

EUROPEAN PARLIAMENT

1999



2004

Session document

FINAL
A5-0256/2002

10 July 2002

REPORT

on the scoreboard on implementing the social policy agenda
(2001/2241(INI))

Committee on Employment and Social Affairs

Rapporteur: Miet Smet

(Delegation of the power of decision - Rule 62 of the Rules of Procedure)

CONTENTS

	Page
PROCEDURAL PAGE	4
MOTION FOR A RESOLUTION	5
EXPLANATORY STATEMENT	10
OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES	13

PROCEDURAL PAGE

At the sitting of 17 January 2002 the President of Parliament announced that the Committee on Employment and Social Affairs had been authorised to draw up an own-initiative report, pursuant to Rules 47(2) and 163 of the Rules of Procedure, on the scoreboard on implementing the social policy agenda .

At the sitting of 13 June 2002 the President of Parliament announced that the Conference of Presidents had delegated the power of decision pursuant to Rule 62 of the Rules of Procedure to the Committee on Employment and Social Affairs and that the Committee on Women's Rights and Equal Opportunities had been asked for its opinion.

The Committee on Employment and Social Affairs had appointed Miet Smet rapporteur at its meeting of 13 March 2002.

It considered the draft report at its meetings of 19 June and 8-9 July 2002 .

At the latter meeting it adopted the motion for a resolution by 27 votes to nil with 1 abstention.

The following were present for the vote: Theodorus J.J. Bouwman, chairman; Marie-Hélène Gillig and Winfried Menrad, vice-chairmen; Miet Smet, rapporteur; Sylviane H. Ainardi, Jan Andersson, Elspeth Attwooll, André Brie, Philip Bushill-Matthews, Harald Ettl, Carlo Fatuzzo, Ilda Figueiredo, Fiorella Ghilardotti (for Enrico Boselli), Anne-Karin Glase, Richard Howitt (for Alejandro Cercas), Stephen Hughes, Anne Elisabet Jensen, Anna Karamanou, Elizabeth Lynne, Thomas Mann, Manuel Pérez Álvarez, Bartho Pronk, Lennart Sacrédeus, Herman Schmid, Gabriele Stauner (for Regina Bastos), Helle Thorning-Schmidt, Ieke van den Burg and Barbara Weiler.

The opinion of the Committee on Women's Rights and Equal Opportunities is attached.

The report was tabled on 10 July 2002.

MOTION FOR A RESOLUTION

European Parliament resolution on the scoreboard on implementing the social policy agenda (2001/2241(INI))

The European Parliament,

- having regard to the Commission communication on the scoreboard on implementing the social policy agenda (COM(2002) 89¹),
 - having regard to the Commission communication on the scoreboard on implementing the social policy agenda (COM(2001)104²),
 - having regard to the conclusions of the Nice European Council of 7, 8 and 9 December 2000 and Annex I on the European social agenda,
 - having regard to the Commission communication on the social policy agenda (COM(2000) 379³),
 - having regard to the conclusions of the Stockholm European Council of 23 and 24 March 2001,
 - having regard to the conclusions of the Barcelona European Council of 15 and 16 March 2002,
 - having regard to its resolution of 25 October 2000⁴ on the new social agenda,
 - having regard to its resolution of 7 February 2002 on the scoreboard on implementing the social policy agenda⁵,
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having delegated, pursuant to Rule 62 of its Rules of Procedure, the power of decision to the Committee on Employment and Social Affairs,
 - having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Women's Rights and Equal Opportunities (A5-0256/2002),
- A. whereas the scoreboard should make it possible to monitor the progress made in implementing the social policy agenda,
- B. whereas the scoreboard should enable a warning to be given in good time in the event of delays in implementing the measures announced,
- C. whereas the agenda should be regarded as an evolving programme open to subsequent

