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**A8-0224/2015**

1.7.2015

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council on a European network of Employment Services, workers' access to mobility services and the further integration of labour markets (COM(2014)0006 – C7-0015/2014 – 2014/0002(COD))

Committee on Employment and Social Affairs

Rapporteur: Heinz K. Becker

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on a European network of Employment Services, workers' access to mobility services and the further integration of labour markets  
(COM(2014)0006 – C7-0015/2014 – 2014/0002(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0006),
  - having regard to Article 294(2) and Article 46 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0015/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 4 June 2014<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of 25 June 2014<sup>2</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Regional Development (A8-0224/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C 424, 26.11.2014, p. 27.

<sup>2</sup> OJ C 271, 19.08.2014, p. 70.

## Amendment 1

### Proposal for a regulation Recital 2

*Text proposed by the Commission*

(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.

*Amendment*

(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*

(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)<sup>19</sup> 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.

*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 (codification)<sup>19</sup> 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.

### 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) 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.

### Amendment 4

#### Proposal for a regulation

##### Recital 4 a (new)

###### *Text proposed by the Commission*

###### *Amendment*

***(4a) The Court of Justice of the European Union (the Court) 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<sup>1a</sup>. 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<sup>1b</sup>. In accordance with the Court's interpretation, the definition of 'worker' in this Regulation should therefore include job seekers. In addition, and also in accordance with the Court's interpretation, that definition should also include, when conditions are satisfied, persons doing an apprenticeship<sup>1c</sup> or a traineeship<sup>1d</sup>.*

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

<sup>1b</sup> 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*.

<sup>1c</sup> See, in particular, the judgment of 19 November 2002 in Case C-188/00 *Bülent Kurz, né Yüce v Land Baden-Württemberg*.

<sup>1d</sup> 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

*Amendment*

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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.

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) of the Treaty. 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 functioning of the platform and for Member States' cooperation.*

## Amendment 7

### Proposal for a regulation Recital 6

*Text proposed by the Commission*

*Amendment*

(6) In the 'Compact for Growth and Jobs', the European Council requested to explore the possibility of extending to

(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.

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*** 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 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 of learning and co-operation between employment services, including on quality

*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 curriculum vitae ('CVs'). 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.

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 States' 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<sup>1a</sup> 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.***

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<sup>1a</sup> ***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*

*Amendment*

(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***

(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<sup>1a</sup>, the European network of equality bodies (Equinet)***, Your Europe portal, the European Youth portal and SOLVIT, ***organisations working for cross-border cooperation and*** organisations



*facilitating the exercise of rights conferred on workers in the context of the freedom of movement for workers].*

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<sup>1b</sup>.

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<sup>1a</sup> *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).*

<sup>1b</sup> *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

(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.

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<sup>1a</sup>.***

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***<sup>1a</sup> 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, 30.9.2005, p. 22).***

## **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-

(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.

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 TFUE*.

## **Amendment 27**

### **Proposal for a regulation**

#### **Recital 22**

##### *Text proposed by the Commission*

(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.

##### *Amendment*

(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 *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 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.

*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 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*

*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

(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.

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*

*Amendment*

(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 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

(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-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



organisations in the Member State to facilitate intra-EU labour mobility.

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 assess the progress made against the objectives set for the EURES network as a whole, including its contribution towards

##### *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 mobility on labour markets should be made*. Those indicators *and that impact assessment* should guide the organisations

the implementation of a coordinated strategy for employment in accordance with Article 145 *of the Treaty*.

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 data<sup>20</sup> as well as the national implementing measures thereto.

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<sup>20</sup> 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)

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*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.***

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<sup>20</sup> 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).

*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*

*Amendment*

(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.

(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*

*Amendment*

(36) The power to adopt delegated acts in accordance with Article 290 ***of the Treaty***

(36) The power to adopt delegated acts in accordance with Article 290 ***TFEU*** should

*on the Functioning of the European Union* should be delegated to the Commission in order to ensure that 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.

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.*

be delegated to the Commission in order to ensure that 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, *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*

(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<sup>1a</sup>.

*<sup>1a</sup> 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 ...<sup>+</sup> should be permitted to continue as EURES Members or Partners for a transitional period.*

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*<sup>+</sup>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

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*

between Member States and the Commission.

*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*

*Amendment*

(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;

(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*

*Amendment*

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

(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*

*(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*

#### **Amendment 55**

##### **Proposal for a regulation**

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

*Text proposed by the Commission*

*(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*

*Amendment*



*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 EURES network').

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

*Amendment*

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***

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

*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 services to workers and employers.

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 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

#### *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

and *European* level.

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*

*Amendment*

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

(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*

*Amendment*

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

(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*

*Amendment*

(ii) information and communication activities;

(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*

***1 a. 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*

***2 a. 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. 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 *is* responsible for  
(a) cooperation with the Commission and

1. Each National Coordination Office ***shall be*** responsible for  
(a) cooperation with the Commission and



other Member States on the clearance within the framework set in Chapter III;

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*

(a) for the purpose of publication, including on the EURES portal, the collection and validation of information on EURES Partners operating from its national territory, their activities and the scope of the support services they provide to workers and employers;

*Amendment*

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

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 advisors***, 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;
- (b) administrative procedures *as regards* employment;
- (c) the rules applicable to workers;
- (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.

