



EUROPEAN PARLIAMENT

2014 - 2019

*Committee on Employment and Social Affairs*

**EMPL COORDINATORS' MEETING**

**Thursday, 29 September 2016, 09:30 - 10:30 hrs**

**Room JAN 6Q2 (in camera), Bruxelles**

**RESULTS**

4.10.2016

The meeting started at 09:32 hrs and closed at 10:26 hrs. In the Chair: Thomas Händel

Present

Chair	Mr Thomas Händel, EMPL Chair
EPP	Mr David Casa, Coordinator
S&D	Ms Marita Ulvskog, replacing the Coordinator
ECR	Ms Anthea McIntyre, Coordinator
ALDE	Ms Martina Dlabajová, Vice-Coordinator
GUE/NGL	Mr João Pimenta Lopes, Co-Coordinator
Greens/EFA	Ms Jean Lambert, Coordinator
EFDD	Ms Laura Agea, Coordinator

Apologies

S&D	Ms Jutta Steinruck, Coordinator
ALDE	Ms Marian Harkin, Coordinator
GUE/NGL	Ms Rina Ronja Kari GUE/NGL Co-Coordinator
ENF	Mr Dominique Martin

# 1. Chair's announcements

## 1.1 Interpretation

Interpretation was available in the following languages DE, EN, FR, IT

## 1.2 Letter from ETF and Cedefop on Joint Progress report 2015 (BM/JuB)

The papers for the meeting include a joint letter from ETF and Cedefop of 5 September 2016.

## 1.3 Next Coordinators' meetings

*As shown under item 11, the next coordinators' meetings will take place on the following dates:*

- *6 October 2016 from 10:00 to 11:30 hrs [SDM S5]*
- *20 October 2016 from 10:00 to 11:30 hrs [PHS 6B54]*
- *24 November 2016 from 10:00 to 11:30 hrs [venue tbc]*
- *15 December 2016 from 10:00 to 11:30 hrs [venue tbc]*

Please note that the meeting initially scheduled for 17 November had to be postponed to the 24th of November. The reason for this change is the joint EMPL/Eurofound conference on 17 November, a.m. and p.m.

## 1.4 Meeting of the CCC with the College of Commissioners on 3-4 October 2016

The papers for the meeting included a letter from Mr Buzek to Mr Timmermans providing details to the above-mentioned event.

### Decision

**The Chair informed the Coordinators of his participation in this annual exchange of views with the Commission. At the request of Ms McIntyre, ECR, the Coordinators decided to request that the EMPL Chair be invited also to Cluster C "Internal Market, Industry and Digital Single Market", taking place on 4 October 2016 from 09:00 to 10:30 hrs, given that Commissioner Thyssen would also be present and that the issue would have considerable impact on employment and needs in skills.**

## 2. Pending conflicts of competence

### 2.1 Request by EMPL to apply Rule 54 to the AFCO report on the implementation of the EU Fundamental Rights Charter (RS)

#### Update:

The EMPL position - to apply Rule 54 regarding the EMPL fields of responsibilities - was communicated in writing by letter of 23 June 2016, from the EMPL Chair to the CCC Chair. LIBE and PETI requested Rule 55, negotiations ongoing.

#### Decision:

**The Coordinators decided to request the application of Rule 55.**

### 2.2 New Skills Agenda (EC)

CULT coordinators decided to request the application of Rule 55 to the EMPL INI on the New Skills Agenda.

#### Decision

**The Coordinators mandate the Chair to negotiate with CULT with a view to obtaining an agreement on the application of Rule 54.**

### 2.3 Request by EMPL to apply Rule 54 to the IMCO report on the European Agenda for the collaborative economy (RS)

#### Update:

The EMPL position - to apply Rule 54 regarding the EMPL fields of responsibilities - was communicated in writing by letter of 30 June 2016, from the EMPL Chair to the CCC Chair, negotiations are ongoing.

### 2.4 Request by EMPL to apply Rule 54 to the LIBE report on the Blue Card Directive (BM)

#### Update:

The EMPL position - to apply Rule 54 regarding the EMPL fields of responsibilities - was communicated in writing by letter of 7 September 2016, from the EMPL Chair to the CCC Chair, negotiations are ongoing.

#### Decision:

**The Coordinators decided to request the application of Rule 55.**

### 3. Follow-up to previous decisions of the Coordinators (for information - discussion only where explicitly requested)

#### 3.1 Invitations to Commissioners

- On 14 April 2016, the Coordinators decided to invite Commissioner **Avramopoulos** (responsible for Migration, Home Affairs and Citizenship) for an exchange of views. [PR] - Invitation letter dated 31.05.2016 has been sent

On 21 June 2016, the Coordinators Insisted that the Commissioner come to EMPL in person shortly after the summer break.