¹ Not yet published in OJ

² Not yet published in OJ

³ Not yet published in OJ

⁴ OJ C 197, 12.7.2001, p. 180

⁵ Texts adopted, item 63

adjustments,

- D. whereas a mid-term review of progress achieved so far will be carried out in 2003,
- E. whereas the social policy agenda spelled out the priorities for the years 2001-2002 but few measures were specified for the years 2003-2006,
- F. whereas the promotion of equality between men and women, an important part of the Social Agenda as adopted in Nice, means that this aspect must be incorporated in all policies that concern directly or indirectly the working and living conditions of all citizens;
 - 1. Regrets that, once again, the scoreboard was submitted to the Barcelona European Council before Parliament had had the opportunity to examine it and again calls on the Commission to send Parliament the annual scoreboard in sufficiently good time to enable it to deliver its opinion before the spring European Council;
 - 2. Considers that the scoreboard ought to cover all the activities envisaged for the period from 2001-2006 to make it possible to ascertain the extent to which objectives have been achieved so far; warns against any attempt to reduce the scoreboard to a mere summary of the Commission's activities;
 - 3. Calls once again for the policy initiatives announced in the social policy agenda to be made operational by means of the scoreboard, which should indicate, for each item, the policy instrument (legislation, open coordination, negotiation between social partners, etc.), those responsible and the deadlines;
 - 4. Calls for the European Parliament to be fully involved in the mid-term social policy agenda review which is due to take place in 2003, particularly as regards the definition of qualitative and quantitative indicators for monitoring and assessing actions carried out under the agenda and the new coordination procedures; calls for action to be taken in connection with the Convention and the IGC on the integration of the open coordination method, which affects an increasing number of fields (employment, social integration, education, pensions) in the Treaty, while at the same time also regulating Parliament's involvement in this method;
 - 5. Calls on the Commission also to associate the Economic and Social Committee as closely as possible in the implementation of the agenda;
 - 6. Calls for more active participation by the social partners, and in particular employers, in the attainment of the objectives set, particularly with regard to lifelong education and training, work organisation and adaptation to new forms of work, and the need to strike a balance between professional and private life; considers that the Commission should submit legislative instruments whenever negotiations between social partners are not concluded within a reasonable period;
 - 7. Regrets, on the other hand, that the Commission has failed to take into account any of Parliament's additional requests contained in its resolution of 25 October 2000⁶ on the

⁶ OJ C 197, 12.7.2001, p. 180.

new social agenda and its resolution of 7 February 2002 on the scoreboard on implementing the social policy agenda in 2001⁷, particularly with regard to:

- 7.1 the definition of an appropriate legal basis for the development of civil dialogue and the provision of the necessary financial resources to enable the NGOs to contribute to the European social agenda,
- 7.2 the establishment of a fiscal and legislative framework for the development of the social economy,
- 7.3 integrating the social dimension into competition policy by ensuring employment and industrial relations aspects are taken into account when the Commission makes decisions concerning mergers of undertakings,
- 7.4 defining the right to take part in collective action and, in particular, the right to strike at European level,
- 7.5 more emphasis on the quality of new forms of work by means of legislative initiatives on home-working and on self-employed persons who find themselves in a comparable situation to that of employees as well as of a directive on the social protection of new forms of work,
- 7.6 modifying Directive 92/85/EEC⁸ on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding, in line with the proposals contained in the resolution adopted by Parliament on 6 July 2000⁹, particularly as regards the length of maternity leave,
- 7.7 introducing an initiative to ensure a better balance between working life and family life by reorganising working hours in accordance with arrangements to be negotiated between the social partners in the context of initiatives to improve the quality of work,
- 7.8 the establishment of criteria for the recognition of disabilities and the submission of an effective action plan to prevent musculoskeletal damage occurring at the workplace,
- 7.9 the drawing up of a proposal concerning individual dismissals;
- 7.10 a legislative initiative on the introduction of a prior, binding test of the cross-border effects of social and fiscal legislation ('grenseffectentoeets'), in accordance with the wish expressed by Parliament in its resolutions of 28 May 1998¹⁰ on the situation of frontier workers in the European Union and of 25 October 2000¹¹ on the social policy agenda;

⁷ Texts adopted, item 63.

⁸ OJ L 348, 28.11.1992, pp. 1-8.