- (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) *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

*Amendment*

1. Each Member State shall set up a system ***by which*** to authorise EURES ***Members***

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.

**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**

**deleted**

*that Member State.*

#### **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 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.

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, ***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**

***deleted***



*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.*

#### **Amendment 94**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6 a. 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 referred to in Article 33.***

***deleted***

#### **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*

The responsibilities of EURES Partners

*Amendment*

The responsibilities of EURES **Members and** Partners

## Amendment 98

### Proposal for a regulation Article 9 – paragraph 1

*Text proposed by the Commission*

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

(a) *to contribute* 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).*

*Amendment*

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

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

*Amendment*

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

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.*

## 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 structures' 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

*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 Partners.

appropriate, involve EURES *Members and* Partners.

## Amendment 112

### Proposal for a regulation

#### Article 13 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***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*

*Amendment*

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.

3. Member States shall seek to develop one-stop-shopsolutions, ***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*

*Amendment*

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

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 **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.

- (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;***
- (b a) 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 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.

*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 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*

*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.*

*Amendment*

*deleted*

## Amendment 118

### Proposal for a regulation Article 14 – paragraph 7

*Text proposed by the Commission*

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*.

*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 *in a transparent and manner*.

## Amendment 119

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

*Text proposed by the Commission*

*Amendment*

***7 a. 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*

***1 a. 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*

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.

*Amendment*

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 CV's 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*.

*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*.

**2 a. 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.**

**2 b. 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. 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 with the evolution of recruitment services**

**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.**

**3 a. 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 provides technical support to Member States who choose to replace national classifications with the classification referred to in paragraph 1**

**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 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).**

**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 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*

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.**

## Amendment 127

### Proposal for a regulation Article 17 – paragraph 4

*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*

***(c a) 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 (c ***a***).

## 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*

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 142

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

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

## Amendment 143

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

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

## Amendment 144

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

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

## Amendment 145

### Proposal for a regulation

#### Article 20 – paragraph 2 – point bc (new)

*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***

***3. The EURES Members and Partners***

*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.

## 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 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*;

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*

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*

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*

(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 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

**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**;

(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

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.

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 security by the competent authorities.

*Amendment*

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

*Text proposed by the Commission*

*Amendment*

***(a a) 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*

*Amendment*

(b) EURES activities at national level;

(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*

*Amendment*

(c) the position of the EURES network on the market for recruitment services at national level as whole.

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

*Amendment*

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

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.

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*

*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 guidance to workers and employers.

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***

**Amendment 168**

**Proposal for a regulation**

**Article 28 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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*

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

*Amendment*

(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***

**Amendment 171**

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***(c a) 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 – subparagraph 1**

*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 Committee*** an ex-post evaluation on the

The Commission shall submit to the European Parliament, ***to the Council, to the European Economic and Social Committee and to the*** Committee of the Regions an ex-post evaluation on the

operation and effects of this Regulation *five* years after *its* entry into force.

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 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.

*Amendment*

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

## EXPLANATORY STATEMENT

The freedom to work anywhere in the EU is a key aspect of freedom of movement, one of the four basic freedoms on which the EU is founded, and thus also of EU citizenship. The mass unemployment affecting some parts of Europe provides a compelling argument in favour of improving labour mobility within the EU, creating new employment opportunities for workers and helping employers to fill vacancies more quickly and more effectively. This will contribute to the development of a European labour market with a high level of employment. Intra-EU labour mobility is relatively low when set against the size of the labour market and the active population of the EU - the mobility rate in the EU27 is only 0.29 %.

The aim of this regulation is to turn the EURES network into an effective instrument for jobseekers or employers who have a stake in labour mobility within the EU, by creating the largest possible pool of vacancies and jobseeker profiles which can be consulted EU-wide by anyone. The network should also incorporate apprenticeships and traineeships, provided that these grant the holder full rights as an employee.

The proposal makes absolutely clear that labour market policy, including all support measures, remains a Member State competence. In that connection, the residence principle should also be retained.

Steps must be taken to ensure that all jobseekers can obtain comprehensive information about conditions of employment and the availability of assistance in the place where the job is located.

The platform must be readily accessible and as user-friendly as possible.

The success of the EURES network will hinge on the incorporation into the network of effective public and private employment services in the Member States and on targeted, EU-wide efforts to raise the profile of the network, in the form of intensive Commission and Member State communication measures aimed at the general public.

Public employment services (PES) are to be given preferential status within the EURES network and automatically designated by the Member States as EURES Members, on the basis of their familiarity with the arrangements for applying this regulation.

In addition, Member States can recognise other employment services as EURES Members and authorise other bodies, such as private employment services, other agencies, NGOs, etc., to participate in the network as EURES partners, provided that they meet the relevant requirements.

In the context of the filling of vacancies, the Member States and the Commission should give priority to nationals of the EU Member States, in keeping with the principle of a Union preference.

The effectiveness and relevance of the network should be regularly assessed, so that any improvements required can be made without delay and in order to guarantee the long-term success of the EURES network.

