4. Calls on the social partners and the Commission to work together to present a proposal for a framework directive on decent working conditions in all forms of employment, extending existing minimum standards to new kinds of employment relationships, based on a thorough impact assessment; considers that this framework directive should improve enforcement of EU law, increase legal certainty across the single market and prevent discrimination by complementing existing EU law and ensuring for every worker a core set of enforceable rights, regardless of the type of contract or employment relationship,
including equal treatment, health and safety protection, protection during maternity leave, provisions on working time and rest time, work-life balance, access to training, in-work support for people with disabilities, adequate information, consultation and participation rights, freedom of association and representation, collective bargaining and collective action; underlines that this framework directive should apply to employees and all workers in non-standard forms of employment, without necessarily amending already existing directives; recalls that existing labour rights are applied by Member States in accordance with national and EU law; calls also for more effective and efficient implementation and control of existing labour standards in order to improve the enforceability of rights and tackle undeclared work;
Amendment 11

Report
Maria João Rodrigues
A European Pillar of Social Rights
2016/2095(INI)

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Recognises that a certain variety of employment contracts is useful for efficient matching of workers and employers; recalls, however, the risk of labour market dualism and the danger of people being trapped in insecure contracts without a tangible prospect of upward transitions; stresses the importance of open-ended employment contracts for socio-economic security and points to the benefits which such contracts provide to employers across numerous sectors; supports also promotion of social economy business models; calls on the Commission to broaden the Written

Amendment

5. Recognises that a certain variety of employment contracts is useful for efficient matching of workers and employers; recalls, however, the risk of labour market dualism and the danger of people being trapped in insecure contracts without a tangible prospect of upward transitions; stresses the importance of open-ended employment contracts for socio-economic security and points to the benefits which such contracts provide to employers across numerous sectors; supports also promotion of social economy business models; calls on the Commission to broaden the Written
Statement Directive (91/533/EEC) to cover all forms of employment and employment relationships; calls for the framework directive on decent working conditions also to include relevant existing minimum standards to be ensured in certain specific relationships, in particular:

(a) proper learning and training content and decent working conditions for internships, traineeships and apprenticeships in order to ensure that they serve as genuine stepping stones in the transition from education to professional life, as provided for in the Council Recommendation on a Quality Framework for Traineeships, and that they are limited in time and do not replace employment for young people; remuneration should be commensurate with the work provided, the skills and experience of the person and the need to enable interns, trainees and apprentices on the labour market outside educational curricula to make ends meet;

(b) for work intermediated by digital platforms and other instances of dependent self-employment, a clear distinction – for the purpose of EU law and without prejudice to national law – between those genuinely self-employed and those in an employment relationship, taking into account ILO Recommendation No 198, according to which the fulfilment of several indicators is sufficient to determine an employment relationship; the status and basic responsibilities of the platform, the client and the person performing the work should thus be clarified; minimum standards of collaboration rules should also be introduced with full and comprehensive information to the service provider on their rights and obligations, entitlements, associated level of social protection and the identity of employer; those employed as well as those genuinely self-employed who are engaged through online platforms should have analogous rights as in the rest of the economy and be protected through
participation in social security and health insurance schemes; Member States should ensure proper surveillance of the terms and conditions of the employment relationship or service contract, preventing abuses of dominant positions by the platforms; (c) limits regarding on-demand work: zero-hour contracts should not be allowed, in view of the extreme uncertainty which they involve;
Amendment 12

Report
Maria João Rodrigues
A European Pillar of Social Rights
2016/2095(INI)

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Acknowledges the declining labour share of total income in Europe over the past decades; emphasises the need for renewed upward social convergence and the gender pay gap to be closed throughout the EU in order to boost demand, enable sustainable and inclusive growth and reduce inequalities; recognises that decent living wages are important as a means of avoiding in-work poverty; calls on the Commission to support actively wider coverage for collective agreements in line with Member States’ national traditions and practices and with due respect for the
autonomy of social partners; recommends the establishment of wage floors in the form of a national minimum wage, where applicable, with due respect for the practices of each Member State and after consulting the social partners, with the objective of attaining gradually at least 60% of the respective national median wage, if possible, and not below the living wage level of the region concerned; calls on the Commission to prepare a pilot version of a regional living wage calculation that would help to define living wages, serve as a reference tool for social partners and help to exchange best practices in this regard;
Amendment 13

Report
Maria João Rodrigues
A European Pillar of Social Rights
2016/2095(INI)

Motion for a resolution
Paragraph 14

14. Recommends that all workers should be covered by insurance against unemployment or involuntary part-time employment, coupled with job-search assistance and investment in (re)-training in line with the conditions laid down by each Member State in conjunction with the social partners; recalls that adequate unemployment benefits improve the matching process and are therefore useful for productivity, while at the same time playing a key role in preventing and reducing poverty; considers that the EPSR should recommend quality benchmarks

Amendment
14. Recommends that all workers should be covered by unemployment benefit schemes coupled with job-search assistance and investment in (re)-training in line with the conditions laid down by each Member State in conjunction with the social partners; recalls that adequate unemployment benefits improve the matching process and are therefore useful for productivity, while at the same time playing a key role in preventing and reducing poverty; considers that the EPSR should facilitate exchange of best practices on national unemployment

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for national unemployment insurance schemes, in particular regarding their coverage, activation requirements, a link between duration of support and the average national job-search period, and the quality of support provided by job centres;

benefit schemes, in particular regarding their coverage, activation requirements, a link between duration of support and the average national job-search period, and the quality of support provided by job centres;

Or. en
Amendment 14

Report
Maria João Rodrigues
A European Pillar of Social Rights
2016/2095(INI)

Motion for a resolution
Paragraph 26

26. Recalls that the Charter of Fundamental Rights of the EU prohibits any discrimination on grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation; emphasises that all people should enjoy equal opportunities throughout their lives, including when looking for work and at work; highlights the need for proper implementation of the Employment Equality Directive 2000/78/EC and the Racial Equality Directive 2000/43/EC;

Amendment
26. Recalls that the Charter of Fundamental Rights of the EU prohibits any discrimination on grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation; emphasises that all people should enjoy equal opportunities throughout their lives, including when looking for work and at work; highlights the need for proper implementation of the Employment Equality Directive 2000/78/EC and the Racial Equality Directive 2000/43/EC;
urges the Member States to step up implementation and the Commission to evaluate the enforcement of existing measures to ensure non-discrimination and equal opportunities and to enhance labour market participation and social integration of under-represented groups; calls on the Commission to propose new concrete recommendations or other measures in this regard if needed; **recalls that the Equal Treatment Directive proposed in 2008 and not yet adopted represents a missing element in the legislative framework concerning non-discrimination**; draws attention to European and national case law indicating that a duty of reasonable accommodation for all grounds of discrimination should be laid down in EU and national law, provided that this does not impose a disproportionate burden on employers or service providers; calls on the Commission to monitor the legal frameworks and policies of Member States in line with applicable EU legislation to ensure integration, equal treatment and decent working conditions are guaranteed to all people with refugee status; stresses that access to justice and protection should be ensured to all victims of exploitation and discrimination;