⁹ Texts adopted, item 34.

¹⁰ OJ C 195, 22.6.1998, p.49

¹¹ OJ C 197, 12.7.2001, p. 180

8. Congratulates the Commission on the attention paid to the quality of work, the participation of older workers in active employment and the information society and the protection of workers in the event of undertakings being restructured or relocated, and hopes that measures and practical actions will be taken to address these issues as soon as possible;
9. Expresses its satisfaction at the fact that the Commission has submitted a proposal for portable pensions to the social partners and calls on the Commission to continue producing initiatives by way of follow-up to the action plan on skills and mobility;
10. Calls on the Commission to take more active steps, together with the Member States, to increase the level of participation by older workers in working life by improving working conditions and giving special attention to the challenges and opportunities of new technologies and the information society; takes the view that this should be achieved in consultation with the social partners and by making use of a coordinated package of instruments such as access to permanent education and retraining, experiments with flexible working and the introduction of forms of part-time work for older people;
11. Congratulates the Commission on the decision on the European Year of People with Disabilities, but calls for greater attention to be paid to integration into working life and, in particular, action to combat discrimination in employment, at work and in access to professional training and to the employment market;
12. Calls on the Commission to speed up its work, particularly with regard to legislative proposals and preparatory work, with particular reference to:
 - 12.1 the revision of the directive on the works council, to ensure that the legislative procedure can be completed, as scheduled, in 2002,
 - 12.2 the drawing up of a Green Paper on supplementary sickness insurance to pave the way for a legislative initiative,
 - 12.3 the drawing up of a Green Paper on illiteracy and social exclusion, to pave the way for an action plan and the establishment of a European observatory for illiteracy at CEDEFOP,
 - 12.4 the submission, as requested by Parliament in its resolution of 15 November 2001¹² on the European Year of People with Disabilities, of a proposal for a directive, based on Article 13 of the Treaty, to combat discrimination against persons with disabilities in access to employment, education and professional training;
 - 12.5 the publication at the earliest possible opportunity of a call for proposals for measures forming part of the European Year of People with Disabilities;
13. Calls on the Commission to take the initiative in combating undeclared work, inter alia

¹² Text adopted, item 20.

by encouraging the Member States to lay down regular rules of employment in sectors where undeclared work is rife, for example in the areas of domestic work and child care;

14. Asks the Commission to accelerate its work in the field of improving the understanding and measuring of poverty and social exclusion, taking specifically into account the generally lower economic and social position of women, and to propose measures to improve the situation of women.
15. Requests new initiatives to promote the full participation of women in decision-making in the workplace by establishing and following a system of best practice in the Member States;
16. Instructs its President to forward this resolution to the Council, the Commission, the Economic and Social Committee and the Committee of the Regions.

EXPLANATORY STATEMENT

The social agenda and the scoreboard

The social policy agenda adopted at the Nice European Council in December 2000 is, according to the Commission, the EU's road map for modernising and improving the European social model while helping to achieve the strategic objective set at the Lisbon European Council in March 2000.

As far back as 2001, Parliament's resolution on the scoreboard stressed that the social agenda was intended to be a more strategic initiative than the previous social action programmes, and was not intended merely to list the Commission's future proposals (actions planned) but as an item-by-item reply to the questions 'what for', 'how', 'when' and 'by whom'.

Moreover, Parliament stressed that the social agenda's accompanying annual scoreboard created a strategic instrument that would make it possible to monitor and control the implementation of the social agenda and, if necessary, to adjust it.

The present report analyses the second social policy agenda scoreboard covering the 2002-2006 period. This is a crucial stage in the implementation of social policy, as noted by the Commission communication, as it will be followed by the mid-term review scheduled for 2003 and accompanied by an in-depth assessment of the results of the Luxembourg process and its impact on employment. It is against that background, therefore, that the scoreboard should be scrutinised.

