

EUROPEAN PARLIAMENT

1999



2004

Session document

FINAL
A5-0319/2001

10 October 2001

*****II**

RECOMMENDATION FOR SECOND READING

on the Council common position for adopting a European Parliament and Council decision on Community incentive measures in the field of employment (8432/1/01 – C5-0294/2001 – 2000/0195(COD))

Committee on Employment and Social Affairs

Rapporteur: Anne Elisabet Jensen

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

CONTENTS

	Page
PROCEDURAL PAGE	4
DRAFT LEGISLATIVE RESOLUTION.....	5

PROCEDURAL PAGE

At the sitting of 14 February 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council decision on Community incentive measures in the field of employment (COM(2000) 459 - 2000/0195 (COD)).

At the sitting of 12 March 2001 the President of Parliament announced that the amended proposal for a European Parliament and Council decision on Community incentive measures in the field of employment had been received and referred to the Committee on Employment and Social Affairs (COM(2001) 124 - C5-0085/2001 - 2000/0195(COD)).

At the sitting of 5 July 2001 the President of Parliament announced that the common position had been received and referred to the Committee on Employment and Social Affairs (8432/1/01 - C5-0294/2001).

The committee had appointed Anne Elisabet Jensen rapporteur at its meeting of 17 May 2000.

The committee considered the common position and the draft recommendation for second reading at its meetings of 3 Mai, 11 September and 8/9 October 2001.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Michel Rocard, chairman; Winfried Menrad and José Ribeiro e Castro, vice-chairmen; Anne Elisabet Jensen, rapporteur; Jan Andersson, María Antonia Avilés Perea, Regina Bastos, Roberto Felice Bigliardo, Theodorus J.J. Bouwman (for Ian Stewart Hudghton), André Brie (for Sylviane H. Ainardi), Philip Bushill-Matthews, Luciano Caveri, Alejandro Cercas, Luigi Cocilovo, Harald Ettl, Carlo Fatuzzo, Ilda Figueiredo, Hélène Flautre, Fiorella Ghilardotti, Marie-Hélène Gillig, Anne-Karin Glase, Richard Howitt (for Proinsias De Rossa), Stephen Hughes, Ioannis Koukiadis, Rodi Kratsa-Tsagaropoulou, Jean Lambert, Elizabeth Lynne, Thomas Mann, Mario Mantovani, Manuel Medina Ortega (for Elisa Maria Damião), Claude Moraes, Mauro Nobilia, Manuel Pérez Álvarez, Bartho Pronk, Tokia Saïfi, Herman Schmid, Peter William Skinner (for Karin Jöns), Miet Smet, Ilkka Suominen, Helle Thorning-Schmidt, Ieke van den Burg, Anne E.M. Van Lancker, Barbara Weiler and Sabine Zissener (for David Sumberg).

The recommendation for second reading was tabled on 10 October 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council decision on Community incentive measures in the field of employment (8432/1/01 – C5-0294/2001 – 2000/0195(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (8432/1/01 – C5-0294/2001),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2000) 459²),
 - having regard to the Commission's amended proposal (COM(2001) 124³),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Employment and Social Affairs (A5-0319/2001),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published.

² OJ C 337, 28.11.2000, p. 242.

³ OJ C 180E, 26.6.2001, p. 182.

Amendment 1
Article 3 (1)(g)

- | | |
|--|--|
| (g) to implement an active and transparent information policy. | (g) to implement an active and transparent information policy, <i>with due regard for the need of European citizens for transparency.</i> |
|--|--|

Justification

It is possible to implement an active information policy only if the needs of citizens are taken into account.

