

AMENDMENTS 001-176

by the Committee on Employment and Social Affairs

Report**Heinz K. Becker****A8-0224/2015**

European network of Employment Services, workers' access to mobility services and the further integration of labour markets

Proposal for a regulation (COM(2014)0006 – C7-0015/2014 – 2014/0002(COD))

Amendment 1**Proposal for a regulation****Recital 2***Text proposed by the Commission**Amendment*

(2) The free movement of workers is **a** key **element to** the development of a more integrated Union labour market which allows worker mobility **from high unemployment areas to areas characterised by labour shortages. It also contributes** to finding the right skills for vacant positions and overcoming bottlenecks in the labour market.

(2) The free movement of workers is **one of the** key **elements in** the development of a more integrated Union labour market, **particularly in cross-border regions,** which allows **higher** worker mobility **and may contribute to increasing diversity and** finding the right skills for vacant positions and overcoming bottlenecks in the labour market.

Amendment 2**Proposal for a regulation****Recital 3***Text proposed by the Commission**Amendment*

(3) The provisions of Regulation 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union

(3) The provisions of Regulation 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union

(codification)¹⁹ established mechanisms for clearance and for information exchange and the Commission Implementing Decision 2012/733/EU of 26 November 2012 has laid down provisions on the functioning of a network entitled EURES (European Employment Services) in accordance with that Regulation. This regulatory framework needs to be revised to reflect new mobility patterns, enhanced requirements for fair mobility, changes in the technology for sharing job vacancy data, the use of a variety of recruitment channels by job seekers and employers and the increasing role of other labour market brokers next to the Public Employment Services ('PES') in the provision of recruitment services.

¹⁹ OJEU, 27.5.2011, L141, p.1

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to help the workers who enjoy the right to free movement to effectively exercise that right, assistance in accordance with the present Regulation is open to any Union national who has a right to take up an activity as an employed person and their family members, in accordance with Article 45 *of the Treaty*. Member States shall give the same access to any third-country national benefiting, as per Union or national law, from equal treatment with their own nationals in this field.

Amendment 4

Proposal for a regulation

(codification)¹⁹ established mechanisms for clearance and for information exchange and the Commission Implementing Decision 2012/733/EU of 26 November 2012 has laid down provisions on the functioning of a network entitled EURES (European Employment Services) in accordance with that Regulation. This regulatory framework needs to be revised to reflect new *types of work*, mobility, *and work-life* patterns, enhanced requirements for fair mobility, changes in the technology for sharing job vacancy data, the use of a variety of recruitment channels by job seekers and employers and the increasing role of other labour market brokers next to the Public Employment Services ('PES') in the provision of recruitment services.

¹⁹ OJEU, 27.5.2011, L141, p.1

Amendment

(4) In order to help the workers who enjoy the right to *work based on* free movement to effectively exercise that right, assistance in accordance with the present Regulation is open to any Union national who has a right to take up an activity as an employed person and their family members, in accordance with Article 45 *TFEU*. Member States shall give the same access to any third-country national benefiting, as per Union or national law, from equal treatment with their own nationals in this field.

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Court of Justice of the European Union (the Court of Justice) has consistently held that freedom of movement for workers forms one of the foundations of the Union and, consequently, that the provisions laying down that freedom must be given a broad interpretation^{1a}. To that end, that freedom, as enshrined in Article 45 TFEU, must be interpreted as enumerating, in a non-exhaustive way, certain rights benefiting Union citizens in the context of the free movement of workers and that freedom also entails the right of Union citizens to move freely within the territory of the other Member States and to stay there for the purposes of seeking employment^{1b}. In accordance with the Court of Justice's interpretation, the definition of 'worker' in this Regulation should therefore include job seekers. In addition, and also in accordance with the Court of Justice's interpretation, that definition should also include, when conditions are satisfied, persons doing an apprenticeship^{1c} or a traineeship^{1d}.

^{1a} See, in particular, the judgment of 3 June 1986 in Case 139/85 *Kempf v Staatssecretaris van Justitie*, paragraph 13.

^{1b} See, in particular, the judgment of 26 February 1991 in Case C-292/89, *The Queen v The Immigration Appeal Tribunal, ex parte Gustaff Desiderius Antonissen*, paragraph 13. See also the limits set by the judgment of 11 November 2014 in Case C-333/13, *Elisabeta Dano, Florin Dano v Jobcenter Leipzig*.

^{1c} See, in particular, the judgment of 19 November 2002 in Case C-188/00 *Bülent Kurz, né Yüce v Land Baden-*

Württemberg.

1st See, in particular, the judgment of 26 February 1992 in Case C-3/90 Bernini v Minister van Onderwijs en Wetenschappen and of 17 March 2005 in Case C-109/04, Kraneman v Land Nordrhein-Westfalen.

Amendment 5

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Growing interdependency between labour markets calls for reinforced cooperation between employment services to bring about freedom of movement for all workers through voluntary **and fair** labour mobility within the Union in accordance with Article 46 (a) **of the Treaty, and therefore** a common framework for cooperation should be established between Member States and the Commission on labour mobility within the Union. **This** framework should bring together job vacancies from across the Union and the possibility of applying for those job vacancies ('clearance'), define the provision of related support services to workers and employers and provide for a common approach to share information necessary to facilitate **said co-operation**.

Amendment

(5) Growing interdependency between labour markets calls for reinforced cooperation between employment services, **particularly in cross-border regions**, to bring about freedom of movement for all workers through voluntary labour mobility **on a fair basis** within the Union in accordance with Article 46 (a) **TFEU**. A common framework for cooperation should **therefore** be established between Member States and the Commission on labour mobility within the Union. **That** framework should bring together job vacancies from across the Union and the possibility of applying for those vacancies ('clearance'), define the provision of related support services to workers and employers and provide for a common approach to **sharing** information **and providing personalised advice services** necessary to facilitate **such cooperation**.

Amendment 6

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Considering the critical importance of the EURES network for boosting employment in the Union, the Commission should ensure direct and adequate finance for the proper

Amendment 7

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) In the ‘Compact for Growth and Jobs’, the European Council requested to explore the possibility of extending to apprenticeships and traineeships the EURES network, apprenticeships and traineeships can be covered under the present Regulation, provided that the persons concerned are considered workers with reference to the rights conferred on citizens under **Article 45 of the Treaty**. An appropriate exchange of general information on mobility for apprenticeships and traineeships within the Union needs to be introduced and adequate assistance to the candidates for those positions should be developed, based on a mechanism for clearance of offers, once such a clearance is deemed feasible in accordance with the appropriate standards and with due respect to the competences of the Member States.

Amendment

(6) In the ‘Compact for Growth and Jobs’, the European Council requested to explore the possibility of extending to apprenticeships and traineeships the EURES network. Apprenticeships and traineeships can be covered under the present Regulation, provided that the persons concerned are considered workers with reference to the rights conferred on citizens **under Articles 45 and 47 TFEU**. ***The conditions to which those apprenticeships and traineeships are subject should be determined within the framework of existing Union and national law and should comply with the minimum social and labour standards of the host Member State. Member States should be able to exclude certain vacancies for apprenticeships and traineeships due to the differences in their educational systems and their active labour market policies.*** An appropriate exchange of general information on mobility for apprenticeships and traineeships within the Union needs to be introduced and adequate assistance to the candidates for those positions should be developed, based on a mechanism for clearance of offers, once such a clearance is deemed **to be** feasible in accordance with the appropriate standards and with due respect to the competences of the Member States.

Amendment 8

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The extension of the EURES network to apprenticeships and traineeships should observe the Council recommendation on a Quality Framework for Traineeships, in order to improve the quality of traineeships, in particular as regards learning and training content and working conditions, with the aim of easing the transition from education, unemployment or inactivity to work. The traineeship should respect, inter alia, the working conditions applicable to trainees, under the applicable Union and national law, the rights and obligations, transparency of its terms and conditions etc.

Amendment 9

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Legislation to reinforce the effectiveness of the PES is needed. Promoting fair employment opportunities through the EURES portal also depends on the capacity building, technical assistance and financial and human resources of the PES of each Member State.

Amendment 10

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The EURES network should be flexible enough to adapt to meet the changing nature and structure of employment services. Opening up EURES membership would improve the efficiency in service delivery through partnerships,

quality improvements and increase the market share of the EURES network. A EURES Member should therefore be any public, private or third-sector organisation which fulfils all criteria set out by this Regulation.

Amendment 11

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The transnational and cross-border **co-operation** and the support to all organisations operating for EURES in Member States would be facilitated by a structure at Union level ('the European Coordination Office') that should provide common information, training activities, tools and guidance. That structure should also be responsible for the development of the 'European Job Mobility portal' (EURES portal), the common IT platform. To guide its work, multiannual work programmes should be developed in consultation with Member States.

Amendment

(8) The transnational and cross-border **partnerships and cooperation** and the support to all organisations operating for EURES in Member States would be facilitated by a structure at Union level ('the European Coordination Office') that should provide common information, training activities, tools and guidance. That structure should also be responsible for the development of the 'European Job Mobility portal' (EURES portal), the common IT platform. To guide its work, multiannual work programmes should be developed in consultation with Member States.

Amendment 12

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Member States should establish Coordination Offices at national level to provide general support and assistance to all organisations on their territory operating for EURES and support the cooperation with their counterparts in the other Member States and with the European Coordination Office. Those Coordination Offices should in particular have the task of dealing with complaints and problems with job vacancies, and verify compliance issues as regards voluntary **and fair** labour mobility within the Union.

Amendment

(9) Member States should establish Coordination Offices at national level to provide general support and assistance to all organisations on their territory operating for EURES, **including cross-border partnerships**, and support the cooperation with their counterparts in the other Member States, **particularly in neighbouring Member States**, and with the European Coordination Office. Those Coordination Offices should in particular have the task of dealing with complaints and problems with job vacancies, and

verify compliance issues as regards voluntary labour mobility *on a fair basis* within the Union.

Amendment 13

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The social partners' participation in the EURES network contributes in particular to the analysis of obstacles to mobility as well as the promotion of *fair and* voluntary labour mobility within the Union, *including* in the cross-border regions. *Social partners* representatives at Union level should therefore be involved in the overall governance structure of the EURES network, while national employers' organisations and trade unions *may* apply to become a EURES Partner.

Amendment

(10) The social partners' participation in the EURES network contributes in particular to the analysis of obstacles to mobility as well as the promotion of voluntary labour mobility *on a fair basis* within the Union, *particularly* in the cross-border regions. *The* representatives *of the social partners* at Union level should therefore be involved in the overall governance structure of the EURES network, while national employers' organisations and trade unions *should be involved in accordance with national law and practices and should be able to* apply to become a EURES *Member or* Partner *upon fulfilment of the relevant obligations*.