On 1 September 2016, the Coordinators instructed the Chair to insist once again that the Commissioner appear before the committee in person.

**Update:** contacts with the Commissioner's cabinet are ongoing.

**Decision:**

**The Coordinators agreed to insist once more that the Commissioner appear in person, failing which a letter of complaint would be sent to President Juncker.**

- Invitation to Commissioner **Malmström** for a presentation (MK/CF) - Coordinators' decision of 17 March 2016:

*Decision of 21 June 2016*

*The Coordinators Insisted that the Commissioner come to EMPL in person shortly after the summer break.*

Letter to Commissioner Malmström sent. In reply the Commissioner proposed to attend the meeting of 29.11.2016. The Commissioner suggested to hold this meeting jointly with INTA committee, the committee responsible for International trade. In preparation, a slot is reserved at that date from 11:00 to 12:30. The meeting will be held jointly with INTA.

On 1 September 2016, the Coordinators decided that the Commissioner should address the EMPL Committee alone so as to allow for sufficient time for an exchange of views on matters falling under the remit of the EMPL Committee.

**Update:** Commissioner's cabinet and INTA want to continue the well-established practice of holding those exchanges jointly.

**Decision:**

**The Coordinators agreed that the focus of this meeting should be an exchange of views with EMPL Members.**

#### 3.2 Invitation of the Chair of the PES network (JuB)

On 21 June, the Coordinators decided to invite the Chair of the network of EU Public Employment Services (PES) for an exchange of views on the networks' activities, in particular benchlearning, long-term and youth unemployment, integration of refugees and the links and cooperation between the PES and the EURES network.

**Update:** Mr Fons Leroy, new Chair of the PES network and Head of the Public Employment Service of Flanders (VDAB), will participate in the EMPL meeting on 12 October.

## 4. Allocation of reports and opinions

**For information: own-initiative reports for which authorisation was requested (no more than 6 at any given time):**

**The following ordinary INI reports are currently progressing:**

<b>Rapporteur/Title</b>	<b>Date of the Coordinators Decision</b>	<b>Letter asking for authorisation to CCC</b>	<b>Date of the CCC decision</b>	<b>Date of the CoP decision</b>	<b>Indicative date of the vote in EMPL</b>
<b>Thomas Händel</b> - Workers representation on board level in Europe (BM)	25.06.2015	01.07.2015	07.07.2015	03.09.2015	<b>8.11.2016</b> <b>postponed</b>
<b>Maria João Rodrigues</b> - A European Pillar of Social Rights (MK)	14.04.2016 24.04.2016 (title change)	26.04.2016 02.05.2016	10.05.2016	02.06.2016	<b>5.12.2016</b> <b>or</b> <b>8.12.2016</b> <b>2016</b>
<b>Neoklis SYLKIOTIS</b> -Working conditions and precarious employment (JuB)	09.06.2016	14.06.2016	5.7.2016	8.9.2016	<b>22.3.2017</b>
<b>Rapporteur TBC on 6.10.</b> - A new skills agenda for Europe - Working together to strengthen human capital, employability and competitiveness (EC)	21.6.2016	5.7.2016	4.10.2016 (TBC)		
<b>Rapporteur TBC on 6.10.</b> - Combating inequalities as a lever to boost job creation and growth (MM)	1.9.2016	15.09.2016	4.10.2016 (TBC)		
<b>Rapporteur TBC on 6.10</b> - Minimum income policies as a tool to tackle poverty (MA)	1.9.2016	26.09.2016	4.10.2016 (TBC)		

The following **implementation** reports are currently in progress:

Rapporteur/Title	Date of the Coordinators Decision	Letter asking for authorisation to CCC	Date of the CCC decision	Date of the CoP decision	Indicative date of the vote in EMPL
Rapporteur TBC on 6.10. - The implementation of the Youth Employment Initiative in the Member States (PR)	13 July 2016	26-9-2016	4.10.2016 tbc		

