstacles regarding the **availability of information**
- Obstacles regarding **recruitment**
- Obstacles regarding **training, skills and capabilities**
- Obstacles regarding **responsibilities and attitudes of employers, workers, their representatives and job seekers**
- Obstacles regarding **working life**

There are **also several factors going beyond the sole competences of social partners**, which impact on the effectiveness of labour markets in integrating everybody of working age (cf recommendations in annex 1).

Content

5. Social partners' actions

- Solutions to the obstacles identified !
- Various measures, actions and/or negotiations at all levels
- Can be taken by employers, workers, their representatives, jobseekers and third parties
- Promotion of the creation of jobs and of the employability of workers and jobseekers with a view to integrating all individuals in the labour market
- Recognition of SP that they have a responsibility to deepen their reflections and engage themselves to find solutions + mobilise their members

Content

5. Social partners' actions

→ Such specific measures include for example:

- Awareness-raising campaigns + action plans to improve and/or restore the image of a sector or occupation(s) in all their aspects;
- Awareness-raising campaigns and design tools to promote the diversity of the workforce;
- Information about availability of jobs and training schemes;
- Cooperation with education and training systems in order to better match the needs of the individual and those of the labour market;
- Implementation of specific and effective recruitment methods and induction policies as well as ensure the right working conditions to welcome and support new entrants in the enterprise;
- Introduction of individual competence development plans
- Improvement transparency and transferability by promoting the development of means of recognition and validation of competences, and by improving the transferability of qualifications;
- Promotion of more and better apprenticeship and traineeship contracts

Content

6. Implementation

- Reference to article 155 of the Treaty
- Joint commitment of the members of BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) to promote and implement the agreement
- Implementation within three years after the date of signature of this agreement
- Report on the implementation of this agreement to the SDC
- Preparation and adoption of a yearly table summarising the on-going implementation of the agreement during the first three years after the date of signature of this agreement by the SDC
- Evaluation and review of the agreement at any time after the five years following the date of signature, if requested by one of the signatory parties
- Non additional burden for SMEs
- “Non regression clause” - “More favourable clause”

ANNEX 1: Recommendations To public authorities and other actors

“The European social partners recommend that the Member States should design and implement comprehensive policies to promote inclusive labour markets” (+ social partners must be involved at the appropriate level).

Themes covered :

- **The extent and quality of specific transitional measures for people who encounter difficulties in the labour market**
- **The effectiveness of employment and career advice services**
- **Education and Training**
- **The adequacy of investment in territorial development**
- **The adequacy of access to transport / care / housing / education**
- **The relative ease or difficulty of starting, sustaining and expanding businesses**
- **The role of tax and benefit systems**

ANNEX 2: References

As mentioned in Clause I on “Introduction”, the European social partners consider that, alongside this framework agreement, there exist several European legislative and non-legislative instruments whose implementation and application is particularly relevant in order to achieve the aims and principles set out in this framework agreement :

- **1 - European social partners’ text**
- **2 - Decisions/recommendations/ conclusions**
- **3 - European Directives**

Thank you!



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