Amendment 14

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) A broader membership of the EURES network has *social, economic and financial* benefits. It improves efficiency in service delivery by facilitating partnerships, enhancing complementarity and quality improvements. It increases the market share of the EURES network insofar as new members make available job vacancies, job applications and *curriculum* vitae ('*CV*'s'). Transnational and cross-border *co-operation*, which is a key feature of the operation of the EURES network, could generate innovative forms

Amendment

(12) A broader membership of the EURES network has *potential economic, financial and social* benefits. It improves efficiency in service delivery by facilitating partnerships, enhancing complementarity and quality improvements. It increases the market share of the EURES network insofar as new members make available job vacancies, job applications and *curricula* vitae ('*CV*'s'). Transnational and cross-border *cooperation*, which is a key feature of the operation of the EURES network, could generate innovative forms

of learning and **co-operation** between employment services, including on quality standards for job vacancies and support services. The EURES network would therefore enhance its relevance as one of the key Union tools available to Member States and the **European** Commission for supporting concrete measures towards a high level of employment within the Union.

of learning and **cooperation** between employment services, including on quality standards for job vacancies and support services. The EURES network would therefore enhance **and consolidate** its relevance as one of the key Union tools available to Member States and the Commission for supporting concrete measures towards a high level of **quality and sustainable** employment within the Union.

Amendment 15

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Labour market policy is a Member State's competence coordinated and supported by the Union under the relevant provisions of the TFEU. Mobility-related support measures are to be in accordance with the principles of the Treaty on European Union (TEU), in particular equal treatment, and relevant Union law.

Amendment 16

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) One of the EURES network objectives is to support fair intra-Union labour mobility and therefore the minimum common criteria for authorising organisations to join should include the requirement that those organisations commit themselves to fully respect applicable labour standards **and** legal requirements.

(14) One of the EURES network objectives is to support fair intra-Union labour mobility and therefore the minimum common criteria for authorising organisations to join should include the requirement that those organisations commit themselves to fully respect applicable labour standards, legal requirements **and the principle of non-discrimination.**

Amendment 17

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Member States should be able to refuse or revoke the admission of EURES Members or Partners that are in breach of labour standards or legal requirements, in particular regarding remuneration and working conditions. In the case of a refusal of admission based on non-compliance with labour standards and legal requirements, in particular regarding remuneration and working conditions, the relevant National Coordination office should inform the European Coordination Office in order to transmit the information to the other National Coordination Offices. If the EURES Member or Partner operates there, the relevant National Coordination Office should take appropriate action on its own territory in accordance with national law and practices.

Amendment 18

Proposal for a regulation

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) PES should be appointed by the Member States as EURES Members, without being required to undergo an admission procedure, and subject to compliance with minimum common criteria. It should be possible to delegate activities relating to the organisation of the work of EURES to PES.

Amendment 19

Proposal for a regulation

Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) Decision No 573/2014/EU of the

European Parliament and of the Council^{1a} provides for an inclusive, evidence-based and performance-oriented comparison of all PES with a view to identifying best practices, the full potential of which lies in the continuous involvement of the Member States.

^{1a} Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services (PES) (OJ L 159, 28.5.2014, p. 32).

Amendment 20

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) To communicate reliable and up to date information to workers and employers on the different aspects of labour mobility within the Union, the EURES network should cooperate with other bodies, services and Union networks facilitating mobility and informing citizens about their rights under Union law, such as Your Europe portal, the European Youth portal and SOLVIT, *the* organisations responsible for the recognition of professional qualifications and the bodies for the promotion, analysis, monitoring and support of equal treatment of workers, designated in accordance with Directive *../2013 (EU)* of [the European Parliament and of the Council *on measures facilitating the exercise of rights conferred on workers in the context of the freedom of movement for workers*].

Amendment

(16) To communicate reliable and up to date information to workers and *to* employers on the different aspects of labour mobility *and social protection* within the Union, the EURES network should cooperate with other bodies, services and Union networks facilitating mobility and informing citizens about their rights under Union law, such as *the Administrative Commission for the Coordination of Social Security Systems established by Regulation (EC) No 883/2004^{1a}, the European network of equality bodies (Equinet)*, Your Europe portal, the European Youth portal and SOLVIT, *organisations working for cross-border cooperation and* organisations responsible for the recognition of professional qualifications and the bodies for the promotion, analysis, monitoring and support of equal treatment of workers, designated in accordance with Directive *2014/54/EU* of the European Parliament and of the Council^{1b}.

^{1a} Regulation (EC) No 883/2004 of the European Parliament and of the Council

of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1).

^{1b} Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers (OJ L 159, 28.5.2014, p. 32).

Amendment 21

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) All job vacancies made publicly available should be published on the EURES portal, in accordance with the Member State's own practices.

Amendment 22

Proposal for a regulation Recital 19

Text proposed by the Commission

Amendment

(19) The legal responsibility for ensuring the intrinsic and technical quality of the information made available to the common IT platform, in particular as regards job vacancy data, is with the organisations that make the information available in accordance with the law of and/or within the standards set by the Member States. **The Commission** should facilitate cooperation **to render possible an early detection of** any fraud or abuse related to the exchange of information at **European** level.

(19) The legal responsibility for ensuring the intrinsic and technical quality of the information made available to the common IT platform, in particular as regards job vacancy data, is with the organisations that make the information available in accordance with the law of and/or within the standards set by the Member States. **Those organisations** should facilitate cooperation, **together with the Commission, with a view to detecting** any fraud or abuse related to the exchange of information at **Union** level. **All parties involved should ensure the provision of high-quality data.**

Amendment 23

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) A common classification system of skills, competences, qualifications and occupations constitutes one of the most important tools for enabling online job application in the Union, it is therefore necessary to develop the cooperation between Member States and the **European Commission** in order to achieve interoperability and meaningful automated matching across borders, including by mapping to and from the common to national classification systems. Other established European formats and tools for comparability of and transparency on skills and qualifications, such as the European Qualifications Framework and the single framework for the transparency of qualifications and competences (Europass) should also be used in this context.

Amendment

(20) A common classification system of skills, competences, qualifications and occupations constitutes one of the most important tools for enabling online job application in the Union, it is therefore necessary to develop the cooperation between Member States and the Commission in order to achieve interoperability and meaningful automated matching across borders, including by mapping to and from the common to national classification systems. **Member States should be kept informed of the development of European Skills, Competences, Qualifications and Occupations tool (ESCO)**. Other established European formats and tools for comparability of and transparency on skills and qualifications, such as the European Qualifications Framework and the single framework for the transparency of qualifications and competences (Europass) should also be used in this context.

Amendment 24

Proposal for a regulation

Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) The common classification system of skills, competences, qualifications and occupations should capitalise on the experiences and best practices already acquired following the implementation of the European Qualifications Framework and Directive 2005/36/EC of the European Parliament and of the Council^{1a}.

^{1a} ***Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255,***

Amendment 25

Proposal for a regulation Recital 20 b (new)

Text proposed by the Commission

Amendment

(20b) Member States should also intensify cooperation with regard to the recognition of diplomas so as to enable workers to have access to all employment opportunities throughout the Union.

Amendment 26

Proposal for a regulation Recital 21

Text proposed by the Commission

Amendment

(21) A common approach to the services delivered by the organisations ('support services') participating in the EURES network should be established and the principle of equal treatment of workers and employers seeking assistance on intra-Union labour mobility, regardless of their location in the Union, should be secured as much as possible, and therefore principles and rules should be established regarding the availability of support services in the territory of the individual Member States. This common approach also covers apprenticeships and traineeships considered as work.

(21) A common approach to the services delivered by the organisations ('support services') participating in the EURES network should be established and the principle of equal treatment of workers and employers seeking assistance on intra-Union labour mobility, regardless of their location in the Union, should be secured as much as possible, and therefore principles and rules should be established regarding the availability of support services in the territory of the individual Member States. This common approach also covers apprenticeships and traineeships considered as work ***in accordance with Article 45 TFEU.***

Amendment 27

Proposal for a regulation Recital 22

Text proposed by the Commission

Amendment

(22) A wider and more comprehensive choice of assistance on intra-Union labour mobility opportunities benefits workers,

(22) A wider and more comprehensive choice of assistance on intra-Union labour mobility opportunities benefits workers,

and it is needed to improve the EURES network's potential to provide support to workers throughout their *entire* working life, securing their transitions and careers.

and it is needed to improve the EURES network's potential to provide *personalised advice and* support to workers throughout their working life, securing their transitions and careers.

Amendment 28

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Support services will help to decrease the obstacles faced by job seekers when exercising their *workers'* rights under Union law as well as to exploit more efficiently all job opportunities, thus securing better individual employment prospects.

Amendment

(23) Support services will help to decrease the obstacles faced by job seekers when exercising their rights under Union law as well as to exploit more efficiently all *traineeship, apprenticeship and* job opportunities, thus securing better individual employment prospects.

Amendment 29

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) A profound understanding of labour demand in terms of occupations, sectors and needs of employers would benefit the right of free movement of workers within the Union and therefore support services should include good quality assistance to employers, small and medium sized enterprises in particular. Close working relationships between employment services and employers will increase the pool of job vacancies and *job* matching of suitable candidates, secure pathways for job seekers in particular those in vulnerable groups and improve labour market intelligence.

Amendment

(24) A profound understanding of labour *supply and* demand in terms of *matching skills, qualifications*, occupations, sectors and needs of employers would benefit the right of free movement of workers within the Union and therefore support services should include good quality assistance to employers, small and medium sized enterprises in particular. Close working relationships between employment services and employers will increase the pool of job vacancies and matching of suitable candidates, secure pathways for job seekers in particular *youth and* those in vulnerable groups and improve labour market intelligence.

Amendment 30

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) The support services common to all Member States should be defined on the basis of the emerging consensus on successful Member State practices for information, counselling and advice to job seekers and employers.

Amendment

(25) The support services common to all Member States should be defined on the basis of the emerging consensus on successful Member State practices for information, ***personalised*** counselling and advice to job seekers and employers. ***The Commission should ensure that technical and financial assistance is provided to support services, including to EURES advisors.***

Justification

Personalised services provided by EURES advisors play a key role in allowing workers to make informed decisions when exercising their fundamental right of free movement.

Amendment 31

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) Support services for workers are connected to the exercise of their fundamental freedom of movement as workers under Union law, they should be free of charge. ***However***, support services for employers ***may be subject to a fee, in accordance with national practices.***

Amendment

(26) Support services for workers are connected to the exercise of their fundamental freedom of movement as workers under Union law, they should be free of charge. Support services for employers ***connected to the EURES network should also be free of charge.***

Amendment 32

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) Particular attention should be paid to supporting mobility in the cross-border regions for and providing services to frontier workers who are living in one Member State and working in another and have to cope with different national practices and legal systems and ***encounters*** specific administrative, legal or tax ***obstacles*** to mobility. Member States ***may***

Amendment

(27) Particular attention should be paid to supporting mobility in the cross-border regions for and providing services to frontier workers who are living in one Member State and working in another and have to cope with different national practices and legal systems and ***encounter*** specific administrative, legal or tax ***barriers relating*** to mobility. Member

choose to set up specific support structures to facilitate this kind of mobility, such structures should, within the framework of the EURES network, address the specific needs for information, guidance, cross-border matching between labour demand and supply and the resulting placements.