Methods

We should start by pointing out the Commission's apparent failure to take into account the criticisms made in 2001 as regards the methods used to draw up the scoreboard, its contents and the role played by Parliament. Once again, the Commission has confined itself to stating that 'all initiatives announced for 2000 and 2001 have been presented' and that 'some initiatives have led to decisions, others are being negotiated', before explaining that 'rather than presenting a detailed description of measures initiated by the Commission, the following survey presents a comprehensive overview of measures and achievements'.

No effort has been made, therefore, to specify the nature of the various measures envisaged, and there is absolutely no systematic review of all the components of the social agenda, whether in train or in preparation, which would allow an accurate assessment of the implementation of the social agenda.

The absence of any such overall framework is particularly regrettable in view of two other factors: the mid-term review of the social agenda scheduled for 2003, for which purpose it will be necessary to have a means of continuously comparing the actual situation with the desired objective and obtaining the necessary information on the basis of which to make adjustments, and the imbalance between the list of actions which have been accomplished and the almost total absence of plans for the future.

On the latter point, in particular, there is at the very least a contradiction between the claim

that the social policy agenda is still at a relatively early stage and the absence of any plans for the years 2003-2006, in addition to the dearth of measures planned for 2002. It should be stressed, once again, that the scoreboard should not be confined to a more or less exhaustive list of actions accomplished by the Commission in the previous year, but should be a genuine strategy instrument capable of analysing the past with a view to planning the future.

This being so, it would seem somewhat over-optimistic of the Commission to state, in conclusion, that 'the implementation of the social policy agenda is a clear example of new and improved governance, showing in practice how public authorities at European, national, regional and local level, together with social partners and civil society, effectively work together to bring about reform'.

Similarly, the Commission provides a superficial answer to the question of policy instruments, merely confirming the need for an appropriate mix of legislative proposals, the open coordination method, negotiations between social partners, civil dialogue and voluntary activities by businesses. On the one hand, the 'appropriate' combination has not yet been established and the question of whether one instrument is more appropriate than another has not yet been decided; on the other hand, as Parliament has observed more than once, a more eclectic use of available policy instruments will require a stronger sense of partnership and the reallocation of responsibilities.

In particular, we should ascertain how to involve civil society more effectively in the process of implementing the social policy agenda and devise more effective methods of organising negotiations in the context of the social dialogue, as Parliament has urged on more than one occasion.

Moreover, the question of Parliament's role in the application of the various instruments whereby legislation is translated into action is still open, and to date there has been no response to Parliament's requests to play an enhanced - and equal - role in the open coordination system, which is now applied to a whole range of social policy areas.

Finally, it is regrettable that there is no annex, such as that drawn up in 2000 for the social agenda, containing a list of actions planned in the various fields, together with the deadlines envisaged and a summary of pending legislation.

The contents of the scoreboard and the measures planned for 2002

As already mentioned, the scoreboard is mainly concerned with actions that have already been completed and it is only in the last section that the activities to be carried out in 2002 are addressed.

We should, moreover, draw attention to a large number of communications from the Commission, which relate to undoubtedly important subjects such as population ageing, corporate social responsibility and basic labour standards. However, once consultations have been launched on these various subjects, there does not always seem to be any clear idea of where the various initiatives should lead and how they should be programmed. For example, the scoreboard cites two communications on investment and quality and on indicators of quality in work, drawn up in 2001, but does not indicate what - if any - impact they will have on Community social policy. The same point could be made as regards the communications

on the local dimension of the European employment strategy, the communication on eEurope, etc. Many of these communications are fully justified by the need to address a genuine issue and to establish a strategy for action on the basis of preliminary consultation of all the players concerned. All too often, however - and the scoreboard is, unfortunately, a good example of this tendency - these documents are not accompanied by any clear programme of future actions or, if such programme exists, it is not explained in detail.

As regards the specific actions scheduled for 2002, there is a regrettable lack of precise information about actions, players, the timeframe envisaged, the instruments selected and the reasons for selecting them. For example, with regard to the integration of people with disabilities, the communication merely states that activities are being prepared in connection with the European Year of People with Disabilities, and there is a similar vagueness as regards activities in most other fields. Although, clearly, the social agenda's potential to evolve must be preserved by allowing for the possibility of actions being changed or fine-tuned, it is also clear that the scoreboard should make it possible to programme and justify actions in the years 2002 to 2006 on the basis of an accurate assessment of the impact, results and difficulties arising from actions that have already been completed.