Amendment 2
Article 4 (1)(b)

- | | |
|--|---|
| (b) providing support for Member States' efforts in evaluating in a consistent and coordinated manner their National Action Plans for Employment, including the way in which the social partners and relevant regional and local authorities have been involved in their implementation. A special evaluation exercise shall be completed at the end of the first period of application of the annual employment policy guidelines agreed in accordance with the Luxembourg process; | (b) providing support for Member States' efforts in evaluating in a consistent and coordinated manner their National Action Plans for Employment, including the way in which the social partners and relevant regional and local authorities have been <i>and may be</i> involved in their implementation. A special evaluation exercise shall be completed at the end of the first period of application of the annual employment policy guidelines agreed in accordance with the Luxembourg process; |
|--|---|

Justification

It is necessary not only to carry out an evaluation but also to draw conclusions from the evaluation, in order to ensure that the social partners and local and regional authorities are involved in the implementation of the National Action Plans for Employment.

Amendment 3

Article 4 (1)(c)

(c) a quantitative and qualitative evaluation of the effects of the European Employment Strategy in general, and analysis of the consistency between the European Employment Strategy and general economic policy, as well as other policy areas;

(c) a quantitative and qualitative evaluation of the effects of the European Employment Strategy in general, and analysis of the consistency between the European Employment Strategy and general economic policy, as well as other policy areas, **and an assessment of the European Employment Strategy as method.**

(see am. 6 of A5-0018/2001 of 14 February 2001)

Justification

Thought needs to be given to the Employment strategy as a method of open coordination (analysis of strengths and weaknesses, effectiveness, the accompanying structures required, any problems in implementation) in order to assess its real impact on labour market policies.

Amendment 4
Article 4 (2)

2. Under the activities referred to in paragraph 1, efforts shall be made to mainstream the principle of gender equality, in particular with regard to equal opportunities for men and women in employment and labour markets and to reconciling working life and family life.

2. Under the activities referred to in paragraph 1, efforts shall be made to mainstream the principle of gender equality, in particular with regard to equal opportunities for men and women in employment and labour markets and to reconciling working life and family life, **and studies shall be carried out concerning the supply of child care facilities and home care/help services. Special attention shall also be given to the problems of target groups which are subject to multiple discrimination in their access to the labour market. This exercise must be supported by evaluation of the National Action Plans and by a more strategic approach to employment policy in the European Union, the aim being to understand, monitor and analyse developments by establishing indicators.**

(see am. 7 of A5-0018/2001 of 14 February 2001)

Justification

The ability to reconcile work and family life essentially depends on availability of child care facilities and the extent to which family members are able to be cared for by other services during working hours.

Gender discrimination against women is often accompanied, and reinforced, by discrimination on other grounds, such as age, colour or level of education. In fighting discrimination in the access to the labour market, a more targeted approach is called for: on the basis of scientific monitoring of trends, and the establishment of indicators, concrete targets may be set in the future in this respect.

Amendment 5
Article 4 (4) (new)

(4) Part of the appropriations provided for is intended for projects to promote cooperation, improve knowledge, develop an exchange of information, promote best practices and innovative approaches and to evaluate experience in implementing National Action Plans for employment at local and regional levels in the context of the European Employment Strategy. The purpose of these measures is to make local and regional authorities and other key local partners, including representatives of the mutual and non-profit sector, aware of the potential of measures conducive to implementing the employment guidelines at local and regional levels and the interlinking thereof at regional and local levels.

They shall include in particular:

- a) developing publicity work for the European Employment strategy and its implementation at local and regional levels;***
- b) studies on how institutions of the mutual and non-profit sector can be supported at regional and local levels;***

c) studies on how to improve transnational cooperation, and the dissemination of best practice in implementing local employment initiatives;

***d) studies of what measures can be taken to create incentives for local and regional partners to contribute towards implementing the European Employment Strategy.
Particular focus shall be given to the gender aspects of employment policy.***

(see am. 10 of A5-0018/2001 of 14 February 2001)

Justification

In the 2000 budget procedure Parliament introduced a new budget line (B5-503) with the title 'Preparatory measures for a local commitment for employment', with the aim of better consolidating the European Employment strategy at local and regional levels. This initiative was based on the realisation that despite its relevance to local and regional operators the European Employment strategy was virtually unknown at those levels. The Commission has also now recognised the importance of involving the local and regional levels more closely in the Employment strategy, as the proposal on the employment guidelines for 2001 and the consultation process launched by the Commission on the local dimension of employment show. Including this in the Commission proposal will create a sustainable legal basis for the initiative. This approach is covered by Article 129 ECT which explicitly mentions pilot projects in the context of incentives.