States **and/or regional and local authorities should be able to** set up specific support structures to facilitate this kind of mobility, such structures should, within the framework of the EURES network, address the specific needs for information, guidance, cross-border matching between labour demand and supply and the resulting placements. **There should be a particular focus on EURES cross-border partnerships in this respect.**

Amendment 33

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) Transparency of labour markets and adequate matching capabilities are pre-conditions for labour mobility within the Union. A better balance between labour supply and demand can be achieved through an efficient system at Union level for exchanging of information on national and sectoral labour **surpluses and shortages that** should be set up between Member States **and** the **European Commission** and used as a basis for Member States to develop their mobility policies and underpin the practical cooperation within the EURES network.

Amendment

(28) Transparency of labour markets and adequate matching capabilities, **including matching of skills and qualifications with labour market needs**, are pre-conditions for labour mobility within the Union. A better balance between labour supply and demand **by better matching skills and jobs** can be achieved through an efficient system at Union level for exchanging of information on national, **regional** and sectoral labour **supply and demand**. **Such a system** should be set up between Member States, **assisted by** the Commission and used as a basis for Member States to develop their mobility policies and underpin the practical cooperation within the EURES network.

Amendment 34

Proposal for a regulation

Recital 28 a (new)

Text proposed by the Commission

Amendment

(28a) The Commission should monitor demand and supply on the Union labour market and analyse labour trends on an ongoing basis, in collaboration with Eurostat and the EURES network.

Amendment 35

Proposal for a regulation Recital 29

Text proposed by the Commission

(29) The freedom of movement for workers and high levels of employment are closely linked and make it necessary for Member States to develop mobility policies supporting a better functioning of labour markets in the Union. Member States' mobility policies should be considered as an integral part of their social and employment policies.

Amendment

(29) The freedom of movement for workers and high levels of employment are closely linked and make it necessary for Member States to develop mobility policies supporting a better functioning of labour markets in the Union. Member States' mobility policies should be considered as an integral part of their social and employment policies. ***The Commission should be able to list Member States' best practices and refer to them in its recommendations for the purposes of the European Semester.***

Amendment 36

Proposal for a regulation Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) Those policies should also consider the hostile working environment, the high risks of exploitation and the poor working conditions which mobile workers might experience when they arrive in a new labour market. The same considerations should be given to those workers' families and the opportunities available for them to be integrated in the new labour market.

Amendment 37

Proposal for a regulation Recital 30

Text proposed by the Commission

(30) A programming cycle should be established to support the coordination of action on mobility within the Union. ***To be effective***, the programming of Member States' activity plans should take into

Amendment

(30) A programming cycle should be established to support the coordination of action on mobility within the Union. ***In order to detect and prevent negative effects arising in connection with inter-***

account data on mobility flows and patterns, the data analysis of existing and forecast labour *shortages and surpluses*, and recruitment experiences and practices under the EURES network and it should consist of a review of the existing resources and tools at the disposal of the organisations in the Member State to facilitate intra-EU labour mobility.

Union geographical mobility and to ensure fair mobility, the programming of Member States' activity plans should take into account data on mobility flows and patterns, the data analysis of existing and forecast labour *supply and demand*, and recruitment experiences and practices under the EURES network and it should consist of a review of the existing resources and tools at the disposal of the organisations in the Member State to facilitate intra-EU labour mobility.

Amendment 38

Proposal for a regulation Recital 31

Text proposed by the Commission

(31) The sharing of draft activity plans under the programming cycle among Member States should enable the National Coordination Offices, acting on behalf of the Member States, together with the European Coordination Office, to direct the resources of the EURES network toward appropriate actions and projects, and thereby steer the development of the EURES network as a more result-oriented tool responsive to the needs of workers according to the dynamics of labour *markets*.

Amendment

(31) The sharing of draft activity plans under the programming cycle among Member States should enable the National Coordination Offices, acting on behalf of the Member States, together with the European Coordination Office *and with the appropriate involvement of the social partners*, to direct the resources of the EURES network toward appropriate actions and projects, and thereby steer the development of the EURES network as a more result-oriented tool responsive to the needs of workers according to the dynamics of *the Union* labour *market*.

Amendment 39

Proposal for a regulation Recital 32

Text proposed by the Commission

(32) In order to obtain adequate information for measuring the results of the EURES network, common indicators should be established. Those indicators should guide the organisations participating in the EURES network in identifying their results and should help

Amendment

(32) In order to obtain adequate information for measuring the results of the EURES network, common *quantitative and qualitative* indicators, *where appropriate disaggregated according to gender*, should be established *and a thorough assessment of the impact of*

assess the progress made against the objectives set for the EURES network as a whole, including its contribution towards the implementation of a coordinated strategy for employment in accordance with Article 145 *of the Treaty*.

mobility on labour markets should be made. Those indicators ***and that impact assessment*** should guide the organisations participating in the EURES network in identifying their results and should help assess the progress made against the objectives set for the EURES network as a whole, including its contribution towards the implementation of a coordinated strategy for employment in accordance with Article 145 ***TFEU***.

Amendment 40

Proposal for a regulation Recital 33

Text proposed by the Commission

(33) ***Whenever*** the measures provided for in this Regulation entail the processing of personal data, they must be carried out in accordance with ***EU*** law on the protection of personal data²⁰ as well as the national implementing measures thereto.

²⁰ In particular Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regards to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31) and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.01.2001, p. 1).

Amendment

(33) ***Where*** the measures provided for in this Regulation entail the processing of personal data, they must be carried out in accordance with ***Union*** law on the protection of personal data as well as the national implementing measures thereto. ***Personal data should not be retained for longer than necessary for the purpose for which that data was collected.***

²⁰ In particular Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regards to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31) and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.01.2001, p. 1).

Amendment 41

Proposal for a regulation Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) The implementation of this Regulation will enable the creation of an effective mechanism for a better integration of educational systems in line with the needs of the labour market and of the labour market as a whole.

Amendment 42

Proposal for a regulation Recital 35

Text proposed by the Commission

(35) *Since* the objective of this Regulation - namely to establish a common framework for cooperation between Member States to bring together job vacancies and the possibility of applying for those job vacancies and to facilitate the achievement of a balance between supply and demand in the employment market - ***cannot be sufficiently achieved by the*** Member States, ***and can therefore, by reason of the scale and effect of the action, be better achieved*** at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 ***of the Treaty of the European Union***. In accordance with the principle of proportionality, as set out in ***said Article 5***, this Regulation does not go beyond what is necessary to achieve that objective.

Amendment

(35) The objective of this Regulation - namely to establish a common framework for cooperation between Member States to bring together job vacancies and the possibility of applying for those job vacancies and to facilitate the achievement of a balance between supply and demand in the employment market - ***can be better achieved when*** Member States ***cooperate, with the assistance*** of the ***Commission***, at Union level. The Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 ***TEU***. In accordance with the principle of proportionality, as set out in ***that article***, this Regulation does not go beyond what is necessary to achieve that objective.

Amendment 43

Proposal for a regulation Recital 36

Text proposed by the Commission

(36) The power to adopt delegated acts in accordance with Article 290 ***of the Treaty on the Functioning of the European Union*** should be delegated to the Commission in order to ensure that the

Amendment

(36) The power to adopt delegated acts in accordance with Article 290 ***TFEU*** should be delegated to the Commission in order to ensure that the obligations imposed on the Member States for the authorisation of the

obligations imposed on the Member States for the authorisation of the organisations to join the EURES network as EURES Partners and to provide common indicators on the performance of those organisations can be amended in light of the experiences gained with their application or to take into account evolving needs on the labour market. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and *drawing-up* delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

organisations to join the EURES network as EURES Partners and to provide common indicators on the performance of those organisations can be amended in light of the experiences gained with their application or to take into account evolving needs on the labour market, *as well as to make it possible to change the scope of assistance services for workers and assistance services for employers*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and *drawing up* delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment 44

Proposal for a regulation Recital 37

Text proposed by the Commission

(37) In order to ensure uniform conditions for the implementation of the technical standards and formats applicable to clearance and automated matching as well as the models and procedures for sharing information between Member States, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council *of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers*.

Amendment

(37) In order to ensure uniform conditions for the implementation of the technical standards and formats applicable to clearance and automated matching as well as the models and procedures for sharing information between Member States, *and in order to adopt the list of skills, competences and occupations of the European classification*, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council^{1a}.

^{1a} *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member*

States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 45

Proposal for a regulation Recital 37 a (new)

Text proposed by the Commission

Amendment

(37a) For the purpose of establishing the composition of the network for a transitional period and of ensuring operational continuity with the network established within the framework of Regulation (EU) 492/2011, the organisation designated as EURES Partners under Article 3(c) or Associated Partners under Article 3(d) of Commission Implementing Decision 2012/733/EU on ...⁺ should be permitted to continue as EURES Members or Partners for a transitional period.

⁺OJ: Please insert the date of entry into force of this Regulation.

Amendment 46

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. The aim of this Regulation is to facilitate the exercise of the freedom of movement for workers within the Union in accordance with Article 45 TFEU, by establishing a common framework for cooperation between Member States and the Commission.

1. The aim of this Regulation is to facilitate the exercise of the freedom of movement for workers within the Union ***and the abolition of any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment within the Union*** in accordance with Article 45 TFEU, by establishing a common framework for cooperation between Member States, ***the social partners*** and the Commission.

Amendment 47

Proposal for a regulation

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) actions by and between Member States to facilitate the achievement of a balance between supply and demand in the labour market of the Union, with a view to *promote* a high level of employment;

Amendment

(b) actions by and between Member States to facilitate the achievement of a balance between supply and demand in the labour market of the Union, with a view to *achieving* a high level of *quality and sustainable* employment;

Amendment 48

Proposal for a regulation

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) the functioning of a European network of employment services between Member States and the Commission;

Amendment

(c) the functioning of a European network of employment services between Member States and the Commission, *with the appropriate involvement of the social partners*;

Amendment 49

Proposal for a regulation

Article 1 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) services provided to job seekers in order to ensure fair mobility;

Amendment 50

Proposal for a regulation

Article 1 – paragraph 2 – point d b (new)

Text proposed by the Commission

Amendment

(db) effective promotion of the EURES network at Union level by means of intensive communication measures taken by the Commission and, in particular, the Member States, using instruments that ensure wide dissemination and

accessibility;

Amendment 51

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) *the* public employment services *are* the organisations of the Member States, as part of relevant ministries, public bodies or corporations falling under public law, that are responsible for implementing active labour market policies and providing employment services in the public interest;

Amendment

(a) ‘public employment services’ *or ‘PES’ means* the organisations of the Member States, as part of relevant ministries, public bodies or corporations falling under public law, that are responsible for implementing active labour market policies and providing *high-quality* employment services in the public interest;

Amendment 52

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘job vacancy’ means any offer for employment, including for apprenticeships and traineeships considered *as* work;

Amendment

(c) ‘job vacancy’ means any offer for employment, including for apprenticeships and traineeships considered *to be work in accordance with Article 45 TFEU, where the conditions under which they take place are determined within the framework of existing Union and national law and comply with the minimum social and labour standards of the host Member State;*

Amendment 53

Proposal for a regulation

Article 2 – paragraph 1 – point e

Text proposed by the Commission

(e) *the* ‘common IT platform’ means the IT infrastructure and related platforms set up at *European* level for the purpose of clearance;

Amendment

(e) ‘common IT platform’ means the IT infrastructure and related platforms set up, *monitored and widely shared at Union level for the purpose of clearance, which are also to be readily usable by people with disabilities;*

Amendment 54

Proposal for a regulation

Article 2 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) 'fair mobility' means mobility which is voluntary and which does not give rise to breaches of employment law, employment standards or workers' rights in the Union;

Amendment 55

Proposal for a regulation

Article 2 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) "EURES cross-border partnership" means long-term cooperation between the regional and local employment services, the social partners and other relevant stakeholders in regional structures that are established by them.