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Rapports d'application <b>adoptés</b> en Commission EMPL				
	Rapporteur	Titre du rapport	Date d'adoption	Dossier
1	Edurard Kukan	European Year of Active Ageing	9 septembre 2015	<a href="#">{1}</a>
2	Sven Schulze	Implementation of the European Progress Microfinance Facility - 2013	15 décembre 2015	<a href="#">{2}</a>
3	Renate Weber	Implementation report on the Employment Equality Directive	21 juin 2016	<a href="#">{3}</a>
4	Maria Arena	Report on the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC	16 mars 2016 (plénière 12 mai 2016)	<a href="#">{4}</a>
5	Helga Stevens	Implementation report on the UN Convention on the Rights of Persons with Disabilities	30 mai 2016 (plénière 7 juillet 2016)	<a href="#">{5}</a>
6	Marian Harkin	Implementation report on the activities, impact and added value of the European Globalisation Adjustment Fund between 2007 and 2014	21 juin 2016, plénière 7 juillet 2016	<a href="#">{6}</a>

{1} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2014/2255\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2014/2255(INI)&l=en)

{2} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2042\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2042(INI)&l=en)

{3} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2116\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2116(INI)&l=en)

{4} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2097\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2097(INI)&l=en)

{5} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2258\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2258(INI)&l=en)

{6} [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2258\(INI\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2015/2258(INI)&l=en)



**Decisions on new own-initiative reports**

**Candidate list for own-initiative reports - updated table:**

Order	Date	INI Title as agreed by Coordinators	Notes	AD	Proposed by
0		Non-legislative aspects of Labour Mobility package, incl. labour mobility in cross-border regions	Coordinators' decision of 28.9.2015  On 1.9.2016, the item <b>was postponed</b> , pending further clarification as to the contents of the Commission proposal(s)".following a shift in focus (social security) of the announced Commission proposal.		Consensus
		<del>Combating inequalities as a lever to boost job creation and growth</del>	Coordinators' decision of 28.9.2015  Request to CCC to be made: 1.9.2016		merged S&D ALDE  Consensus on 1.9.2016
		<del>Minimum income policies as a tool to tackle poverty</del>	Coordinators' decision of 28.9.2015  Covered by INI on Social pillar etc, Coordinators' decision of 14.4.2016  Reinstated, Coordinators' decision of 26.4.2016  Request to CCC to be made: 1.9.2016		EFDD  Consensus on 1.9.2016
1		Delivering sustainable long-term employment through re-shoring	Coordinators' decision of 15.10.2015		ECR
2		The role of Employee Financial Participation in creating jobs and reactivating the unemployed	Coordinators' decision of 15.10.2015		ALDE
3		The campaign of the International Labour Organisation to ratify the Protocol on Forced Labour and to contemporary forms of severe labour exploitation	Coordinators' decision of 1.9.2016		Chair



## Decision

In view of the large number of files to be allocated, the Coordinators

- a) decided to postpone the allocation of all new reports and opinions files until an additional meeting to be held in Strasbourg on 6 October from 10:00 to 11:30 hrs
- b) agreed to discuss a possible fresh allocation of points before the next round of auctions

## Reports

1. **A new skills agenda for Europe - Working together to strengthen human capital, employability and competitiveness (EC)**

EMPL/8/06884

Decision: Postponed

2. **Combating inequalities as a lever to boost job creation and growth (MM)**

EMPL/8/07679

Decision: Postponed

3. **Minimum income policies as a tool to tackle poverty (MA)**

EMPL/8/07680

Decision: Postponed

4. **Implementation report "The implementation of the Youth Employment Initiative in the Member States" (PR)**

EMPL/8/07681

Decision:

- Appointment of rapporteur postponed
- The Coordinators instructed the Chair to oppose the announced BUDG request for Rule 54 and

- confirmed not to draw up an EMPL opinion to the CONT INI report titled "Control of spending and monitoring of EU Youth Guarantee schemes cost-effectiveness" that will be drawn-up in parallel to the EMPL implementation report,

**5. Establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples (EC)**

EMPL/8/07616

\*\*\*I 2016/0264(COD) COM(2016)0551 – C8-0345/2016

Responsible: EMPL

Opinions: BUDG – Decision: no opinion

ECON – Decision: no opinion

**Decision: Postponed**

**6. European Semester for economic policy coordination: Employment and social aspects in the Annual Growth Survey 2017 (MM)**

Responsible: EMPL

Opinions:

**Decision: Postponed**

**Opinions**

**7. EMPL opinion on AFCO report on “The implementation of the Charter of Fundamental Rights of the European Union in the EU institutional framework “(RS)**

**Decision: Postponed**

**8. Amending Regulation (EU) No 99/2013 of the European Parliament and of the Council on the European statistical programme 2013-17, by extending it to 2018-2020 (EC)**

EMPL/8/07769

\*\*\*I 2016/0265(COD) COM(2016)0557 – C8-0367/2016

Responsible: ECON

**Decision:** Postponed

**9. The implementation of the Treaty provisions concerning national Parliaments (RS)**

EMPL/8/07124

2016/2149(INI)

