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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Martin Schulz, Harlem Désir and Stephen Hughes

on behalf of the PSE Group

on the Social Package

B6-0433/2008

European Parliament resolution on the Social Package

The European Parliament,

- having regard to the Social Package presented by the Commission on 2 July 2008, containing the Commission Communication on the 'Renewed social agenda: Opportunities, access and solidarity in 21st century Europe' (COM(2008)0412) and several other non-legislative proposals,
 - having regard to the Commission proposal for a European Parliament and Council directive on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (recast) (COM(2008)0419),
 - having regard to the Commission proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM(2008)0426),
 - having regard to the Commission proposal for a directive of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare (COM(2008)0414),
 - having regard to the judgments of the Court of Justice of the European Communities on the Viking Line, Laval, Rüffert and Commission v Luxembourg cases and the controversial political debate thereon,
 - having regard to the political agreements reached by the Employment and Social Affairs Ministers concerning the Temporary Agency Work and Working Time Directive,
 - having regard to the Charter of Fundamental Rights of the European Union, and in particular to its provisions regarding social rights, to Article 136 of the EC Treaty, under which the Member States have as their objectives the promotion of employment, improved living and working conditions, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high employment and the combating of exclusion, and to Article 152 thereof, on public health,
 - having regard to the European Council's intention to give further consideration before the end of 2008 to measures to improve the inclusion of Europe's Roma population,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the historic mission of the European Union is to safeguard and promote the security and well-being of its citizens,
- B. whereas the Union was once seen as a source of confidence, hope and social progress by its citizens, but is now all too often seen as a threat,

- C. whereas the centre-right's abandonment of Europe's founding social vision has profoundly damaged the confidence of Europeans in the EU,

A new social vision

1. Recalls the important social advances achieved by the European Union under the leadership of Commission President Delors; regrets that, in the last decade, the EU's centre-right leaders have transformed the Union's internal market policies, with their enormous potential to create prosperity for all, into a symbol of all that is distrusted about the EU;
2. Calls for a change of direction which puts Europe's social purpose back at the heart of the European political agenda;
3. Believes that this change of direction requires:
 - better regulation of the financial sector to put an end to the era of casino capitalism which has thrown the European economy into crisis and is threatening the homes and livelihoods of millions of Europeans;
 - a new legal framework to it make clear that in the European Union economic freedoms may never lead to the curtailment of fundamental social rights;
 - a guaranteed standard of living, including a guaranteed income; the Commission should submit proposals whereby Member States would establish national minimum incomes to lift all Europeans above the poverty threshold;
 - a European strategy to eliminate poverty and in particular child poverty;
 - a decent wage, with a national minimum wage policy, defined in relation to GDP in each Member State through legislation or collective bargaining;
 - a secure pension guaranteed by EU rules on mobility of pension schemes and taking account of atypical work and career breaks;
 - action to close the gender pay gap;
 - equal pay for equal work;
 - free movement of labour, accompanied by strong social measures to preserve and enhance labour market conditions in host countries;
 - comprehensive and effective anti-discrimination legislation;
 - more support for Europe-wide collective bargaining and strong trade unions;
 - security, partnership and opportunity in the workplace, in place of insecurity, cost cutting and abusive practices;
 - a workplace compatible with family life;

- effective and humane policies on migration and integration;
 - active ageing policies, with better working conditions, training and lifelong learning opportunities for all age groups;
 - a clear European legal framework to safeguard public services;
 - wider access to high-quality education and training, including the creation of a European right to lifelong learning;
 - fair, efficient and sustainable tax policies, with stronger coordination to help Member States meet common social, economic, environmental and energy objectives;
 - better coordination of national economic and social policies in pursuit of common objectives;
 - a high level of health protection and equal access to high-quality healthcare for all, close to where people live;
4. Stresses that Europe must ensure that its growing wealth helps build a better life for all its citizens and a more equal society;
 5. Notes that the Commission has finally understood the need to revive Europe's Social Policy Agenda but considers that the Social Package proposed by the Commission on 2 July 2008 is too little, too late;
 6. Stresses that European citizens will only support the deepening of the European Union and accept the process of globalisation if economic progress brings social progress, effective action against poverty and social exclusion and improved living and working conditions;
 7. Notes that the lack of social policy initiatives at the EU level in the last ten years, accompanied by increasing relocation of businesses, high unemployment and a growth in insecure and marginal employment, and now compounded by rising energy and food prices, is turning many Europeans against the EU project;

A stronger social agenda

8. Welcomes some positive steps in the Social Package, but believes that the package as a whole is an inadequate and incomplete answer to the problems European citizens face, and notes that some of the proposals come too late to be achieved within the mandate of this Commission;
9. Regrets in particular that the package lacks proposals on the following issues, which are crucial to building a sustainable European Union:
 - a directive on basic labour rights for all workers, regardless of employment status, to protect the ever-increasing numbers of atypical workers, such as those on zero-

hour contracts, in telework or working from home;