Amendment 56

Proposal for a regulation

Article 3 – title

Text proposed by the Commission

Amendment

Establishment

Reorganisation

Justification

The EURES network already exists and requires reorganisation to improve services for potential beneficiaries.

Amendment 57

Proposal for a regulation

Article 3

Text proposed by the Commission

Amendment

This Regulation *establishes a* European network of Employment Services ('the

This Regulation *provides for the reorganisation and strengthening of the*

EURES network').

European network of Employment Services ('the EURES network').

Justification

The EURES network already exists and requires reorganisation to improve services for potential beneficiaries.

Amendment 58

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. The EURES network **comprises** the following categories of organisations:

(a) The European Commission which is responsible for assisting the EURES network in carrying out its activities **through the 'European Coordination Office'**;

(b) The EURES Members which are the bodies appointed by the Member States responsible for the application of this Regulation in the respective Member State, i.e. **the 'National Coordination Offices'**;

(c) The EURES Partners which are the organisations authorised by Member States to provide at national, regional **and/or** local level support with clearance **and/or** support

Amendment

1. The EURES network **shall comprise** the following categories of organisations:

(a) The '**European Coordination Office**' **established within the** Commission which is responsible for assisting the EURES network in carrying out its activities;

(aa) The 'National Coordination Offices' which are the bodies designated by the Member States responsible for the application of this Regulation in the respective Member State; Member States may designate their PES as National Coordination Offices;

(b) The EURES Members which are:

(i) the PES designated by each Member State in accordance with Article 8a; and

(ii) the public or private organisations authorised by Member States in accordance with Article 8 to provide at national, regional or local level, including on a cross-border basis, support with clearance and support services to workers and employers;

(c) The EURES Partners which are the **public or private** organisations authorised by Member States to provide at national, regional or local level, **including on a**

services to workers and employers.

cross-border basis, support with clearance or support services to workers and employers.

Amendment 59

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. In accordance with their respective roles and responsibilities, all organisations participating in the EURES network promote actively, in close cooperation, the opportunities labour mobility in the Union offers and seek to enhance ways and means for workers and employers to seize these opportunities at local, regional, national and *European* level.

Amendment

2. In accordance with their respective roles and responsibilities, all organisations participating in the EURES network **shall** promote actively, in close cooperation, the opportunities labour mobility in the Union offers and seek to enhance ways and means for workers and employers **to enjoy fair mobility and** to seize these opportunities at local, regional, national and **Union** level, **including on a cross-border basis**.

Amendment 60

Proposal for a regulation Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Social partner organisations shall become part of the EURES network as EURES Members or Partners in accordance with Article 8.

Amendment 61

Proposal for a regulation Article 5 – point b

Text proposed by the Commission

(b) the implementation of the coordinated strategy for employment in accordance with Article 145 TFEU;

Amendment

(b) the implementation of the coordinated strategy for employment **and particularly for promoting a skilled, trained and adaptable workforce** in accordance with Article 145 TFEU;

Amendment 62

Proposal for a regulation Article 5 – point c

Text proposed by the Commission

(c) the **better** functioning and integration of the labour markets in the Union;

Amendment

(c) the functioning, **cohesion** and integration of the labour markets in the Union, **including cross-border labour markets, ensuring non-discriminatory access to job opportunities and applications and relevant labour market information;**

Amendment 63

Proposal for a regulation Article 5 – point d

Text proposed by the Commission

(d) increased voluntary geographical and occupational mobility in the Union on a fair basis;

Amendment

(d) increased voluntary geographical and occupational mobility in the Union, **particularly in cross-border regions**, on a fair basis;

Amendment 64

Proposal for a regulation Article 5 – point d a (new)

Text proposed by the Commission

Amendment

(da) encouraging Member States to remove all obstacles to that mobility in their national laws;

Amendment 65

Proposal for a regulation Article 5 – point e

Text proposed by the Commission

(e) social inclusion and integration of persons excluded from the labour market.

Amendment

(e) **Union-wide** social inclusion and integration of persons excluded from the labour market, **with a particular focus on the most vulnerable groups and people in**

regions most affected by unemployment;

Amendment 66

Proposal for a regulation Article 5 – point e a (new)

Text proposed by the Commission

Amendment

(ea) greater coherence between Union policies introduced for the purpose of tackling unemployment, in particular youth unemployment and inequalities;

Amendment 67

Proposal for a regulation Article 5 – point e b (new)

Text proposed by the Commission

Amendment

(eb) to support a smooth transition from education to work in the Union labour market.

Amendment 68

Proposal for a regulation Article 6 – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) the operation and development of a European job mobility portal, 'the EURES portal', and related IT services, including systems and procedures for the exchange of job vacancies, job applications, CVs, and supporting documents such as skills passports and the like, and other information, in cooperation with other relevant Union information, advisory services or networks, and initiatives;

(i) the operation and development of a European job mobility portal, 'the EURES portal', and related IT services *made useable and accessible*, including systems and procedures for the exchange of job vacancies, job applications, CVs, and supporting documents such as skills passports and the like, and other information, in cooperation with other relevant Union information, advisory services or networks, and initiatives;

Amendment 69

Proposal for a regulation Article 6 – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) information and communication activities;

Amendment

(ii) information and communication activities ***across the Union, through platforms reaching all possible users, including providing a barrier-free environment;***

Amendment 70

Proposal for a regulation

Article 6 – paragraph 1 – point a – point iii

Text proposed by the Commission

(iii) a common training programme for EURES staff;

Amendment

(iii) a common training programme ***and continuing development*** for EURES staff, ***including updates on the coordination of social security systems as provided for in Regulation (EC) No 883/2004, and awareness training to address different needs of specific group of workers;***
(iiia) directly available professional support services for EURES advisors;

Amendment 71

Proposal for a regulation

Article 6 – paragraph 1 – point a – point iv

Text proposed by the Commission

(iv) facilitation of ***networking***, exchange of best ***practice*** and mutual learning within the EURES network;

Amendment

(iv) facilitation of exchange of best ***practices*** and mutual learning within the EURES network;

Amendment 72

Proposal for a regulation

Article 6 – paragraph 1 – point a – point iv a (new)

Text proposed by the Commission

Amendment

(iva) the widest possible access of EURES services on a non-discriminatory basis;

Amendment 73

Proposal for a regulation

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) the analysis of geographic and occupational mobility;

Amendment

(b) the analysis of *the demand and supply on the labour market within the Union, as well as the* geographic and occupational mobility, *taking into account the different situations in the Member States;*

Amendment 74

Proposal for a regulation

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) the development of an appropriate **framework for** cooperation and clearance within the Union on apprenticeships and traineeships, in accordance with this Regulation;

Amendment

(c) the development of an appropriate framework for cooperation and clearance **structure** within the Union on apprenticeships and traineeships, **including on a cross-border basis where applicable,** in accordance with this Regulation;

Justification

As part of a functioning EURES network, the European Coordination Office must draw on past experience and adapt this to specific local and regional characteristics.

Amendment 75

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission

(d) the monitoring and evaluation of EURES activity and its **employment** performance, **in co-operation with EURES Members;**

Amendment

(d) the monitoring and evaluation of EURES activity and its performance **and the development of country-specific reports;**

(da) cooperation with the Administrative Commission for the Coordination of Social Security Systems, SOLVIT and Equinet.

Amendment 76

Proposal for a regulation

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The European Coordination office shall be managed by the Commission. It shall develop and conduct its activities in close cooperation with the social partners, cross-border partnerships and the National Coordination Offices.

Amendment 77

Proposal for a regulation

Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The European Coordination office, in close cooperation with the National Coordination Offices, shall issue an annual statement reporting the number of job vacancies made available in each Member State, in particular taking into account the population and the size of their economy.

Amendment 78

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. Each National Coordination Office *is* responsible for

(a) cooperation with the Commission and other Member States on the clearance within the framework set in Chapter III;

-1. Member States shall designate the National Coordination Offices referred to in Article 4. Member States shall notify the European Coordination Office of that designation.

1. Each National Coordination Office ***shall be*** responsible for

(a) cooperation with the Commission and other Member States, ***particularly neighbouring Member States***, on the clearance within the framework set in

Chapter III;

(aa) taking all necessary measures in order to ensure that all job applications and CVs available nationally are made available to the EURES portal;

(ab) informing the European Coordination Office of any known discrepancy between the number of job vacancies notified and the total number of jobs available at national level;

(b) organisation of the work for EURES in the Member State, including *the delivery of support services in accordance with Chapter IV;*

(b) organisation of the work for EURES in the Member State, including *ensuring a coordinated transfer to the EURES portal of information on job vacancies, job applications and CVs in accordance with Article 14;*

(c) coordination of actions by the Member State concerned and with other Member States in accordance with Chapter V.

(c) coordination of actions by the Member State concerned and with other Member States in accordance with Chapter V.

Amendment 79

Proposal for a regulation

Article 7 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The National Coordination Office also organises the implementation at national level of the horizontal support activities provided by the European Coordination Office as referred to in Article 6, where appropriate in close cooperation with the European Coordination Office and other National Coordination Offices. Those horizontal support activities are in particular:

2. The National Coordination Office also organises **and verifies** the implementation at national level of the horizontal support activities provided by the European Coordination Office as referred to in Article 6, where appropriate in close cooperation with the European Coordination Office and other National Coordination Offices. Those horizontal support activities are in particular:

Amendment 80

Proposal for a regulation

Article 7 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) for the purpose of publication, including on the EURES portal, the collection and validation of information on

(a) for the purpose of publication, including on the EURES portal, the collection and validation of **up-to-date**

EURES Partners operating from its national territory, their activities and the scope of the support services they provide to workers and employers;

information on EURES *Members and* Partners operating from its national territory, their activities and the scope of the support services they provide to workers and employers;

Amendment 81

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The National Coordination Office shall ensure that there are sufficient numbers of trained EURES advisers available and spread evenly over the whole territory in order to promote the EURES network and ultimately make it an indispensable tool for the Union labour market.