3.3.2015

## **OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT**

for the Committee on Employment and Social Affairs

on the proposal for a regulation of the European Parliament and of the Council on a European network of Employment Services, workers' access to mobility services and the further integration of labour markets  
(COM(2014)0006 – C7-0015/2014 – 2014/0002(COD))

Rapporteur: Viorica Dăncilă

### **SHORT JUSTIFICATION**

Every day, more than 1.1 million European citizens living in one EU country cross the border to work in a neighbouring country.

In addition, more than 7 million European citizens lived and worked in another Member State in 2013, 78% of whom were economically active and 68% of whom had a job.

This is possible because EU workers can move freely, can seek work in a different EU country and can work in that country without needing a work permit.

According to European statistics, the number of people living in a Member State other than their country of origin rose by almost 60% after 2005, following the 2004 and 2007 enlargements, but still constitutes only 3.1% of the EU labour force. Intra-EU mobility flows subsequently dropped by one third as a result of the crisis.

Overall it is estimated that post-enlargement mobility flows helped to increase the GDP of EU-15 countries by around 1% in the 2004-2009 period.

Despite high levels of unemployment (over 25 million people in the EU, more than 5 million of whom are young people), there are still shortages of skilled labour and vacancy bottlenecks in many regions within the Member States.

Indeed, the number of unfilled vacancies has been on the rise since mid-2009, particularly in high-growth areas such as information and communications technologies and the green economy.

In this context, the EURES job mobility portal represents a unique opportunity for job-seekers

in the EU: it is free of charge, it offers information on living and working conditions in all participating countries in 25 languages, it puts jobseekers in touch with employers seeking particular skills and guides jobseekers towards sectors and occupations where there is a shortage of skilled workers, and it supports mobility programmes for young people.

The significance of the EURES scheme is demonstrated by the fact that its website receives 4 million visits per month, it sets up 150 000 contacts per month between jobseekers and employers, it leads to over 50 000 placements per year, on average it hosts 750 000 CVs each month, and hundreds of events are organised across Europe.

The Commission is now proposing a reform of EURES which would extend the number of partners offering mobility services through EURES, consolidate cooperation between public and private employment organisations in order to cover an even higher percentage of available vacancies (this percentage currently varies between 30% and 40% of the total vacancies available), and focus more on young people, who are more willing to be mobile, which means that it will also cover forms of employment that combine work and learning opportunities, such as apprenticeships and traineeships.

We are in favour of updating the operation of EURES and bringing it into line with social developments at European level, but the Commission proposal makes no clear reference to the power ratio between those involved and coordination and cooperation in the network, or to the role of the social partners and the selection methods to be used.

The Commission proposal also fails to mention cooperation between the Member States and Switzerland, Iceland, Norway and Liechtenstein, countries that are already involved in the EURES network.

Nevertheless, there are signals from the Member States that the current operation of cross-border organisations could be thrown off balance by this fresh reform, bearing in mind that these structures have carried out a large number of joint measures to inform and place cross-border workers.

This reform must enable public employment services to lay the foundations for closer cooperation with educational and training institutions, particularly as regards further training, including for people over 40, enabling jobseekers to develop their skills and make intelligent use of information and communication technologies.

Better interministerial coordination is also needed in order to overcome the legal obstacles facing workers who wish to work in another country, since at present many people hesitate when it comes to accepting a job offer in another EU Member State owing to uncertainties or a lack of relevant information on social security systems, taxation and other obligations that would apply in the country of residence.

## AMENDMENTS

The Committee on Regional Development calls on the Committee on Employment and Social Affairs, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 2

*Text proposed by the Commission*

(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.

*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 *necessary staff with adequate* skills for vacant positions and overcoming bottlenecks in the labour market.

### Amendment 2

#### Proposal for a regulation

##### Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

*(2a) In accordance with Article 174 TFEU, particular attention should be paid to the outermost, northernmost regions with very low population density, and to island, cross-border and mountain regions.*

### 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) In order to help the workers who enjoy the right to ***work on the basis of*** 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

##### 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

*Amendment*

(5) Growing interdependency between labour markets ***and the need for their integration*** 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 ***across the Member States and between the Member States and Norway, Iceland, Switzerland and Liechtenstein***. This framework should bring together job vacancies from across the Union ***and citizens of the Union and of those four countries*** and the possibility of

facilitate said co-operation.

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. ***The Union should, in particular, take the necessary measures to guarantee employment opportunities and workers' rights in general, including as regards third countries participating in the EURES network.***

## Amendment 5

### 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 the EURES network ***to apprenticeships and traineeships, including those organised by cross-border partnerships.*** 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, ***which should be recognised in a way similar to diplomas issued by the standard education systems in the Member States,*** 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.

## Justification

*People who have taken part in traineeships and apprentices receive a certificate at the end of their programme, and this certificate must be recognised in other Member States.*

### Amendment 6

#### 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 **interregional**, transnational and cross-border **partnerships and** co-operation and the support to all organisations operating for EURES in Member States **should facilitate the operation of** a structure at Union level ('the European Coordination Office') that should **continue to offer services such as:** common **provision of** information **and consultancy**, training activities, tools and guidance. That structure should also be responsible for the **strengthening** 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 7

#### 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

*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



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.