Responsible: AFCO – Paulo Rangel (PPE)

**Decision:** Postponed

**10. Legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies**

EMPL/8/07748

2016/2224(INI)

Responsible: JURI\*

**Decision:** Postponed

**11. Digitising European Industry - Reaping the full benefits of a Digital Single Market (RS)**

EMPL/8/07833

**Decision:** Postponed

**12. A European agenda for the collaborative economy (RS)**

EMPL/8/07835

**Decision:** Postponed

**13. Online Platforms and the Digital Single Market - Opportunities and Challenges for Europe (RS)**

EMPL/8/07834

**Decision:** Postponed

**14. “Impact of international trade and the EU’s trade policies on global value chains” (RS/CF)**

**Decision:** Postponed

**15. Proposal for a Regulation on the financial rules applicable to the general budget of the Union and amending Regulation (EC) No 2012/2002, Regulations (EU) No 1296/2013, (EU) 1301/2013, (EU) No 1303/2013, EU No 1304/2013, (EU) No 1305/2013, (EU) No 1306/2013, (EU) No 1307/2013, (EU) No 1308/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014,(EU) No 283/2014, (EU) No 652/2014 of the European Parliament and of the Council and Decision No 541/2014/EU of the European Parliament and of the Council (COM (2016) 605)**

**Decision:**

**The Coordinators**

1. postponed the appointment of a rapporteur;
2. decided to request Rule 54 for matters falling under EMPL's powers and responsibilities;
3. instructed, in view of the sheer volume of the proposal (249 pages) and with a view to targeting the allocation of resources, the chair to rule all amendments falling outside the EMPL remit inadmissible.
4. decided to request that the legislative proposal be split into several procedures so as to ensure that the most competent sectorial committees remain in charge of the substantive legislation; agreed that EMPL had a legitimate interest in the following sections of the proposal, but would only claim the 'lead' competence in line with past precedents:
  - **EMPL:** Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347 20.12.2013, p. 238);
  - Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development

Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347 20.12.2013, p. 320);

- **EMPL:** Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 (OJ L 347 20.12.2013, p. 470);
- **EMPL:** Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 (OJ L 347, 20.12.2013, p. 855–864);
- **EMPL:** Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived (OJ L 72, 12.3.2014, p. 1–41);

15a. • **Proposal for a Regulation amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (COM (2016) 597) (COD) [JuB]**

**Decision:** Postponed

Documents received for information

**16. Proposal for a Council decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 04 03 01 03), COM(2016)131, (RS)**

**Observations:** Protocol 31 to the Agreement on the European Economic Area (EEA Agreement) contains specific provisions on cooperation in specific fields outside of the four freedoms. The only purpose of this Commission proposal is to extend the already existing cooperation of the Contracting Parties (which is under Budget line 04030103: "Free movement of workers, co-ordination of social security schemes and measure for migrants including migrants from third countries") for another year, 2016.

Note that Rule 109 of the EP Rules of Procedures provides "...a statement shall be made in Parliament, followed by a debate...when the Commission informs Parliament of a proposal concerning the positions to be adopted on the Union's behalf in a body set up by an international agreement." However, since the proposal only concerns a minor technical change, it is proposed to have this point only for information and not to have a fully fledged debate in plenary, following the practice of EMPL from the previous technical update of EEA Protocol 31 in 2015.

**17. Report from the Commission to the Council and the European Parliament: Summary of the Annual Implementation Reports for the Operational Programmes Co-financed by the Fund for European Aid to the Most Deprived in 2014**

COM(2016)0435

Note: EMPL deals with the FEAD in the context of the MFF omnibus (opinion No 15 above).

***Decision: The Coordinators took note of this report.***

**18. Commission staff working document Analytical underpinning for a New Skills Agenda for Europe Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the**



SWD(2016)0195

***Decision: for information only (see No 2 of the list of new reports)***

- 19. Commission staff working document: Executive summary of the impact assessment accompanying the document Proposal for a regulation of the European Parliament and of the Council establishing a common framework for European statistics relating to persons and households, based on data at individual level collected by samples**

SWD(2016)0282

***Decision: for information only (see No 1 of the list of new reports)***

- 20. COMMISSION STAFF WORKING DOCUMENT IMPACT ASSESSMENT Accompanying the document Regulation of the European Parliament and of the Council establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples**

SWD(2016)0283

***Decision: for information only (see No 1 of the list of new reports)***

## 5. EMPL delegations

### 5.1 Delegation to the European Training Foundation (ETF) on 3-4 November 2016 (BM)

*Annexes: d'Hondt table for agencies and draft programme*

Committee missions to Agencies can be composed of no more than three Members and no local Members can join officially this kind of delegations. The Bureau decision of 8 June 2015 (based on the Conference of Presidents' recommendation of 4 June 2015) states: "...*accompanying Members cannot (...) join any (...) visits to Agencies...*".