**Amendment 6
Article 5 (1a) (new)**

1a) specific information measures to make the general public aware of the European Employment Strategy and of gender equality issues with regard to the access to the labour market;

(see am. 11 of A5-0018/2001 of 14 February 2001)

Justification

The debate on the European Employment strategy is increasingly being conducted on an

academic plane which the public find barely comprehensible. To do away with this democratic deficit, greater public relations work is needed.

Amendment 7
Article 5 last paragraph (new)

The Commission shall ensure that the nature and scope of the outputs satisfy the public's need for transparency. In particular, it shall ensure that the evaluation of the National Action Plans for employment and the annual employment report are made accessible to the general public, enabling citizens to evaluate what the Member States have achieved.

(see am. 12 of A5-0018/2001 of 14 February 2001)

Justification

The debate on the European Employment strategy is increasingly being conducted on an academic plane which the public find barely comprehensible. To do away with this democratic deficit, greater public relations work is needed.

Amendment 8
Article 6

The Commission shall ensure that the measures implemented under this Decision and the other relevant Community programmes and initiatives (***such as*** the social inclusion programme and the framework programme for research, technological development and demonstration activities) are consistent with each other and complementary. The outcomes of other Community initiatives could be used as inputs into the actions covered by this Decision, and results from the activities mentioned in this Decision could be used as inputs into other Community initiatives.

The Commission shall ensure that the measures implemented under this Decision and the other relevant Community programmes and initiatives (***in particular*** the social inclusion programme and the ***programme to combat discrimination, the Framework programme on equal opportunities***, the Framework programme for research, technological development and demonstration activities, ***actions by the European Social Fund, the Community programmes in the field of vocational training and the activities of the relevant decentralised agencies***) are consistent with each other and complementary. The outcomes of other Community initiatives

could be used as inputs into the actions covered by this Decision, and results from the activities mentioned in this Decision could be used as inputs in other Community initiatives.

To this end the Commission shall create internal links with relevant Community programmes and initiatives and the decentralised agencies.

(see am. 13 of A5-0018/2001 of 14 February 2001)

Justification

The references made by the Council to other programmes seem to have been chosen arbitrarily. The 'relevant Community programmes and initiatives' therefore need to be spelled out.

Amendment 9 Article 8

1. The measures necessary for the implementation of this Decision relating to the matters referred to below shall be adopted in accordance with the management procedure referred to in Article 9(2):

1. The Commission shall implement these activities in accordance with this Decision.

2. The Commission shall be assisted by an advisory committee composed of the representatives of the Member States and chaired by the representative of the Commission (hereinafter referred to as "the Committee").

3. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Council Decision 1999/468/EC shall apply, in compliance with Article 7, paragraph 3 and Article 8.

4. The representative of the Commission shall in particular consult the Committee on:

(a) the general guidelines for the implementation of the activities;

(a) the general guidelines for the implementation of the activities;

(b) the annual budgets and the distribution of funding between measures;

(b) the annual budgets and the distribution of funding between measures;

(c) the annual plan of work for the implementation of actions under the activities, and the Commission proposals for selection criteria for financial support, including the criteria for monitoring and assessing activities receiving such support, and the procedure for disseminating and transferring the results.

(c) the annual plan of work for the implementation of actions under the activities, and the Commission proposals for selection criteria for financial support, including the criteria for monitoring and assessing activities receiving such support, and the procedure for disseminating and transferring the results.