Amendment 82

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purpose of publication, including on the EURES portal, ***in the interest of*** workers and employers, the National Coordination Office ***validates***, regularly ***updates and*** timely ***disseminates*** information and guidance available at national level on:

- (a) living and working conditions;
- (b) administrative procedures ***as regards*** employment;
- (c) the rules applicable to workers;

3. For the purpose of publication, including on the EURES portal, ***and in relation to the provision of tailor-made information to*** workers and employers ***by the EURES advisers***, the National Coordination Office ***shall validate***, regularly, ***update and disseminate, in a timely manner, in the official language(s) of the Member State,*** information and guidance available at national level on:

- (a) living and working conditions, ***including social security contributions and tax payments***;
- (b) administrative procedures ***regarding access to and take-up of*** employment
- (c) the rules applicable to workers, ***such as those laid down in collective agreements, recruitment rules, individual categories of employment contracts and other relevant practical information***;

(d) apprenticeships and traineeships;

(e) *where applicable*, the situation of frontier workers in particular in cross-border regions

Where appropriate, the National Coordination Office may validate and disseminate the information in cooperation with other information and advisory services and networks and appropriate bodies at national level, including those referred to in Article 5 of Directive 2013/.../EU of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.

(d) *the rules applicable to* apprenticeships and traineeships *in line with the Council Recommendation on a Quality Framework for Traineeship and existing Union and national law*;

(da) the access to vocational education and training;

(e) the situation of frontier workers in particular in cross-border regions, *in close cooperation with EURES cross-border partnerships*.

The National Coordination Office may validate and disseminate the information in cooperation with other information and advisory services and networks and appropriate bodies at national level, including those referred to in Article 5 of Directive 2013/.../EU of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.

3a. The National Coordination Offices shall exchange information on the mechanisms and standards referred to in Article 14(4) as well as on standards regarding data security and data protection of relevance for the common IT platform. They shall cooperate among each other and with the European Coordination Office, in particular in cases of complaints and where job vacancies are considered not to comply with those standards under national law.

3b. The National Coordination Offices and the European Coordination Office shall ensure that personal data produced or collected for the purposes of this Regulation is retained for a period no longer than is necessary for the purpose for which it was collected.

Amendment 83

**Proposal for a regulation
Article 7 – paragraph 4**

Text proposed by the Commission

4. The National Coordination Office ***provides*** general support to the organisations participating within its own territory in the EURES network regarding collaboration with their EURES counterparts in other Member States. This ***includes*** support in case of complaints related to EURES job vacancies and recruitments, as well as cooperation with public authorities such as labour inspectorates.

Amendment

4. The National Coordination Office ***shall provide*** general support to the organisations participating within its own territory in the EURES network regarding collaboration with their EURES counterparts in other Member States. This ***shall include*** support in ***the*** case of complaints related to EURES job vacancies and recruitments, as well as cooperation with public authorities such as labour inspectorates. ***The outcome of complaints procedures shall be made available to the European Coordination Office with a view to synthesising and resolving mobility obstacles.***

Amendment 84

Proposal for a regulation
Article 7 – paragraph 5

Text proposed by the Commission

5. The National Coordination Office ***promotes*** the collaboration with stakeholders such as career guidance services, ***universities***, chambers of commerce and organisations involved in apprenticeships and traineeships schemes.

Amendment

5. The National Coordination Office ***shall promote the EURES network and*** the collaboration with stakeholders such as career guidance services, ***vocational training and higher education institutions***, chambers of commerce, ***social services*** and ***organisations representing vulnerable groups on the labour market*** ***and*** organisations involved in apprenticeships and traineeships schemes.

5a. The National Coordination Office shall establish a regular dialogue with the social partners at national level in accordance with national law and practices.

Amendment 85

Proposal for a regulation

Article 7 – paragraph 6

Text proposed by the Commission

6. Each Member State ensures that its National Coordination Office gets the staff and other resources necessary to carry out its tasks as defined under this Regulation.

Amendment

6. Each Member State ensures that its National Coordination Office gets the staff and ***all the*** other resources necessary to carry out its tasks as defined under this Regulation ***and that the National Coordination Offices provide high-quality services in a timely manner.***

Amendment 86

Proposal for a regulation Article 8 – title

Text proposed by the Commission

Authorisation of EURES Partners

Amendment

Authorisation of EURES ***Members and*** Partners

Amendment 87

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up a system to authorise EURES Partners to participate in the EURES network, monitor their activities and their compliance with national ***and Union*** law when applying this Regulation. This system shall be transparent, proportionate and respect the principles of equal treatment for applicant organisations and due process of law.

Amendment

1. Each Member State shall set up a system ***by which*** to authorise EURES ***Members and*** Partners to participate in the EURES network, ***to revoke such authorisations and to*** monitor their activities and their compliance with ***Union and*** national law when applying this Regulation. This system shall be transparent, proportionate and respect the principles of equal treatment for applicant organisations and due process of law. ***For employment services other than PES, any existing licensing systems and authorisation schemes shall be taken into account.***

1a. For the purposes of the system referred to in paragraph 1, Member States shall draw up the requirements and criteria for authorising EURES Members and Partners. Those requirements and criteria shall be at least as stringent as

those set out in this Regulation and the Annex.

1b. In accordance with the system referred to in paragraph 1, organisations may apply to become EURES Members. EURES Members shall participate in the EURES network in accordance with Article 9 and shall perform their tasks in full, on a national or regional basis.

1c. In accordance with the system referred to in paragraph 1 of this Article, employment services and other organisations may apply to become EURES Partner if they undertake to fulfil all the general obligations and at least one of the tasks referred to in Article 9.

1d. Where the requirements and criteria governing authorisation as EURES Member or Partner are met, the Member State shall authorise the applicant accordingly.

Amendment 88

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. Member States inform the European Coordination Office *about* their national systems *put in place and* the EURES Partners they authorised to participate in the EURES network *accordingly*.

Amendment

2. Member States *shall* inform the European Coordination Office *of* their national systems *as referred to in paragraph 1 of this Article*, of the EURES *Members and* Partners *that* they *have* authorised to participate in the EURES network *in accordance with that system, of any refusal to authorise on the grounds of non-compliance with Section I(1) of the Annex, and of any revocation of such authorisation including the grounds therefor. The European Coordination Office shall forward that information to the other National Coordination Offices.*

Amendment 89

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. If a Member State decides not to authorise a particular employment organisation to take part as EURES Member or Partner, that organisation shall be given the opportunity to appeal against the decision.

Amendment 90

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. Any employment services lawfully operating in a Member State can request in that Member State participation in the EURES network as a EURES Partner, subject to the conditions laid down in this Regulation and to the system set up by that Member State.

deleted

Amendment 91

Proposal for a regulation

Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. EURES Partners are authorised to participate in the EURES network in accordance with the minimum common criteria laid down in the Annex.

deleted

Amendment 92

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. The minimum common criteria are without prejudice to the application by a Member State of additional criteria or requirements deemed necessary by the

5. The minimum common criteria are without prejudice to the application by a Member State of additional criteria or requirements deemed necessary by the

Member State for the purpose of a correct application of the rules applicable to the activities of employment services and the effective management of labour market policies on its national territory. To ensure transparency such criteria and requirements are an integral part of the system referred to in paragraph 1.

Member State for the purpose of a correct application of the rules applicable to the activities of employment services and the effective management of labour market policies on its national territory. To ensure transparency, *the European Coordination Office shall be notified of* such *additional* criteria and requirements, *which* are an integral part of the system referred to in paragraph 1.

Amendment 93

Proposal for a regulation Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. EURES Partners may involve other EURES Partners or other organisations in order to comply together with the criteria in the Annex. In such cases, the continued existence of an appropriate partnership is an additional condition for participation in the EURES network.

deleted

Amendment 94

Proposal for a regulation Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall revoke the admission of EURES Members and Partners where they cease to fulfil the applicable criteria or requirements referred to in paragraph 1a, 1b, 1c or 5.

Amendment 95

Proposal for a regulation Article 8 – paragraph 7

Text proposed by the Commission

Amendment

7. To amend the Annex, the Commission shall be empowered to adopt delegated acts in accordance with the procedure

deleted

referred to in Article 33.

Amendment 96

Proposal for a regulation Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Authorisation of PES as EURES Members

Member States shall designate their PES to be EURES Members and shall inform the European Coordination Office accordingly. By virtue of their designation, those PES shall enjoy a special status within the EURES network.

Member States shall ensure that, in their role as EURES Members, PES fulfil the obligations laid down in this Regulation and meet at least the criteria set out in the Annex.

Amendment 97

Proposal for a regulation Article 9 – title

Text proposed by the Commission

Amendment

The responsibilities of EURES Partners

The responsibilities of EURES **Members and** Partners

Amendment 98

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. Applicant organisations can choose to participate in the EURES network according to the following options:

1. EURES Members shall participate in the EURES network in accordance with the responsibilities set out in this paragraph , and EURES Partners shall participate in accordance with at least one of them:

(a) ***to contribute*** to the pool of job

(a) ***contributing*** to the pool of job

vacancies in accordance with Article 14(1), **paragraph** (a);

(b) **to contribute** to the pool of job applications and **CV's** in accordance with Article 14(1), **paragraph** (b);

(c) **to provide** support services to workers and employers in accordance with Chapter IV **or**

(d) **a combination of points (a) to (c).**

vacancies in accordance with Article 14(1)(a) ;

(b) **contributing** to the pool of job applications and **CVs** in accordance with Article 14(1)(b);

(c) **providing** support services to workers and employers in accordance with Chapter IV.

Amendment 99

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. EURES Partners designate one or more contact points, such as placement and recruitment offices, call centres, self-service tools **and the like**, where workers and employers can get support with clearance and/or access to support services in accordance with this Regulation. The contact points may **also** be based on staff exchange programmes, the detachment of liaison officers **or** involve common placement agencies.

Amendment

2. EURES **Members and** Partners **shall** designate one or more contact points, **accessible to persons with disabilities**, such as placement and recruitment offices, call centres, self-service tools, **various communication platforms that are accessible to as many users as possible**, where workers and employers can get support with **regard to** clearance and/or access to support services in accordance with this Regulation. The contact points may be based on staff exchange programmes **or** the detachment of liaison officers **and they may** involve common placement agencies.

Amendment 100

Proposal for a regulation Article 9 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

4. Member States may require EURES Partners to contribute to

Amendment

4. **Whilst respecting the principle of proportionality**, Member States, **through their National Coordination Offices**, may require EURES **Members and** Partners to contribute to:

Amendment 101

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the functioning of the national hub referred to in Article 15(5) through a fee or in another form; **deleted**

Amendment 102

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the collection of information to be published via the EURES portal;

Amendment 103

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall decide on the modalities for these contributions ***in their national systems on the basis of the principle of proportionality, taking into account factors such as the administrative capacity of the EURES Partner and its degree of participation in the EURES network as referred to in paragraph 1.***

Member States shall decide on the modalities for these contributions.