According to the d'Hondt system the three places for this delegation are allocated as follows:

2 EPP, 1 S&D

**Decision:**

***The Coordinators confirmed the allocation of seats.***

***Political groups were requested to inform the EMPL Secretariat of the names of their participants by 6 October 2015.***

### 5.2 Delegation to EUROFOUND (PR)

With a view to avoiding overlap with other delegations, for the delegation to EUROFOUND it is suggested to plan this delegation to take place on 20-21 February during (Green) week 8 in 2017 with the meeting starting in the afternoon on the 20th and finishing early afternoon on the 21st of February.

According to the d'Hondt system the three places for this delegation are allocated as follows:

1 Greens/EFA, 1 EFDD, 1 ENF

**Decision:**

**The Coordinators**

- **took note that the EUROFOUND delegation will take place on 20-21 February 2017**
- **confirmed the allocation of seats.**

## **6. Forced labour in various EU Member States - exchange of views with FRA, various opinions/ report, oral question to the Commission (RS)**

### **Decision:**

The Coordinators took note of the ongoing activities

- Director of the Fundamental Rights Agency (FRA), Michael O’Flaherty, will be present for an exchange of views, at the EMPL meeting of 8 November, with European Commission and of the International Labour Organization (ILO)
- Own-initiative report on the waiting list (“The campaign of the International Labour Organisation to ratify the Protocol on Forced Labour and to contemporary forms of severe labour exploitation”)

## **7. Appointment of one EMPL member to the Petitions’ Network (CF)**

The papers for the meeting include a letter from Ms Wikström of 15 September 2016 and an annex thereto.

### **Decision**

The Coordinators instructed the Secretariat to draw up a list of EMPL members who are also PETI members or substitutes and agreed to take the final decision at their next meeting

## **8. Appointment of one EMPL member to the ECON-REGI joint meeting with the Commission concerning the possible suspension of structural and investment funds in the context of the excessive deficit procedure against ES and PT (MM)**

The papers for the meeting included

- a letter from Mr Gualtieri and Ms Mihaylova of 9 September 2016.
- a letter dated 14 September 2016 from the Minister of Finance of Portugal Mr Mário Centeno and
- a letter dated 23 September 2016 from the following persons:
  - the Secretary-General of Caritas Spain, Mr Sebastián Mora Rosado
  - the Managing Director of Fundación ONCE, Mr José Luis Martínez Donoso
  - the General Director of Fundación Secretariado Gitano, Mr Isidro Rodríguez Hernández
  - the Chief Coordinator of The Spanish Red Cross, Mr Antoni Bruel i Carreras

### **Decision**

#### **The Coordinators**

- **appointed Ms Sofia Ribeiro and Mr Sergio Gutiérrez Prieto jointly as the EMPL co-representatives at the ECON-REGI joint meeting with the Commission concerning the possible suspension of structural and investment funds in the context of the excessive deficit procedure against ES and PT**
- **instructed the Chair to write a letter complaining about the lack of involvement of the EMPL committee in the process.**

## **9. Economic Dialogue and exchange of views on the Annual Growth Survey, the Alert Mechanism Report and draft Joint Employment Report and with Vice-President Dombrovskis, Commissioner Moscovici and Commissioner Thyssen (MM)**

### **Decision**

#### **The Coordinators**

- **approved the extraordinary ECON-EMPL committee meeting to be held on Monday, 12 December, from 19.00 to 21.00, in Strasbourg**
- **instructed the Secretariat to inform all EMPL Members of this additional meeting.**

## 10. Motions for Resolution<sup>1</sup> - decision on procedure (MA)

*Annex: text of the motions*

- 10.1 **B8-0859/2016 - Motion for a European Parliament resolution on the negative impact of the Posted Workers Directive**
- 10.2 **B8-0879/2016 - Motion for a European Parliament resolution on shareholder-driven redundancies at the Swiss company Geberit**
- 10.3 **B8-0928/2016 - Motion for a European Parliament resolution on the application of the minimum wage in France and Germany in the context of cabotage operations carried out by foreign drivers**
- 10.4 **B8-0953/2016 - Motion for a European Parliament resolution on functional illiteracy**

***Decision: The Coordinators took note of the above motions for resolution and confirmed that no further action was needed.***

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<sup>1</sup> Rule 133 : Motions for resolutions

1. Any Member may table a motion for a resolution on a matter falling within the spheres of activity of the European Union. The motion may not comprise more than 200 words.