Member States and with the European Coordination Office. Those Coordination Offices should in particular have the task *to support the creation of instruments and procedures for the functioning of EURES and to deal* with complaints and problems *concerning* job vacancies and *administrative barriers, particularly in areas with large labour shortages that are at risk of creating imbalances on the labour market*, verify compliance issues as regards voluntary and fair labour mobility within the Union, *settle complaints to avoid varying interpretations of existing legislation, and deal with cases of discrimination and data protection. Member States with a decentralised system should consider setting up regional coordination offices.*

## Amendment 8

### 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 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, *with a focus on the participation of SMEs as the main generators of employment in the Union.*

## Amendment 9

### Proposal for a regulation

## Recital 10 a (new)

*Text proposed by the Commission*

*Amendment*

***(10a) In cross-border regions, permanent structures like working communities, euroregions and in particular the European Groupings of Territorial Cooperation (EGTC) can be the basis for cross-border partnerships.***

## Amendment 10

### Proposal for a regulation

#### Recital 12

*Text proposed by the Commission*

*Amendment*

(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 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.

(12) 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'). ***Interregional, transnational*** and cross-border co-operation, which is a key feature of the operation of the EURES network, ***should continue to*** 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.

## Amendment 11

### Proposal for a regulation

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## Recital 13

*Text proposed by the Commission*

(13) In line with their competences on the organisation of labour markets, Member States themselves should be responsible for authorising the participation of organisations as EURES partners for the EURES network, each on their own territory. Authorisations should be subject to minimum common criteria and a limited set of basic rules on the process of authorisation, to ensure transparency and equal opportunities when joining the EURES network, without prejudice to the flexibility necessary to take into account the different national models and forms of co-operation between public employment services and other labour market actors in the Member States.

*Amendment*

(13) In line with their competences on the organisation of labour markets, Member States themselves should be responsible for authorising the participation of organisations as EURES partners for the EURES network, each on their own territory. Authorisations should be subject to minimum common criteria and a limited set of basic rules on the process of authorisation, to ensure transparency and equal opportunities when joining the EURES network, without prejudice to the flexibility necessary to take into account the different national, ***regional and local*** models and forms of co-operation between public employment services and other labour market actors in the Member States.

## Amendment 12

### 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

*Amendment*

(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, organisations ***working for cross-border cooperation and other 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

the exercise of rights conferred on workers in the context of the freedom of movement for workers].

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 13

#### 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 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, ***including persons who manufacture handicraft***. Close working relationships between employment services and employers will increase the pool of job vacancies and job matching of suitable candidates, ***decrease labour shortages***, secure pathways for job seekers in particular those in vulnerable groups and improve labour market intelligence.

### Amendment 14

#### 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***

##### *Amendment*

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

*accordance with national practices.*

## **Amendment 15**

### **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 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.

*Amendment*

(27) Particular attention should be paid to supporting *regions that suffer from severe and permanent natural or demographic handicaps and to* mobility in the cross-border regions for and providing services to frontier workers who are living in one Member State and working in another, *the number of which is rising constantly*, and *who* have to cope with different national practices and legal systems and *encounter* specific administrative, legal or tax obstacles to mobility. Member States *should continue to provide backing for* specific support structures *that* facilitate this kind of mobility *andthat* address, within the framework of the EURES network, the specific needs for information, *advice*, guidance, cross-border matching between labour demand and supply and the resulting placements.

## **Amendment 16**

### **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 account data on mobility flows and patterns, the data analysis of existing and forecast labour shortages and surpluses, and recruitment experiences and practices

*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-Union geographical mobility*, the programming of Member States' activity plans should take into account data on mobility flows and patterns, the data

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.

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.

## **Amendment 17**

### **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 better integration of educational systems in line with the needs of the labour market on the one hand and of the labour market as a whole on the other.***

## **Amendment 18**

### **Proposal for a regulation Recital 37 a (new)**

*Text proposed by the Commission*

*Amendment*

***(37a) A solution regarding the taxation of cross-border migrant workers should be found, as the absence of such a solution greatly restricts the free movement of workers within the Union in accordance with Article 45 TFEU. The Commission and the Member States should enhance procedures to eliminate tax discrimination which discourages labour mobility, as the latter is a key factor for economic growth and increasing the employment rate in the Union. Furthermore, raising the public profile of the EURES network across the***

*Union by means of intensive communication measures towards Union citizens, specifically towards the target groups, by the Commission and, in particular, the Member States' governments, needs to be ensured.*

## **Amendment 19**

### **Proposal for a regulation**

#### **Article 1 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*2. For the purpose of the first paragraph, this Regulation provides for objectives, principles and rules on*

*Amendment*

*2. This Regulation lays down the principles and rules for a framework for cooperation to facilitate the exercise of freedom of movement for workers within the Union, in accordance with Article 45 TFEU, through:*

*Justification*

*The EURES network is already in operation and has proved its usefulness. Services for potential beneficiaries need to be improved.*

## **Amendment 20**

### **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 *promoting* a high level of employment *and with a particular focus on cross-border regions*;

## Amendment 21

### 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) **strengthening** the functioning of **the** European network of employment services **among** Member States, the Commission, **and Norway, Iceland, Switzerland and Liechtenstein**;

*Justification*

*The EURES network is already in operation and has proved its usefulness. Services for potential beneficiaries need to be improved.*

## Amendment 22

### Proposal for a regulation

#### Article 1 – paragraph 2 – point d

*Text proposed by the Commission*

(d) **related** mobility support services to be provided to workers and employers.