- a legal framework, in primary and secondary law, which would enable the European Court of Justice to strike a better balance between social rights and economic freedoms, for example through horizontal social clauses and a comprehensive Charter of Fundamental Rights; underlines, in that respect, the importance of having the Treaty of Lisbon and the accompanying Charter of Fundamental Rights brought into force as soon as possible; welcomes the last-minute commitment in the Commission's communication to organise a forum on the consequences of the recent European Court of Justice judgments concerning collective agreements;
- a review of the posting of workers directive in the light of the recent Court cases, to guarantee equal pay for equal work and allow all collective agreements to be taken into account when protecting workers' interests and to update the directive to take account of more recent legislation, such as the 2004 Public Procurement Directive;
- a review of the Equal Pay Directive, accompanied by a gender-neutral work evaluation system, to reduce gender pay gaps both within and between economic sectors;
- a strengthening of the Parental Leave Directive, accompanied by measures to encourage Member States to honour the commitments on high-quality childcare provision which they made at the Barcelona Summit in 2002 but have largely failed to meet;
- an EU Framework Directive to ensure that the provision of high-quality public services – open and transparent, with equal access for all – is not obstructed by internal market rules;
- a directive on unjustified dismissals to prevent abuse in the event of individual dismissals;
- a directive on joint and several liability, to remove legal loopholes exploited by unscrupulous employers to evade their obligations towards employees;
- a directive on cross-border collective bargaining, in tune with the realities of cross-border business operations;
- a directive on protection of workers' health and safety against needle-stick injuries, which cause a million injuries every year in the EU, and an EU-wide code of practice on the prevention of healthcare-associated infections;
- transformation of the Commission recommendation on the European schedule of occupational diseases into a directive;
- a framework directive on ergonomic design of work places and work-stations;

10. Calls on the Commission to strengthen the Social Package and use its right of initiative in these fields;
11. Calls, moreover, on the Member States to break the deadlock over the Portability of Supplementary Pension Rights Directive as a matter of urgency in order to avoid the loss by many European citizens of their supplementary pension entitlements;
12. Welcomes the common position reached by the Council, which is in keeping with the opinion adopted by Parliament in 2002 on the protection of temporary agency workers, and looks forward to rapid adoption of the directive;
13. Welcomes the Commission's proposal on equal treatment, which upholds the principle that discrimination, whether on grounds of religion, belief, disability, age or sexual orientation, is unacceptable, as requested by Parliament in its resolution of 20 May 2008; notes, however, that provisions that may limit the right to equal treatment need to be clarified; calls on the Council and all Member States to adopt the directive as soon as possible and bring an end to discrimination against European citizens in all areas; calls on the Member States to ratify and implement the most recent UN Convention on the rights of people with disabilities and its Optional Protocol;
14. Believes that the common position reached by the Member States on the Working Time Directive contravenes the principle that one cannot derogate from a health and safety law; reminds the Member States that the balanced approach taken during Parliament's first reading in 2005 allowed sufficient flexibility and security to both firms and workers and an end to the opt-out from the 48 hours' weekly working time;
15. Notes the improvements in the proposal for cross-border healthcare, but calls for further strengthening to improve patients' rights and mobility and ensure the autonomy of Member States to organise their national health care systems and preserve the principle of equal access to high-quality healthcare for all, close to where people live;
16. Notes the proposal for revision of the directive establishing a European Works Council, but regrets that it offers only limited improvements; stresses that the directive needs to allow better anticipation and management of restructuring by businesses and workers; calls on the Commission and the Member States to give serious consideration to Parliament's position as set out in the Menrad report in 2001; calls in particular for stronger measures to fight non-compliance, to weaken the rules on confidentiality and to facilitate negotiation between workers' representatives and management boards;
17. Urges the Commission to fulfil its intention to revise the regulation on the European Globalisation and Adjustment Fund, in particular to widen the definition of redundancy and the attribution criteria by lowering thresholds, to include different types of relocation and restructuring and to support workers who have lost their jobs following a relocation within the European Union;
18. Calls on the Commission to reinforce the role played by the European Foundation for the Improvement of Living and Working Conditions based in Dublin (Eurofound) in collecting and assessing information about labour market trends and restructuring in the

EU;

19. Calls on the Commission to strengthen its support for decent work worldwide by applying strong conditionality in the EU's trade relations and promoting the inclusion of decent work in WTO negotiations;

Social protection and social inclusion

20. Deplores the weakness of European and national policies in the face of growing poverty, especially child poverty;
21. Calls on the Commission and the Member States to adopt a clear programme of action to ensure the right of all European citizens to decent and affordable accommodation, in accordance with the European Charter for Housing;
22. Calls on the Member States and the Commission to commit to progressive taxation which pushes nobody below the poverty threshold and to a code of conduct on taxation, and to resist the erosion of the tax base through competition for footloose capital and highly skilled and mobile individuals; proposes the creation of a Social Stability Pact to establish minimum levels of social provision and encourage upward convergence;
23. Calls on the Commission to reinforce intergovernmental cooperation through a strengthening of the open method of coordination, using quantitative targets and indicators to encourage movement towards sustainable pensions, and to commence social policy mainstreaming and social impact assessment in all policy areas in the coming months;
24. Stresses the need for a more structured strategy to combat exclusion of Roma that includes the adoption of concrete objectives and mechanisms; stresses that the Roma issue is a European issue that concerns all the Members States of the EU and should be mainstreamed across all European policies; warns against attempts to treat it as a sectoral issue, and calls for the establishment of indicators to measure the usefulness of the existing tools;
25. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the social partners.