Amendment 104

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States ***may*** entrust the provision of support services referred to in Articles 21 ***to*** 23 to their ***public employment services, provided that the latter participate in the EURES network, either as a EURES Partner authorised pursuant***

2. Member States ***shall*** entrust the provision of support services referred to in Articles 21, ***22 and*** 23 to their ***PES or their employment ministries.***

to Article 8 and the Annex to this Regulation or as a EURES Partner on the basis of the exemption in paragraph 3.

Amendment 105

Proposal for a regulation Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. For a maximum period of five years from the date of application of this Regulation, Member States may exempt from a review into the application of Article 8 and the Annex to this Regulation those public employment services which were at the time of the entry into force of this Regulation part of the EURES network in accordance with Commission Implementing Decision 2012/733/EU and/or, where appropriate, Commission Decision 2003/8/EC. Member States shall inform the Commission of the exemptions granted.

deleted

Amendment 106

Proposal for a regulation Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10a

The role of EURES cross-border partnerships and other support structures in cross-border regions

1. EURES cross-border partnerships and other specific support structures may be set up in cross-border regions in order to facilitate cross-border labour mobility.

2. Cross-border partnerships are made up by organisations participating in the EURES network in accordance with Article 8 as well as other stakeholders and provide cross-border support services in a particular cross-border area.

3. The tasks of the cross-border partnerships shall include, in particular, providing information, advice and placement and recruitment services for frontier workers and employers, supporting the networking of EURES advisers in border areas, coordinating cooperation between partners, carrying out cross-border activities in order to improve the transparency of the labour market and remove obstacles to mobility, and preparing multilingual publications for frontier workers and employers.

4. Member States shall support cross-border structure activities and encourage the establishment of new partnerships with a view to more effectively meeting the need for coordination with regard to labour mobility in cross-border areas.

Amendment 107

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. The Coordination Group *is* composed of representatives of the European Coordination Office and the National Coordination Offices.

Amendment

1. The Coordination Group *shall be* composed of representatives of the European Coordination Office and the National Coordination Offices, *with the participation of the social partners at Union level.*

Amendment 108

Proposal for a regulation Article 11 – paragraph 3 – subparagraph 2

Text proposed by the Commission

It invites representatives of the social partners at Union level to attend the meetings.

Amendment

deleted

Justification

Deletion as Social Partners shall be member of the Coordination Group

Amendment 109

Proposal for a regulation Article 12 – paragraph 3

Text proposed by the Commission

3. Organisations participating in the EURES network ensure that the information and promotional material they provide is coherent with the overall communication activities of the EURES network and with the information coming from the European Coordination Office.

Amendment

3. Organisations participating in the EURES network ensure that the information and promotional material they provide is coherent with the overall communication activities **and common, high-quality standards** of the EURES network and with the information coming from the European Coordination Office.

Amendment 110

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

1. The European Coordination Office facilitates the **collaboration of** the EURES network **with** other Union information and advisory services and networks.

Amendment

1. The European Coordination Office facilitates the **cooperation between** the EURES network **and** other Union information and advisory services and networks.

Amendment 111

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

2. The National Coordination Offices collaborate with the services and networks referred to in paragraph 1 at Union, national, regional and local level to achieve synergies and avoid overlaps, and, where appropriate, involve EURES Partners.

Amendment

2. The National Coordination Offices collaborate with the services and networks referred to in paragraph 1 at Union, national, regional and local level to achieve synergies and avoid overlaps, and, where appropriate, involve EURES **Members and** Partners.

Amendment 112

Proposal for a regulation Article 13 – paragraph 2 a (new)

2a. In order to reduce unemployment, Member States shall, in conjunction with the Commission, take measures to ensure that equal access is given to Union citizens when applying for employment vacancies.

Amendment 113

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

3. Member States shall seek to develop one stop shop solutions for **the communication** with workers and employers on the common activities of the EURES network and those services and networks.

Amendment

3. Member States shall seek to develop one-stop-shop solutions, **including online, for communicating** with workers and employers on the common activities of the EURES network and those services and networks **and shall ensure that such solutions are accessible to persons with disabilities.**

Amendment 114

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. To bring offers **of employment** together with applications **for employment** each Member State shall make available to the EURES portal:

(a) all job vacancies available with its **public employment services** as well as those provided by **its** EURES Partners;

(b) all **job** applications and **CV's** available with its **public employment services** as well as those provided by **its** EURES Partners, provided that the **workers** concerned have consented to making the information also available to the EURES portal under the terms defined in paragraph 3.

Amendment

1. To bring **job** offers together with **job** applications, each Member State shall make available to the EURES portal:

(a) all job vacancies available with its **PES** as well as those provided by **other EURES Members and** Partners;

(b) all applications and **CVs** available with its **PES** as well as those provided by **other EURES Members and, where relevant,** EURES Partners, provided that the **applicants** concerned have consented to making the information also available to the EURES portal under the terms defined in paragraph 3.

Member States may allow a vacancy not to be published on the EURES portal where duly justified by an employer on the basis of the skills and competence requirements relating to the job and in the case of vacancies which are not made public. Member States may continue to exempt apprenticeships and traineeships where duly justified in accordance with the national education system or the national labour market policy.

Amendment 115

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

2. When making available job vacancy data to the EURES portal, Member States

(a) shall not make any distinction according to the nature and duration of contracts nor the recruitment intentions of employers;

(b) may exclude job vacancies which *due to their nature or to national rules are only open to citizens of a specific country.*

Amendment

2. When making available job vacancy data to the EURES portal, Member States:

(a) shall not make any distinction according to the nature and duration of contracts nor the recruitment intentions of employers, *but shall provide appropriate and relevant information;*

(b) may exclude job vacancies *relating to categories of traineeships and apprenticeships* which are publicly funded, as part of their active labour market policies;

(ba) may exclude other job vacancies as duly justified part of their active labour market policies.

Amendment 116

Proposal for a regulation Article 14 – paragraph 3

Text proposed by the Commission

3. The consent *of workers* referred to in paragraph 1(b) shall be explicit, unambiguous, freely given, specific and informed. *Workers* shall be able to withdraw at any time their consent and require the deletion or modification of any

Amendment

3. The consent referred to in paragraph 1(b) shall be explicit, unambiguous, freely given, specific and informed. *Applicants* shall be able to withdraw at any time their consent and require the deletion or modification of any of all of the data made

of all of the data made available. **Workers** shall be able to choose from a number of options to restrict access to their data or to certain attributes.

available. **Applicants** shall be able to choose from a number of options to restrict access to their data or to certain attributes, **such as deciding whether their data is searchable only via general data categories or whether their CV and personal data is directly available to registered potential employers.**

Justification

Recommendation of the European Data Protection Supervisor

Amendment 117

Proposal for a regulation Article 14 – paragraph 5

Text proposed by the Commission

Amendment

5. They shall exchange information on the mechanisms and standards referred to in paragraph 4 as well as on standards regarding data security and data protection. They shall co-operate between each other and with the European Coordination Office, in particular in case of complaints and job vacancies deemed not compliant with the standards applicable under national law.

deleted

Amendment 118

Proposal for a regulation Article 14 – paragraph 7

Text proposed by the Commission

Amendment

7. To enable the matching of offers of employment with applications for employment each Member State shall provide the information referred to in paragraph 1 *according to* a uniform system.

7. To enable the matching of offers of employment with applications for employment, each Member State shall provide the information referred to in paragraph 1 *in a transparent and* uniform manner.

Amendment 119

Proposal for a regulation Article 14 – paragraph 7 a(new)

Text proposed by the Commission

Amendment

7a. The EURES portal shall be accessible, complying with the adopted European Standard EN 301549 on accessibility requirements for ICT.

Justification

The established EU standard EN 301549 on accessibility requirements of ICT products and services includes the technical specifications to make technology accessible. Precisely, clause number 9 of this standard includes the internationally accepted WCAG 2.0 guidelines, Level AA, which is the crucial level to enable citizens, including persons with disabilities, to access online content. By designing an accessible portal, it will also comply with the UN Convention on the Rights of Persons with Disabilities, ratified by the EU.

Amendment 120

Proposal for a regulation

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The PES shall engage in enhanced cooperation as to assist job matching across borders.

Amendment 121

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure that in the internal tools for caseworkers managed by the **public employment services** all job vacancies, job applications, and **CV's** made available on the EURES portal shall be available on a par with any national data in those tools.

3. Member States shall ensure that in the internal tools for caseworkers managed by the **PES** all job vacancies, job applications, and **CVs** made available on the EURES portal, **in accordance with Article 14**, shall be available on a par with any national data in those tools.

Justification

Recommendation of the European Data Protection Supervisor

Amendment 122

Proposal for a regulation

Article 15 – paragraph 4

Text proposed by the Commission

4. The EURES Partners concerned also apply the principles referred to in paragraphs 1 and 3, ***in accordance with the choice made by these organisations under Article 9(1).***

Amendment

4. The EURES ***Members and*** Partners concerned also apply the principles referred to in paragraphs 1 and 3.

Amendment 123

Proposal for a regulation Article 15 – paragraph 5

Text proposed by the Commission

5. Member States shall put in place a national hub to allow for the transfer to the EURES portal of information on job vacancies, job applications and ***CV's*** made available by any organisation that is willing to share this information also on the EURES portal.

Amendment

5. Member States shall put in place a national hub ***by using, if possible, already existing governmental structures,*** to allow for the transfer to the EURES portal of information on job vacancies, job applications and ***CVs*** made available by any organisation that is willing to share this information also on the EURES portal.

Amendment 124

Proposal for a regulation Article 15 – paragraph 6

Text proposed by the Commission

6. Member States shall seek to develop one-stop shop solutions for the communication towards frontier workers and employers in ***those*** cross border regions ***where the Member States concerned together deem it necessary to set up specific co-operation and service structures.***

Amendment

6. Member States shall, ***in close cooperation with any EURES cross-border partnerships,*** seek to develop one-stop-shop solutions, ***including on-line,*** for the communication towards frontier workers and employers in cross-border regions.

Amendment 125

Proposal for a regulation

Article 16

Text proposed by the Commission

1. The Commission shall develop a European classification of skills, competences, qualifications and occupations. This classification is the tool facilitating on line job application across borders for the European Union by performing job matching, identifying skills shortages, recognising qualifications and providing career guidance on the EURES portal.

2. Member States cooperate with each other and the **European** Commission regarding interoperability between national systems and the classification **referred to in paragraph 1**.

3. **To that end, by 1.1.2017** each Member State shall establish an initial inventory to map all its national, regional and sectoral classifications to and from **the classification referred to in paragraph 1, and, following the introduction of the use of the inventory on the basis of an application made available by the European Coordination Office, regularly update the inventory to** keep it updated

Amendment

1. The Commission shall develop a European classification of skills, competences, qualifications and occupations ("**European classification**") This classification is the tool facilitating on line job application across borders for the European Union by performing job matching, identifying skills shortages, recognising qualifications and providing career guidance on the EURES portal.