*Amendment*

(d) **adequate** mobility support **and advice** services to be provided to workers and employers.

*Justification*

*The EURES network is already in operation and has proved its usefulness. Services for potential beneficiaries need to be improved.*

## Amendment 23

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b

*Text proposed by the Commission*

(b) ‘employment services’ means any legal or natural person, lawfully operating in a Member State, which provides services for job seekers to get employed and for

*Amendment*

(b) ‘employment services’ means any legal or natural person, lawfully operating in a Member State, **whether public or private and, in the latter case, whether for profit**



employers to recruit workers;

*or not for profit*, which provides services for job seekers to get employed and for employers to recruit workers;

#### *Justification*

*Regulatory clarity and legal certainty make it necessary to avoid an implicit element in the provision intended to define 'employment services' in the Member States. The purpose is to set out the various forms that these services may take, including the possibility of being for profit and explicitly EGTC. This is consistent with EU case law and with the Commission's understanding of employment services and services of general interest. This wording reflects the idea that any public policy aimed at achieving full employment has to encourage public-private cooperation at all geographical levels, opening up employment information, guidance and mediation services to private agencies.*

#### **Amendment 24**

##### **Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

*(ga) "cross-border partnership and cooperation for the placement of frontier workers" means any cooperation and collaboration activities between the competent authorities at national, regional and local level to provide services to streamline supply and demand with the objective of filling a job vacancy for frontier workers.*

#### **Amendment 25**

##### **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 26**

**Proposal for a regulation**  
**Article 3**

*Text proposed by the Commission*

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

*Amendment*

This Regulation *provides for the reorganisation and strengthening of the* European network of Employment Services *and cross-border EURES offices* ('the EURES network').

*Justification*

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

**Amendment 27**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(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 services to workers and employers.

*Amendment*

(c) The EURES Partners, which are the organisations authorised by Member States to provide, at national, regional and/or local level, *including on a cross-border basis*, support with clearance and/or support services to workers and employers *and EURES cross-border partnerships*.

## Amendment 28

### 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 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 *European, national, and, in particular, regional and local* level, *including on a cross-border basis and in regions with a high level of unemployment and few employment opportunities. They shall also provide workers and employers with information on any administrative barriers that they may encounter.*

## Amendment 29

### 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 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 30

### Proposal for a regulation Article 5 – point e

*Text proposed by the Commission*

*Amendment*

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

(e) social inclusion and integration of persons *in a vulnerable situation of being* excluded from the labour market.

### **Amendment 31**

#### **Proposal for a regulation**

#### **Article 5 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) acting as a pole of attraction for young people through the 'First Job EURES' system, supporting a smooth transition from education to work on the labour markets in the Union.*

### **Amendment 32**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) *the formulation* of a coherent framework and the provision of horizontal support for the benefit of the EURES network, including

(a) *support for the implementation* of a coherent framework and the provision of horizontal support for the benefit of the EURES network, including

*Justification*

*The European Coordination Office must support the EURES network by drawing on past experience and adapting this to specific local and regional characteristics.*

### **Amendment 33**

#### **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, ***including by drawing up a communication strategy to raise awareness of the EURES network among European citizens, particularly to those without access to the internet;***

**Amendment 34**

**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 for EURES staff, ***including awareness training to address different needs of specific group of workers.***

**Amendment 35**

**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 geographic and occupational mobility, ***taking into account specific local and regional characteristics;***

## Amendment 36

### 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 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 37

### 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 employment performance, in co-operation with EURES Members, ***with particular focus on the regional and local dimension and, where appropriate, drawing up proposals for improvement***.

## Amendment 38

### Proposal for a regulation

#### Article 6 – paragraph 2

*Text proposed by the Commission*

2. *Its* multi-annual work programmes ***are*** drawn up ***in consultation with*** the EURES Coordination Group referred to in Article

*Amendment*

2. ***The European Coordination Office shall adopt*** multi-annual work programmes drawn up ***after consulting*** the EURES

11. Coordination Group referred to in Article 11.

*Justification*

*The European Coordination Office and the national offices draw up the multi-annual work programmes together.*

**Amendment 39**

**Proposal for a regulation  
Article 7 – paragraph 1**

*Text proposed by the Commission*

1. Each National Coordination Office is responsible for

*Amendment*

1. Each National Coordination Office, **as designated by the Member States and notified to the Commission**, is responsible for

*Justification*

*The Member States decide on the national level authorities.*

**Amendment 40**

**Proposal for a regulation  
Article 7 – paragraph 1 – point a**

*Text proposed by the Commission*

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

*Amendment*

(a) cooperation with the Commission and other Member States, **as well as with Norway, Iceland, Switzerland and Liechtenstein**, on the clearance within the framework set in Chapter III;

*Justification*

*These four countries are already active members of the network and partnerships with them could be enhanced to the advantage of all beneficiaries.*

## Amendment 41

### Proposal for a regulation

#### Article 7 – paragraph 1 – point b

*Text proposed by the Commission*

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

*Amendment*

(b) organisation of the work for EURES in the Member State, including ***organisation of*** the delivery of support services, ***with particular focus on the regional and local dimension, and with the participation of social partners and other relevant stakeholders,*** in accordance with Chapter IV;

## Amendment 42

### Proposal for a regulation

#### Article 7 – paragraph 1 – point c

*Text proposed by the Commission*

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

*Amendment*

(c) coordination of actions by the Member State concerned and with other Member States, ***as well as with Norway, Iceland, Switzerland and Liechtenstein,*** in accordance with Chapter V.