2. The committee responsible shall decide what procedure is to be adopted.

It may combine the motion for a resolution with other motions for resolutions or reports.

It may adopt an opinion, which may take the form of a letter.

It may decide to draw up a report under Rule 52.

3. The authors of a motion for a resolution shall be informed of the decisions of the committee and of the Conference of Presidents.

4. The report shall contain the text of the motion for a resolution.

5. Opinions in the form of a letter addressed to other institutions of the European Union shall be forwarded by the President.

6. The author or authors of a motion for a resolution tabled under Rule 123(2), 128(5) or 135(2) shall be entitled to withdraw it before the final vote.

7. A motion for a resolution tabled in accordance with paragraph 1 may be withdrawn by its author, authors or first signatory before the committee responsible has decided, in accordance with paragraph 2, to draw up a report on it.

Once the motion has been thus taken over by the committee, only the committee shall be empowered to withdraw it up until the opening of the final vote.

8. A withdrawn motion for a resolution may be taken over and retabled immediately by a group, a committee or the same number of Members as is entitled to table it.

Committees have a duty to ensure that motions for resolutions tabled under this Rule which meet the requirements laid down are followed up and duly referred to in the resulting documents.

## 11. Petitions (MA)

### A. Petitions received for opinion

*None*

### B. Petitions received for information

(more information on PETI web portal: [www.petiport.europarl.europa.eu/petitions/en/main](http://www.petiport.europarl.europa.eu/petitions/en/main))

Petition No 0103/2016 by G. L. (Italian) on the difficulties faced by people with disabilities in finding employment

### C. Follow-up to previous decisions

#### **Petition No 0270/2015 by Andrzej Kania (Polish) with 122 signatures as regards the introduction of a minimum wage in Germany and the consequences of this situation for Polish transport companies - for opinion**

The petitioner explains that on 1 January 2015 German legislation entered into force laying down a minimum hourly wage of EUR 8.50. This rate, which is significantly higher than in Poland, will also apply to the employees of foreign companies performing work within Germany. This gives rise to consequences, in particular, for Polish companies engaged in international road transport, whose employees (drivers) drive through Germany in transit or carry goods and/or persons to and from Germany.

This leads to a situation in which an employee of a Polish company, performing his work temporarily within Germany, should receive a different rate of pay whilst performing work in Germany than whilst performing work in Poland. Furthermore, German law imposes registration and supervision obligations upon foreign entities whose employees perform work in Germany, even on a temporary basis, for the breach of which substantial fines are payable.

In the petitioners' opinion, this constitutes a serious breach of the freedoms on which the European Union's foundations were built and restricts the ability of companies from outside Germany to perform services within that country.

On 19 May 2015, the European Commission commenced proceedings against Germany for breaching EU law as regards the imposition of a minimum wage in the transport sector.

The Committee on Petitions (PETI) declared the petition admissible, asked the Commission for information and sent the petition to the EMPL Committee (as well as to the Committee on Transport and Tourism) for an opinion that PETI would use either in the context of its future deliberations or for transmission to the petitioner in order to close the petition

#### **On 9 June 2016 coordinators examined the petition and agreed to wait for the Commission's reply and decide in the light of this reply on the main lines of a letter to be sent to PETI.**

*Commission's reply of 3 August 2016 (extract; full text in annex):*

Germany is the 22nd country in the EU to have introduced a minimum wage. The law entered into force on 1 January 2015. The German minimum wage is set at EUR 8, 50/hr. The law also applies to companies outside of Germany, which provide services in Germany. Companies outside Germany in certain sectors, including transport are obliged to notify the German customs authorities via specific forms provided by the German authorities. The German customs authorities are competent for

controlling the execution of such notifications. Penalties for a breach of these notification obligations can be as high as EUR 30.000, and EUR 500.000 in cases where the remuneration paid does not comply with the German law. [...]

The Commission considers that the systematic application of the German Minimum Wage Act to all transport operations which touch German territory restricts the freedom to provide services and the free movement of goods in a disproportionate manner. In particular, the Commission considers that the German measures applying to transit and to certain international transport operations cannot be justified as they go beyond what is necessary and risk fragmenting the internal market.

In the Commission's view, the application of the German Minimum Wage Act to transit operations cannot be justified under posted workers Directive 96/71/EC to the extent that these operations do not meet the criteria of Article 1(3)(a) of the Directive. [...]