A whole range of social policy issues that have been highlighted by Parliament on several occasions seems to have been forgotten: the integration of people with disabilities, the protection of pregnant women, parental leave, reduction in working hours, and supplementary insurance, while mentioned as problems, are not addressed.

Finally, while the variety of instruments used can certainly be regarded as an asset for an integrated and comprehensive social policy strategy, the scoreboard would appear to attach too little importance to legislative instruments. It would be helpful, when assessing the state of play across the social agenda, to summarise the stage reached with regard to pending legislative proposals and those which the Commission intends to submit by the year 2006 and to indicate the reasons why a number of pending proposals have been abandoned.

To sum up, the scoreboard, in its current form, does not appear to accurately assess the genuine progress that has been achieved or to identify a clear programme for the future. In view of the forthcoming mid-term review, an effort to redress this situation is an essential prerequisite for the success of the strategy established by the social agenda.

26 June 2002

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES

for the Committee on Employment and Social Affairs

on the scoreboard on implementing the Social Policy Agenda
(2001/2241 (INI))

Draftsperson: Anna Karamanou

PROCEDURE

The Committee on Women's Rights and Equal Opportunities appointed Anna Karamanou draftsperson at its meeting of 22 May 2002.

It considered the draft opinion at its meetings of 17 and 18 June 2002.

At the last meeting it adopted the following conclusions unanimously.

The following were present for the vote: Olga Zrihen Zaari, acting chairperson; Jillian Evans, vice-chairperson; Anna Karamanou, draftsperson; María Antonia Avilés Perea, Regina Bastos, Lissy Gröner, Mary Honeyball, Miet Smet, Elena Valenciano Martínez-Orozco, María Izquierdo Rojo, (for Helena Torres Marques) and Olle Schmidt (for Lousewies van der Laan).

SHORT JUSTIFICATION

The annual scoreboard is conceived as an instrument for keeping track of the achievements and for measuring the progress made in the implementation of the Social Policy Agenda, as defined in the Lisbon European Council of March 2000. It is meant as a complement to the annual synthesis report on the actions stipulated therein.

The Commission Communication, presenting the scoreboard of 2001, refers to a large spectrum of activities either already undertaken or foreseen in the framework of achieving the aims of the Social Policy Agenda.

However, as the Committee responsible rightly points out, the European Parliament should be more involved in the planning and implementation of the social measures and the scoreboard should be more than a simple list of Commission activities in this field.

In particular, the data on concrete progress made in the field of promoting equal treatment between men and women are noticeably insufficient. Although the main issues of women's employment, of gender mainstreaming and of gender pay gaps are mentioned, the scoreboard does not include any systematic approach of the global issue of gender equality. Indeed, there is no provision of a comprehensive strategy in gender issues and a serious lack of assessment of the impact of measures already implemented as well as the foreseeable impact of the proposed actions.

Some other issues, such as the gender impact on life long learning, poverty and social exclusion as well as specific health problems of women are totally absent in the present document.

CONCLUSIONS

The Committee on Women's Rights and Equal Opportunities calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following points in its motion for a resolution:

Recital A

Whereas the promotion of equality between men and women, an important part of the Social Agenda as adopted in Nice, means that this aspect must be incorporated in all policies that concern directly or indirectly the working and living conditions of all citizens;

Paragraph 1

In this respect, health problems linked to gender should be adequately researched and specific measures foreseen;

Paragraph 2

Asks the Commission to accelerate its work in the field of improving the understanding and measuring of poverty and social exclusion, taking specifically into account the generally lower economic and social position of women, and to propose measures to improve the situation of women.

Paragraph 3

Requests new initiatives to promote the full participation of women in decision-making by establishing and following a system of best practice in the Member States;

Paragraph 4

Asks the Commission to grant more importance to respect for human rights and, in particular, rights of women in the external dimension of EU policies.