#### *Justification*

*These four countries are already active members of the network and partnerships with them could be enhanced to the advantage of all beneficiaries.*

## Amendment 43

### Proposal for a regulation

#### Article 7 – paragraph 3 – point a

*Text proposed by the Commission*

(a) living and working conditions;

*Amendment*

(a) living and working conditions, ***including taxes and social security contributions;***



*Justification*

*Recipients of job offers through the EURES network must be informed of the charges and taxes payable in other EU Member States so that they can decide whether or not to accept an offer in full knowledge of the facts.*

**Amendment 44**

**Proposal for a regulation**

**Article 7 – paragraph 3 – point e**

*Text proposed by the Commission*

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

*Amendment*

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

*Justification*

*The number of cross-border partnerships may increase, to the benefit of all local and regional partners.*

**Amendment 45**

**Proposal for a regulation**

**Article 7 – paragraph 3 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) the transfer of data to find the most viable solutions suitable for employers and employees.***

*Justification*

*Information exchange between partners needs to be improved.*

## Amendment 46

### 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 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, ***including organisations participating in cross-border partnerships, and with partners in Norway, Iceland, Switzerland and Liechtenstein.*** 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.

*Justification*

*These four countries are already active members of the network and partnerships with them, including between cross-border partners, could be enhanced to the advantage of all beneficiaries.*

## Amendment 47

### 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 promotes the collaboration with stakeholders ***from all levels of governance and society*** such as career guidance services, universities, chambers of commerce, ***NGOs*** and organisations involved in apprenticeships and traineeships schemes, ***with particular focus on SMEs.***

## Amendment 48

### 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 other resources necessary to carry out its tasks as defined under this Regulation, ***which also properly represents the regional and local interests.***

## Amendment 49

### 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, ***taking into account regional and local actors, social partners and other relevant stakeholders*** shall set up a system to authorise EURES Partners to participate in the EURES network ***and to*** 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. ***The EURES cross-border partnerships shall be exempt from that national authorisation procedure and shall be considered to be EURES Partners as of right.***

## Amendment 50

### Proposal for a regulation Article 8 – paragraph 6

*Text proposed by the Commission*

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.

*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, ***including any current cross-border partnerships and those partnerships designed to resolve the specific problems of EU regions and municipalities***, is an additional condition for participation in the EURES network.

## Amendment 51

### Proposal for a regulation Article 9 – paragraph 1 – introductory part

*Text proposed by the Commission*

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

*Amendment*

1. Applicant organisations participate in the EURES network ***by*** the following ***means***:

*Justification*

*The possibility to choose the responsibilities by the EURES Partners is not justified. EURES Partners should be obliged, as this is the case at the moment, to provide all the services mentioned in the Article 9 points a-c.*

## Amendment 52

### Proposal for a regulation Article 9 – paragraph 1 – point a

*Text proposed by the Commission*

(a) ***to contribute*** to the pool of job vacancies in accordance with Article 14(1),

*Amendment*

(a) ***contributing*** to the pool of job vacancies in accordance with Article 14(1),

paragraph (a);

paragraph (a);

### **Amendment 53**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 1 – point b**

*Text proposed by the Commission*

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

*Amendment*

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

### **Amendment 54**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 1 – point c**

*Text proposed by the Commission*

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

*Amendment*

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

### **Amendment 55**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 1 – point d**

*Text proposed by the Commission*

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

*Amendment*

*deleted*

### **Amendment 56**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

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

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

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

(a) all job vacancies available with its public employment services as well as those provided by its EURES Partners; ***giving the micro-enterprises and small enterprises in duly justified cases the possibility not to publish their vacancies in the EURES;***

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 15 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The public employment services endeavour to make agreements with other employment services operating on that Member State's territory to ensure the applicability of the principle referred to in paragraph 1 also to online job search tools managed by them.

2. The public employment services ***shall actively*** endeavour to make agreements with other employment services operating on that Member State's territory to ensure the applicability of the principle referred to in paragraph 1 also to online job search tools managed by them.

## **Amendment 59**

### **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 CV's made available by any organisation that is willing to share this information also on the EURES portal.

## Amendment 60

### 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 needs of regions, municipalities, or both.***

### *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 61

### 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-discriminatorily and*** easily accessible and is presented in a user friendly manner.

## Amendment 62

### 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 on pension rights, welfare insurance and health insurance, in the country and place in which the job is located.***

*Justification*

*This type of information is of paramount importance for jobseekers.*

## Amendment 63

### Proposal for a regulation

#### Article 19 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall develop specific information for frontier workers in those cross border regions where the Member States concerned together deem it necessary to set up specific co-operation and service structures.