The Commission considers that more proportionate measures are available to safeguard the social protection of workers and to ensure fair competition, whilst allowing for the free movement of services and goods. [...]

Conclusion: The Commission had carried out a careful examination of all aspects of the file, before opening the infringement procedure against Germany on this issue. Alongside, the Commission is working intensively on finding appropriate European measures to address the social challenges in the road transport sector and to stimulate at the same time its efficiency based on fair business conditions. In recital 10 of the proposal adopted on 8 March 2016 for a directive amending the posting of workers directive [COM(2016) 128 final], the Commission mentions that the implementation of the posting of workers directive raises particular legal questions and difficulties (especially where the link with the concerned Member State is insufficient) and that it would be most suited for these challenges to be addressed through sector-specific legislation together with other EU initiatives aimed at improving the functioning of the internal road transport market. This exercise is additional to, and distinct from the above-mentioned proposal for the amendment of the Posted Workers Directive 96/71/EC, which touches upon other aspects of the text. The Commission is also evaluating the existing EU social and market rules specifically applicable to the transport sector and may propose to revise them as part of a set of road initiatives in 2016.

TRAN opinion: On 22 June 2016 the Chair of the TRAN Committee addressed a letter to the PETI Committee (annex).

### **Decision**

***The Coordinators instructed the Chair to send a letter to the Petitions' Committee along the following lines:***

The EMPL Committee has recently discussed the issue of working conditions in the transport industry in the framework of the report on social dumping in the European Union (2015/2255(INI) - Rapporteur: Guillaume Balas), adopted on 13 July 2016:

“23. Calls for increased monitoring of the implementation of working time and rest time rules in the road transport industry; calls for the improvement of monitoring devices and the timely introduction of smart tachographs for professional use with a view to ensuring proper, efficient and non-discriminatory implementation of existing legislation by Member States without creating any undue administrative burden; calls on the Commission to assess the creation of an ‘electronic and integrated operator file’ for all operators operating under the Community licence, with the aim of gathering all relevant carrier, vehicle and driver data collected during roadside checks; [...]

26. Calls on the Commission to coordinate and reinforce cooperation on road transport legislation among national authorities, including through information exchange, and on other efforts aimed at supporting the implementation of legislation and ensuring a level playing field for operators; notes that the enforcement of legislation in this area is primarily the responsibility of the Member States; urges the Member States to cooperate more closely with Euro Contrôle Route and the European Traffic Police Network (TISPOL) in order to improve the execution of EU road transport legislation by ensuring its equal and appropriate implementation;

27. Calls on the Commission to apply in a collective manner, to mobile personnel in the road transport industry, Article 8(2) of Regulation (EC) No 593/2008 (Rome I) as interpreted by the Court of Justice ruling in the Koelzsch case (C-29/10, judgment of the Court (Grand Chamber) of 15 March 2011);”

The EMPL Committee is aware that the European Commission is considering a possible legislative initiative in this area and is looking forward to discuss the forthcoming proposal in close cooperation with the Committee on Transport and Tourism.

## 12. Points for information

### 12.1 Timetables Reports:

**INI report on Working conditions and precarious employment - EMPL/8/04582, rapporteur Neoklis Sylikiotis (GUE/NGL)**

Decision by coordinators	9 June 2016
Presentation of study	1 September 2016
Deadline to send draft report to translation	15 November 2016
Presentation and consideration of draft report in Committee	8 December 2016
Deadline for tabling amendments	15 December 2016, 12.00
Consideration of amendments	25 January 2017
Shadow rapporteurs' meeting in view of compromises	Weeks 5-7 2017
<b>Adoption EMPL</b>	22 March 2017
Plenary estimate	tbc

**Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 96/71/EC of The European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (COM(2016) 128)**

Coordinators decision co-rapporteurship	14 April 2016
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Inter-parliamentary committee meeting Including presentation Posting proposal by the Commission	12 October 15.00-18.30h
Exchange of views on Posting	Tuesday 8 November 16.30-18.30h
Deadline to send draft report to translation	10 November
Presentation and consideration of draft report in Committee	29 November
Deadline AMs	24 January 2017
Consideration of amendments	27-28 February
Shadow rapporteurs' meetings in view of compromises	mid-February, March, April
<b>Adoption EMPL</b>	April 2017
Plenary	tbc

**EMPL opinion to FEEM report on the need for an EU strategy to end and prevent the Gender Pension Gap - rapporteur Tania González Peñas (Rule 54)**