2. The measures necessary for the implementation of this Decision relating to all other matters shall be adopted in accordance with the advisory procedure referred to in Article 9(3).

(see article 7, COM(2000)459)

Justification

The amendment replaces the comitology structure chosen by the Council (mix of management and advisory committee) by an advisory committee as initially foreseen in the Commission's proposal . The subject and nature of the activities justifies it to delegate the competences for the execution of the decision to the Commission.

Amendment 10 Article 9

1. The Commission shall be assisted by a Committee.

Deleted

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at two months.

3. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

4. The Committee shall adopt its rules of procedure.

Justification

This amendment follows on directly from the previous amendment on Article 8.

Amendment 11 Article 10

To ensure the consistency and complementarity of these activities with other measures referred to in Article 6, the Commission shall keep the Committee referred to in Article 9 regularly informed about other relevant Community action. Where appropriate, the Commission shall establish regular and structured cooperation between this Committee and the committees established for other relevant policies, instruments and actions.

To ensure the consistency and complementarity of these activities with other measures referred to in Article 6, the Commission shall ***set out in the annual plans of activities the nature and scope of the cooperation with the Community programmes and initiatives referred to in Article 6 and with the decentralised agencies and shall*** keep the Committee referred to in Article 8 regularly informed about other relevant Community action. Where appropriate, the Commission shall establish regular and structured cooperation between this Committee and the committees established for other relevant policies, instruments and actions.

(see am. 14 of A5-0018/2001 of 14 February 2001)

Justification

To guarantee consistency and complementarity with other Community measures and initiatives, the way in which this is to be achieved needs to be spelled out. A reference to the specific measures in the annual plans of activities would appear to be an appropriate way of doing so.

Amendment 12
Article 11 second paragraph

Furthermore the Commission shall, within the framework of the activities referred to in this Decision, establish the necessary links with the social partners and regularly exchange views with them. To that end, the Commission shall make the relevant information available to the social partners. The Commission shall inform the Employment Committee and the Committee referred to in Article 9 of the views of the social partners.

Furthermore the Commission shall, within the framework of the activities referred to in this Decision, establish the necessary links with the social partners **and the competent specialist committee of the European Parliament** and regularly exchange views with them. To that end, the Commission shall make the relevant information available to the social partners **and the competent specialist committee of the European Parliament**. The Commission shall inform the Employment Committee and the Committee referred to in Article 9 of the views of the social partners **and the competent specialist committee of the European Parliament**.

(see am. 15 of A5-0018/2001 of 14 February 2001)

Justification

Since Parliament is consulted, pursuant to Article 128(2) ECT, on the annual employment guidelines, it should also be involved in an appropriate way in the specialist discussions which, in the final analysis, serve to draw up the guidelines. The Committee on Employment and Social Affairs has already set up a contact group for this purpose with the Employment Committee. Similar structures should also be created in the context of the present programme.

Amendment 13
Article 12 (1)

1. The financial framework for the implementation of the Community activities referred to in this Decision for the period 1 January 2001 to 31 December 2005 shall be EUR **50** million.

1. The financial framework for the implementation of the Community activities referred to in this Decision for the period 1 January 2001 to 31 December 2005 shall be EUR **65** million.

(see am. 16 of A5-0018/2001 of 14 February 2001)

Justification

The topping-up of appropriations is justified by the enlargement of the scope of the programme (inclusion of pilot projects to promote the local and regional dimension of the employment strategy). This increase in appropriations is neutral in its effects on the budget and may even represent a saving, since the incorporation of the pilot projects means that in future heading B5-503 can be deleted.

Amendment 14
Article 12 (3) (new)

3. The Commission may have recourse to technical and/or administrative assistance, to the mutual benefit of the Commission and of the beneficiaries, as well as to support expenditure.

(see article 9(3) of COM(2000)459)

Justification

This amendment restores the Commission's initial proposal.