2. Member States shall develop specific information for frontier workers in those cross border regions where the Member States concerned together deem it necessary to set up specific co-operation and service structures ***where these do not already exist.***

*Justification*

*The existing cross-border cooperation offices have already proved their worth on many occasions, and other similar bodies could draw upon their experience.*



## Amendment 64

### Proposal for a regulation Article 20 – paragraph 1

*Text proposed by the Commission*

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.

*Amendment*

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

*Justification*

*Every member of the public seeking employment must have access to information.*

## Amendment 65

### Proposal for a regulation Article 20 – paragraph 3

*Text proposed by the Commission*

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.

*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 CVs and providing translations and/or obtaining clarifications on specific job vacancies in other Member States, ***especially in fields in which there is a major labour shortage in the Member State concerned.***

*Justification*

*There is currently a shortage of skilled and semi-skilled labour in a set of occupations that could be of interest to people in other Member States.*

## Amendment 66

### Proposal for a regulation

#### Article 21 – paragraph 1 – introductory part

*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:

*Amendment*

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, ***pro-actively, if possible***, the following services:

## Amendment 67

### Proposal for a regulation

#### Article 21 – paragraph 2

*Text proposed by the Commission*

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.

*Amendment*

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, ***in particular in the fields in which there is a major labour shortage in the Member State concerned***.

*Justification*

*Employers often are facing problems in finding skilled workers in their Member States for the posts that could be of interest to the workers from other Member States.*

## Amendment 68

### 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 security by the competent authorities.

*Amendment*

1. Member States shall ensure coordination between support services under this Regulation and services provided on social security by the competent authorities **at national, regional and local level and through existing or future cross-border cooperation offices.**

*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 69

### 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. Upon request of workers, frontier workers and employers, the EURES Partners concerned shall provide information on the rights related to social security **and income taxation** 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.

*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 70

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

*Justification*

*The monitoring of labour mobility flows and patterns will produce more accurate results if it takes closer account of the differing characteristics of the EU's regions.*

## Amendment 71

### 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, cross-border** level;

*Justification*

*In some regions, labour shortages and surpluses are more easily adjusted through this type of cooperation.*

## Amendment 72

### 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 national level as whole.

*Amendment*

(c) the position of the EURES network on the market for recruitment services at national level as whole **and, where appropriate, at cross-border level.**

### *Justification*

*In some regions, labour shortages and surpluses are more easily adjusted through this type of cooperation.*

## **Amendment 73**

### **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 shall ***endeavour to*** 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.

### *Justification*

*Although regulatory competence in the field of employment policies is formally shared between the EU and the Member States, in practice it is retained by the latter. Obliging Member States to develop mobility policies goes further than the mere setting out of guidelines (Article 148(2) TFEU) by EU lawmakers or the adoption by them of measures to support Member States' employment initiatives (Article 149 TFEU). The obligation should be replaced by a simple recommendation to Member States to intervene in this area.*

## **Amendment 74**

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

#### *Text proposed by the Commission*

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

#### *Amendment*

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

*Justification*

*This will facilitate cooperation and collaboration between the EURES Partners at national, regional, local and cross-border level. The rules applicable to accessing and utilising funding will therefore be the same for all the partners.*

**Amendment 75**

**Proposal for a regulation**

**Article 28 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The Commission shall ensure, through the European Coordination Office, 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 76**

**Proposal for a regulation**

**Article 37 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 14(1) to (7) shall apply two years following the date of entry into force referred to in paragraph 1.***

## PROCEDURE

|   |  |
|---|--|
| <b>Title</b>  | European network of Employment Services, workers' access to mobility services and the further integration of labour markets  |
| <b>References</b>   | COM(2014)0006 – C7-0015/2014 – 2014/0002(COD)  |
| <b>Committee responsible</b><br>Date announced in plenary       | EMPL<br>3.2.2014   |
| <b>Opinion by</b><br>Date announced in plenary                  | REGI<br>3.2.2014   |
| <b>Rapporteur</b><br>Date appointed                             | Viorica Dăncilă<br>23.7.2014   |
| <b>Date adopted</b>   | 26.2.2015  |
| <b>Result of final vote</b>                                     | +: 29<br>-: 6<br>0: 0  |
| <b>Members present for the final vote</b>                       | Pascal Arimont, José Blanco López, Franc Bogovič, Victor Boștinaru, Mercedes Bresso, Steeve Briois, Rosa D'Amato, Tamás Deutsch, Anna Hedh, Krzysztof Hetman, Andrew Lewer, Martina Michels, Iskra Mihaylova, Andrey Novakov, Younous Omarjee, Konstantinos Papadakis, Mirosław Piotrowski, Stanislav Polčák, Terry Reintke, Olaf Stuger, Ruža Tomašić, Matthijs van Miltenburg, Lambert van Nistelrooij, Joachim Zeller |
| <b>Substitutes present for the final vote</b>                   | Isabella Adinolfi, Daniel Buda, Enrique Calvet Chambon, Viorica Dăncilă, Andor Deli, Anneliese Dodds, Josu Juaristi Abaunz, Ivana Maletić, Davor Škrlec  |
| <b>Substitutes under Rule 200(2) present for the final vote</b> | Sylvia-Yvonne Kaufmann, Agnieszka Kozłowska-Rajewicz   |