2. Member States, **and in particular EURES Members**, cooperate with each other and **with** the Commission regarding interoperability between national systems and the **European** classification **being developed by the Commission. The Commission shall keep the Member States informed about the development of the European classification.**

2a. European classification shall take into account the experiences and best practices already acquired following the implementation of the European Qualifications Framework and the Directive 2005/36/EC of the European Parliament and of the Council.

2b. The Commission shall adopt and update, by means of implementing acts, the list of skills and competences and occupations of the European classification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(3).

3. Each Member State shall, **within three years from the adoption of the list referred to in paragraph 2b**, establish an initial inventory to map all its national, regional and sectoral classifications to and from **that list and** keep it updated.

with the evolution of recruitment services

4. The Commission *provides* technical support to Member States who choose to replace national classifications with the classification *referred to in paragraph 1*
5. The Commission shall adopt, by means of implementing acts, the technical standards and formats necessary for the operation of the classification *referred to in paragraph 1*. Those implementing acts shall be adopted by the Commission in accordance with the examination procedure referred to in Article 34(3).

Amendment 126

Proposal for a regulation Article 17 – paragraph 1

Text proposed by the Commission

1. *The public employment services* shall ensure that workers using their services, by making available job applications *and/or CV's* with them, *can* choose to have those employment services assist those workers with their registration on the EURES portal, using the national hub referred to in Article 15(5).

Amendment 127

Proposal for a regulation Article 17 – paragraph 4

3a. Member States may choose to replace their national classification with the European classification, once completed, or maintain their interoperable national classification systems.

4. The Commission *shall provide* technical *and, where possible, financial* support to Member States who choose to replace national classifications with the *European* classification.
5. The Commission shall adopt, by means of implementing acts, the technical standards and formats necessary for the operation of the *automated matching through the common IT platform using the European classification and the interoperability between national systems and the European classification*. Those implementing acts shall be adopted by the Commission in accordance with the examination procedure referred to in Article 34(3).

Amendment

1. *EURES Members and Partners* shall ensure that workers using their services, by making available job applications *and/or CVs* with them, *are informed that they may* choose to have those employment services assist those workers with their registration on the EURES portal, using the national hub referred to in Article 15(5). *Such assistance shall be offered on a non-discriminatory basis and without delay.*

Text proposed by the Commission

4. Workers and employers shall have access to **general** information on how, when and where they can update, revise and withdraw the data concerned.

Amendment

4. Workers and employers shall have access to **detailed** information on how, when and where they can update, revise and withdraw the data concerned.

Amendment 128

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that workers and employers can gain access to support services at national level

Amendment

1. Member States shall ensure that workers and employers can gain access, **whether online or offline**, to support services at national level **without delay**.

Amendment 129

Proposal for a regulation Article 18 – paragraph 2

Text proposed by the Commission

2. Member States shall support the development of a coordinated approach at national level to such services.

Amendment

2. Member States shall support the development of a coordinated approach at national level to such services, **designed to address the specific regional and/or local needs**.

Justification

The success of the EURES network demands that Member States foster its linkage with the specific interests of the EU's regions and/or municipalities.

Amendment 130

Proposal for a regulation Article 18 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) through the EURES cross-border partnerships; or

Amendment 131

Proposal for a regulation Article 18 – paragraph 3 – point d

Text proposed by the Commission

(d) with a combination of points (a) to (c).

Amendment

(d) with a combination of points (a) to **(ca)**.

Amendment 132

Proposal for a regulation Article 18 – paragraph 5

Text proposed by the Commission

5. Support services for workers as set out in Articles 20, 22 and 23 and the assistance with registration on the EURES portal referred to in Article 17(1) are free of charge.

Amendment

5. Support services for workers as set out in Articles 20, 22 and 23 and the assistance with registration on the EURES portal referred to in Article 17(1) **and (2)** are free of charge.

Amendment 133

Proposal for a regulation Article 18 – paragraph 6

Text proposed by the Commission

6. Support services for employers referred to in Articles 21 and 22 and the assistance with registration on the EURES portal referred to in Article 17(2) may be subject to fee. Any fee charged, cannot differentiate between the fees levied for EURES services and those applicable to other comparable services provided by the organisation concerned.

Amendment

deleted

Amendment 134

Proposal for a regulation Article 18 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Information on such support and on any cost involved shall be supplied in a clear and precise manner to both

employers and workers.

Amendment 135

Proposal for a regulation Article 18 – paragraph 7

Text proposed by the Commission

7. The EURES Partners concerned shall clearly indicate to workers and employers the range of support services they provide, where and how those services are accessible and the conditions under which access is provided, using their information channels. That information is published on the EURES portal.

Amendment

7. The EURES Partners concerned shall clearly indicate to workers and employers the range of support services they provide, where and how those services are accessible and the conditions under which access is provided, using their information channels ***which should be as accessible as possible***. That information is published on the EURES portal.

Amendment 136

Proposal for a regulation Article 19 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that all workers and employers requesting client services from employment services receive or are made aware of ***basic*** information on mobility support available at national level which

Amendment

1. Member States shall ensure that all workers and employers requesting client services from employment services receive or are made aware of ***appropriate*** information on mobility support available at national level which:

Amendment 137

Proposal for a regulation Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) is easily accessible and is presented in a user friendly manner.

Amendment

(b) is ***non-discriminatory and*** easily accessible and is presented in a user friendly manner, ***as well as being accessible to people with disabilities***.

Justification

The principle of non-discrimination is a cornerstone of an inclusive, well-functioning labour-market.

Amendment 138

Proposal for a regulation Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. All jobseekers shall be entitled to comprehensive information concerning conditions of employment, such as pension rights, welfare insurance and health insurance, in the country and place in which the job is located.

Amendment 139

Proposal for a regulation Article 19 – paragraph 3

Text proposed by the Commission

Amendment

3. The European Coordination Office supports the development of basic information under this Article and assists Member States in ensuring an adequate language coverage.

3. The European Coordination Office supports the development of basic information under this Article and assists Member States in ensuring an adequate language coverage, ***taking into account the demands of the Member States' labour markets.***

Amendment 140

Proposal for a regulation Article 20 – paragraph 1

Text proposed by the Commission

Amendment

1. The EURES Partners concerned proactively offer ***all workers*** seeking employment the opportunity to access the services defined in this Article. Where appropriate, ***this*** offer ***is*** repeated during the job search process.

1. The EURES ***Members and*** Partners concerned ***shall, without delay,*** proactively offer ***people legally entitled to work in the Union and*** seeking employment the opportunity to access the services defined in this Article. Where appropriate, ***such an*** offer ***shall be*** repeated during the job search process.

Amendment 141

Proposal for a regulation Article 20 – paragraph 2 – introductory part

Text proposed by the Commission

2. If workers are interested in further assistance, the EURES Partners concerned provide information and guidance on individual employment opportunities and in particular offer them the following services:

Amendment 142

Proposal for a regulation

Article 20 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

2. If workers are interested in further assistance, the EURES Partners concerned provide information and guidance on individual employment opportunities and in particular offer them the following *personalised* services, *free of charge*:

Amendment 143

Proposal for a regulation

Article 20 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(aa) to provide information and guidance as referred to in Article 7(3);

Amendment 144

Proposal for a regulation

Article 20 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(ba) to provide information on advice services as to employment opportunities for the workers' families;

Amendment 145

Proposal for a regulation

Article 20 – paragraph 2 – point bc (new)

Amendment

(bb) to provide the worker with information on intercultural integration and language support;

Text proposed by the Commission

Amendment

(bc) to provide information on terms of employment in the Member State and at the place of work, such as pension entitlements, social security, taxation or health insurance;

Amendment 146

Proposal for a regulation

Article 20 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) where necessary, to provide assistance ***with the uploading of such job applications and on relevant national job search portals and*** the EURES portal;

(d) where necessary, to provide assistance ***in the use of the EURES portal, such as for uploading job applications on*** the EURES portal;

Amendment 147

Proposal for a regulation

Article 20 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) where appropriate, to refer to another EURES Partner.

(f) where appropriate, to refer to another EURES ***Member or*** Partner.

Amendment 148

Proposal for a regulation

Article 20 – paragraph 3

Text proposed by the Commission

Amendment

3. If workers are interested in further assistance and there is a reasonable likelihood of an intra-EU placement, the EURES Partners concerned provide ***further job search assistance, consisting of*** services such as the selection of suitable vacancies, assistance with drawing up job applications and CV's and providing translations and/or obtaining clarifications on specific job vacancies in other Member States.

3. The EURES ***Members and*** Partners concerned ***shall, where appropriate,*** provide ***additional*** services such as the selection of suitable vacancies, assistance with drawing up job applications and CVs and providing translations and obtaining clarifications on specific job vacancies in other Member States ***if workers are interested in further assistance.***

Amendment 149

Proposal for a regulation Article 20 – paragraph 4

Text proposed by the Commission

4. Upon recruitment of a worker in another Member State as a result of the services provided in accordance with this Article, the EURES Partners concerned provide the person concerned with the contact details of organisations in the Member State of destination which can offer post-recruitment assistance.

Amendment

4. Upon recruitment of a worker in another Member State as a result of the services provided in accordance with this Article, the EURES **Members and** Partners concerned provide the person concerned with the contact details of organisations, **including the social partners**, in the Member State of destination which can offer post-recruitment assistance.

Amendment 150

Proposal for a regulation Article 21

Text proposed by the Commission

1. The EURES Partners concerned shall provide information and guidance to employers interested in recruiting workers from other Member States and in particular offer them the following services:

(a) to provide information on the specific rules applicable when employing **those workers**;

(b) to promote the use of the EURES network and the CV database on the EURES portal as a tool helping to fill **job** vacancies;

(c) to provide information and guidance on factors which can facilitate the recruitment of workers and how to support their integration;

(d) where requested, to provide information and guidance on **the formulation of individual job** requirements **in a job vacancy understandable to a**

Amendment

1. The EURES **Members and** Partners concerned shall provide information and guidance to employers interested in recruiting workers from other Member States and in particular offer them the following services:

(a) to provide information on the specific rules applicable when employing **persons from other Member States and with regard to the various types of employment contract**;

(b) to promote, **in particular online**, the use of the EURES network and the CV database on the EURES portal as a tool helping to fill vacancies;

(c) to provide information and guidance on factors which can facilitate the recruitment of workers and how to support their integration;

(d) where requested, to provide **specific** information and **individual** guidance on **formulating** requirements **for vacancies**;

European audience;

(e) where requested, to provide assistance on the formulation of the job vacancy in conformity with the European technical standards and formats referred to in Articles 14(8) and 16(5);

(f) where necessary, to provide assistance with the registration as an employer on the EURES portal;

(g) where appropriate, to refer to another EURES Partner.

2. **If employers are interested in further assistance and there is a reasonable likelihood of an intra-EU recruitment**, the EURES Partners concerned provide **further assistance, consisting of** such **services** as the pre-selection of suitable candidates and assistance with providing translations and/or obtaining clarifications on specific job applications.