Coordinators decision	14 April 2016
Deadline to send draft opinion to translation	2 September
Presentation and consideration of draft opinion in Committee	26 September
Deadline AMs	28 September
Shadow rapporteurs' meetings in view of compromises	weeks 41-46
Adoption EMPL	29 November
Adoption in lead committee FEMM	January 2017
Plenary	tbc

**Protection of workers from the risks related to exposure to carcinogens or mutagens at work (Marita Ulvskog, S&D) - Revised timetable**

Presentation Commission	31 August 2016
Exchange of views with stakeholders/Hearing	13 October 2016

Consideration of draft report	29 November 2016
Deadline for tabling amendments	14 December 2016, noon
Consideration of amendments	25-26 January 2017
Vote	27-28 February 2017

**Oral question with resolution on the European Qualifications Framework for lifelong learning – revised timetable**

**Decision:** The Coordinators agreed that it would not be possible to involve other committees in this procedure since the Rules of Procedure do not foresee participation by other committees in the case of Oral Questions and resolutions.

Consideration of drafts in EMPL	12-13 October
<b>Deadline comments to the OQ and AMs</b>	<b>19 October 2016, 12.00</b>
Shadow rapporteurs meeting on	Week 46-47
<b>Adoption in EMPL</b>	<b>29 November 2016</b>
Adoption in plenary	December

\* Comments to the OQ will be dealt with according to the usual practice, in order to respect the maximum length of 25 lines, while amendments can be tabled by co-sponsors to the resolution

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**Accessibility Act/timetable**

The Coordinators heard Ms Dlabajová, supported by Mr Casa, and invited the secretariat (acting under the authority of the rapporteur, Mr Kósa) to explore ways and means of maximising the time available for tabling amendments without endangering the date of the vote in EMPL, account taken of the date of adoption in the lead committee (IMCO).

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**12.2 Use of EMPL annual translation reserve**

<b>Longueur maximale des textes à traduire - Réserve annuelle (2016: 45 pages)</b>								
<b>EMPL</b>								
<b>FdR</b>	<b>Deadline</b>	<b>Doc. Type</b>	<b>Part</b>	<b>Char.</b>	<b>Pages</b>	<b>Rap</b>	<b>AD</b>	<b>Subject</b>
1078097	21/01/2016	PR	Resolution	2766	1,84	Balas	Martinello	Social dumping in the European Union

1084565	16/02/2016	PR	Resolution	4839	3,23	Weber	Makay	General framework for equal treatment in employment and occupation ("Employment Equality Directive")
1087275	09/03/2016	PR	Resolution	350	0,23	Stevens	Makay	Implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee
1084482	09/03/2016	PR	Resolution	3253	2,17	Benifei	Rook	Refugees: social inclusion and integration into the labour market"
1087467	11/03/2016	PR	Resolution	3051	2,03	Händel	Martinello	Workers representation on board level in Europe
1083218	15/03/2016	PR	Resolution	944	0,63	Krasnod bski	Smajda	How best to harness the job creation potential of small and medium sized enterprises (SMEs)?
1087665	15/03/2016	PR	Resolution	2915	1,94	Harkin	Oaida	Activities of the European Globalisation Adjustment Fund in 2013 and 2014
1088501	18/03/2016	PA	Suggestion	553	0,37	Pirinski	Andreanelli	Preparation of the post-electoral revision of the MFF 2014-2020
1090464	12/04/2016	PA	Suggestion	239	0,16	Ždanoka	García Puerto	Budgetary Control of financing NGOs from the EU Budget
1092128	18/05/2016	PR	Resolution	835,5	0,56	Ždanoka (CJ21)	Oaida	CJ21 - Creating Labour Market Conditions Favourable for Work-Life Balance
1098835	07.07.2016	PA	Suggestions	828	0,55	Pirinski	Makay	Investing in jobs and growth
1103711	23/09/2016	PR	Resolution	6423	4,28	Rodrigues	Kefalopoulou	Launching a consultation on a European Pillar of Social Rights
<b>Total:</b>				<b>26997</b>	<b>18,00</b>	<b>40,0%</b>		

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### 13. Date of next Coordinators' meeting (JK)

*The next Coordinators' meetings will take place on*

- **6 October 2016 from 10:00 to 11:30 hrs [SDM S5]**
- **20 October 2016 from 10:00 to 11:30 hrs [PHS 6B54]**
- **24 November 2016 from 10:00 to 11:30 hrs [venue tbc]**
- **15 December 2016 from 10:00 to 11:30 hrs [venue tbc]**

*The Secretariat shall send 'Outlook' calendar invitations of those meeting dates to all Coordinators, group staff and services concerned. The list of Coordinators' meetings on the website shall be updated.*