## ROLL-CALL VOTE

| [44]     | +   |
|----------|---|
| [ALDE]   | [Martina Dlabajová, Marian Harkin, António Marinho e Pinto, Yana Toom, Ulla Tørnæs, Renate Weber]   |
| [ECR]    | [Anthea McIntyre, Branislav Škripek, Helga Stevens, Jana Žitňanská]   |
| [EFDD]   | [Laura Agea, Tiziana Beghin]  |
| [EPP]    | [Georges Bach, Heinz K. Becker, David Casa, Agnieszka Kozłowska-Rajewicz, Adam Kósa, Jérôme Lavrilleux, Jeroen Lenaers, Thomas Mann, Marek Plura, Sofia Ribeiro, Anne Sander, Sven Schulze, Michaela Šojdrová, Csaba Sógor, Tom Vandenkendelaere] |
| [Greens] | [Jean Lambert, Tamás Meszerics, Terry Reintke]  |
| [S&D]    | [Maria Arena, Guillaume Balas, Brando Benifei, Vilija Blinkevičiūtė, Ole Christensen, Jan Keller, Miapetra Kumpula-Natri, Javi López, Edouard Martin, Emilian Pavel, Georgi Pirinski, Siôn Simon, Jutta Steinruck, Marita Ulvskog]                |

| [5]    | -   |
|--------|---|
| [EFDD] | [Tim Aker]                                      |
| [ENF]  | [Mara Bizzotto, Dominique Martin, Joëlle Mélin] |
| [NI]   | [Lampros Fountoulis]                            |

| [5]       | 0  |
|-----------|--|
| [GUE/NGL] | [Rina Ronja Kari, Kostadinka Kuneva, Patrick Le Hyaric, Paloma López Bermejo, Inês Cristina Zuber] |



## PROCEDURE

|   |   |                   |                  |                  |
|---|---|-------------------|------------------|------------------|
| <b>Title</b>  | European network of Employment Services, workers' access to mobility services and the further integration of labour markets   |                   |                  |                  |
| <b>References</b>   | COM(2014)0006 – C7-0015/2014 – 2014/0002(COD)   |                   |                  |                  |
| <b>Date submitted to Parliament</b>                               | 14.1.2014   |                   |                  |                  |
| <b>Committee responsible</b><br>Date announced in plenary         | EMPL<br>3.2.2014  |                   |                  |                  |
| <b>Committees asked for opinions</b><br>Date announced in plenary | IMCO<br>3.2.2014  | REGI<br>3.2.2014  | CULT<br>3.2.2014 | JURI<br>3.2.2014 |
|   | FEMM<br>3.2.2014  |                   |                  |                  |
| <b>Not delivering opinions</b><br>Date of decision                | IMCO<br>11.2.2014   | CULT<br>6.10.2014 | JURI<br>3.9.2014 | FEMM<br>3.9.2014 |
| <b>Rapporteurs</b><br>Date appointed                              | Heinz K. Becker<br>26.9.2014  |                   |                  |                  |
| <b>Discussed in committee</b>                                     | 2.12.2014   | 21.1.2015         |                  |                  |
| <b>Date adopted</b>   | 23.6.2015   |                   |                  |                  |
| <b>Result of final vote</b>                                       | +:<br>-:<br>0:  | 44<br>5<br>5      |                  |                  |
| <b>Members present for the final vote</b>                         | Laura Agea, Guillaume Balas, Tiziana Beghin, Brando Benifei, Mara Bizzotto, Viliija Blinkevičiūtė, David Casa, Ole Christensen, Martina Dlabajová, Lampros Fountoulis, Marian Harkin, Rina Ronja Kari, Jan Keller, Ádám Kósa, Agnieszka Kozłowska-Rajewicz, Kostadinka Kuneva, Jean Lambert, Jérôme Lavrilleux, Patrick Le Hyaric, Jeroen Lenaers, Javi López, Thomas Mann, Dominique Martin, Anthea McIntyre, Joëlle Mélin, Emilian Pavel, Georgi Pirinski, Marek Plura, Terry Reintke, Sofia Ribeiro, Anne Sander, Sven Schulze, Siôn Simon, Jutta Steinruck, Yana Toom, Ulla Tørnæs, Marita Ulvskog, Renate Weber, Jana Žitňanská, Inês Cristina Zuber |                   |                  |                  |
| <b>Substitutes present for the final vote</b>                     | Tim Aker, Maria Arena, Georges Bach, Heinz K. Becker, Miapetra Kumpula-Natri, Paloma López Bermejo, António Marinho e Pinto, Edouard Martin, Tamás Meszerics, Csaba Sógor, Helga Stevens, Tom Vandenkendelaere  |                   |                  |                  |
| <b>Substitutes under Rule 200(2) present for the final vote</b>   | Branislav Škripek, Michaela Šojdrová  |                   |                  |                  |
| <b>Date tabled</b>  | 1.7.2015  |                   |                  |                  |