3. Upon recruitment of a worker from another Member State as a result of the services provided in accordance with this Article, the EURES Partners concerned provide the employer concerned with the contact details of organisations which can offer assistance with the integration of newly recruited workers from other Member States.

4. The **public employment services** shall endeavour to make agreements with other employment services operating on that Member State's territory

(a) to jointly promote in the Member State's territory the registration of employers on the EURES network and their use of the common platform for European clearance;

(b) to share information and best practices on support services for employers interested in recruiting workers from other Member States.

(e) where requested, to provide assistance on the formulation of the job vacancy in conformity with the European technical standards and formats referred to in Articles 14(8) and 16(5);

(f) where necessary, to provide assistance **for the use of the EURES portal, namely support** with the registration as an employer on the EURES portal;

(g) where appropriate, to refer to another EURES **Member or** Partner.

2. EURES **Members or** Partners concerned **shall, where appropriate**, provide **additional** services such as the pre-selection of suitable candidates and assistance with providing translations and/or obtaining clarifications on specific job applications **if employers are interested in further assistance**.

3. Upon recruitment of a worker from another Member State as a result of the services provided in accordance with this Article, the EURES **Members or** Partners concerned provide the employer concerned with the contact details of organisations which can offer assistance with the integration of newly recruited workers from other Member States.

4. The **PES** shall endeavour to make agreements with other employment services operating on that Member State's territory

(a) to jointly promote **and encourage** in the Member State's territory the registration of employers on the EURES network and their use of the common platform for European clearance;

(b) to share information and best practices on support services for employers interested in recruiting workers from other Member States.

Amendment 151

Proposal for a regulation Article 22 – paragraph 1

Text proposed by the Commission

1. The EURES Partners concerned shall provide, *upon request of* workers and employers, *general* information on post-recruitment assistance and about where to obtain post-recruitment assistance such as training on intercultural communication, language courses and support with integration.

Amendment

1. The EURES **Members and** Partners concerned shall provide workers and employers **with** information on post-recruitment assistance and about where to obtain post-recruitment assistance such as training on intercultural communication, language courses and support with **regard to** integration.

Amendment 152

Proposal for a regulation Article 22 – paragraph 2

Text proposed by the Commission

2. *By derogation from Article 18(5), EURES Partners may offer the assistance referred to in paragraph 1 to workers against a fee.*

Amendment

deleted

Amendment 153

Proposal for a regulation Article 23 – title

Text proposed by the Commission

Facilitated access to information and services on social security

Amendment

Facilitated access to information and services on **health**, social security **and taxation**

Amendment 154

Proposal for a regulation Article 23 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure coordination between support services under this Regulation and services provided on social

Amendment

1. Member States shall ensure coordination between support services under this Regulation and services provided on **health**, social security, **unemployment**

security by the competent authorities.

insurance and taxation by the competent authorities *at national, regional and local level and through cross-border cooperation structures, and they shall seek to prevent problems relating to different provisions at regional and local levels in their own countries.*

Amendment 155

Proposal for a regulation Article 23 – paragraph 2

Text proposed by the Commission

2. For the purpose of paragraph 1, Member States shall support the development of integrated online access as a first source of information for workers, frontier workers and employers.

Amendment

2. For the purpose of paragraph 1, Member States shall support the development of integrated online access as a first source of information for workers, frontier workers and employers *and further personalised services provided by the EURES advisors.*

Justification

Personalised services provided by EURES advisors play a key role in allowing workers to make informed decisions when exercising their fundamental right of free movement.

Amendment 156

Proposal for a regulation Article 23 – paragraph 3

Text proposed by the Commission

3. *Upon request of workers, frontier workers and employers*, the EURES Partners concerned shall provide general information on the rights related to social security *and undertake to refer those* requests for specific information to the competent authorities and, *if applicable*, other bodies supporting workers exercising their rights in the framework of the freedom of movement.

Amendment

3. The EURES *Members and* Partners concerned shall provide general information on the rights related to social security *and unemployment insurance and income taxation. In addition, the border partnerships shall provide specific, multi-lingual information on particular types of employment. That information shall contain, inter alia, information on minimum standards in labour law, employment and health protection and minimum wages.* Requests for specific information *shall be referred* to the competent authorities and *to* other bodies supporting workers exercising their rights in the framework of the freedom of

movement.

Justification

People wanting to work in a different country need to have this information so that they can make a decision in full knowledge of the facts.

Amendment 157

**Proposal for a regulation
Article 24**

Text proposed by the Commission

A Member State shall not limit the access to national labour market measures merely **for the reason** that a worker seeks that assistance in order to find employment in the territory of another Member State.

Amendment

In accordance with Regulation (EU) No 492/2011, a Member State shall not limit the access to national **active** labour market measures **providing workers with job search assistance** merely **on the ground** that a worker seeks that assistance in order to find employment in the territory of another Member State. **However, a Member State may exclude certain publicly funded measures that form part of its active labour market policies.**

Amendment 158

**Proposal for a regulation
Article 25 – paragraph 1**

Text proposed by the Commission

The Commission **and the Member States** monitor labour mobility flows and patterns in the Union on the basis of Eurostat statistics and the available national data.

Amendment

The Commission **shall** monitor **and make public** labour mobility flows and patterns in the Union on the basis of Eurostat statistics and the available national data.

Amendment 159

**Proposal for a regulation
Article 26 – paragraph 1 – introductory part**

Text proposed by the Commission

1. Each Member State shall, in particular, collect and analyse information on:

Amendment

1. Each Member State shall, in particular, collect and analyse **gender-disaggregated** information on:

Amendment 160

Proposal for a regulation

Article 26 – paragraph 1 – point a

Text proposed by the Commission

(a) labour shortages and labour surpluses on national and sectoral labour markets and the extent to which labour mobility can address them;

Amendment

(a) labour shortages and labour surpluses on national and sectoral labour markets and the extent to which labour mobility can address them, ***paying particular attention to the most vulnerable groups in the labour market and the regions most affected by unemployment;***

Amendment 161

Proposal for a regulation

Article 26 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the needs and tendencies of the labour market in order to create possible synergies between employers and universities or professional training institutes to address the problem of mismatch between skills and vacancies;

Amendment 162

Proposal for a regulation

Article 26 – paragraph 1 – point b

Text proposed by the Commission

(b) EURES activities at national level;

Amendment

(b) EURES activities at national, ***and, where appropriate, at cross-border*** level, ***in order to identify new possibilities for political initiatives;***

Amendment 163

Proposal for a regulation

Article 26 – paragraph 1 – point c

Text proposed by the Commission

(c) the position of the EURES network on the market for recruitment services at

Amendment

(c) the position of the EURES network on the market for recruitment services at

national level as whole.

national level as whole, ***and, where appropriate, at cross-border level.***

Amendment 164

Proposal for a regulation

Article 26 – paragraph 3

Text proposed by the Commission

3. Taking into account the exchange of information and the joint analysis, Member States ***shall*** develop mobility policies as an integral part of their employment policies. These mobility policies provide the framework on the basis of which Member States carry out the programming referred to in Article 28.

Amendment

3. Taking into account the exchange of information and the joint analysis, Member States ***may*** develop mobility policies as an integral part of their employment policies. These mobility policies provide the framework on the basis of which Member States carry out the programming referred to in Article 28.

Amendment 165

Proposal for a regulation

Article 26 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Member States shall undertake to remove from their national law provisions designed to slow down or hinder the movement of workers across the Union.

Amendment 166

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

1. All organisations participating in the EURES network referred to in Article 4 shall share and exchange information on the situation in the Member States concerning living and working conditions, administrative procedures and the rules applicable to workers from other Member States, thus giving guidance to workers and employers.

Amendment

1. All organisations participating in the EURES network referred to in Article 4 shall share and exchange information on the situation in the Member States concerning living and working conditions, administrative procedures and the rules applicable to workers from other Member States, thus giving ***necessary*** guidance to workers and employers.

Amendment 167

Proposal for a regulation Article 28 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Each National Coordination Office shall evaluate and share the European Coordination Office's country-specific report and recommendation with the EURES Members and Partners.

Amendment 168

Proposal for a regulation Article 28 – paragraph 1

Text proposed by the Commission

Amendment

1. Each National Coordination Office ***draws up each year a*** work programme for the organisations participating in the EURES network on that Member State's territory.

1. Each National Coordination Office ***shall draw up an annual*** work programme ***taking into account the European Coordination Office's country-specific report and recommendation*** for the organisations participating in the EURES network on that Member State's territory.

Amendment 169

Proposal for a regulation Article 28 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) The main activities to be carried out in accordance with this Regulation;

(a) The main activities to be carried out in accordance with this Regulation ***at national level as a whole, and, where appropriate, at cross-border level;***

Amendment 170

Proposal for a regulation Article 28 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall, through the European Coordination Office, ensure that the funding of EURES activities

conforms with the national work programmes and is in line with the provisions of the EaSI Programme, while provisions for funding EURES activities shall ensure synergy with funding available from INTERREG 2014-2020.

Amendment 171

Proposal for a regulation

Article 29 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) results about service efficiency and quality, obtained by the completion of a standardised questionnaire by EURES advisors.

Amendment 172

Proposal for a regulation

Article 30

Text proposed by the Commission

Amendment

Taking into account the information gathered as referred to in this Chapter, the **European** Commission shall submit every **two years** a report to the European Parliament, the Council, the Committee of the Regions and the European Economic and Social Committee on labour mobility within the Union and the services provided to workers to facilitate the exercise of the freedom of movement in accordance with Article 46 TFEU.

Taking into account the information gathered as referred to in this Chapter, the Commission shall submit every **year** a report to the European Parliament, the Council, the Committee of the Regions and the European Economic and Social Committee on labour mobility within the Union and the services provided to workers to facilitate the exercise of the freedom of movement in accordance with Article 46 TFEU.

Amendment 173

Proposal for a regulation

Article 32

Text proposed by the Commission

Amendment

The **European** Commission shall submit to the European Parliament, the Council, the Committee of the Regions **and the European Economic and Social**

The Commission shall submit to the European Parliament, **to the Council, to the European Economic and Social Committee and to the** Committee of the

Committee an ex-post evaluation on the operation and effects of this Regulation *five* years after *its* entry into force.

Regions an ex-post evaluation on the operation and effects of this Regulation *by ...* [two* years after entry into force *of this Regulation]*.

Amendment 174

Proposal for a regulation Article 33 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in *Articles 8 and 29* shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation or from any other date set by the legislator.

Amendment

2. The delegation of power referred to in *Article 29* shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Regulation or from any other date set by the legislator.

Amendment 175

Proposal for a regulation Article 33 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in *Articles 8 and 29* may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in *Article 29* may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 176

Proposal for a regulation Article 33 – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to *Articles 8 and 29* shall enter into force only if no objection has been expressed

Amendment

5. A delegated act adopted pursuant to *Article 29* shall enter into force only if no objection has been expressed either by the

either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.