### **European Parliament**

2019-2024



### Committee on Employment and Social Affairs

2023/0288(COD)

14.2.2024

### **OPINION**

of the Committee on Employment and Social Affairs

for the Committee on Economic and Monetary Affairs

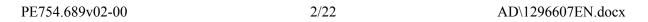
on the proposal for a regulation of the European Parliament and of the Council on European labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council

(COM(2023)0459 - C9-0316/2023 - 2023/0288(COD))

Rapporteur for opinion: Milan Brglez

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### **AMENDMENTS**

The Committee on Employment and Social Affairs calls on the Committee on Economic and Monetary Affairs, as the committee responsible, to take the following into account:

### Amendment 1

# Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Labour market statistics on businesses in the European Union are required for the design, implementation and evaluation of the Union policies, in particular those addressing economic, social and territorial cohesion, the European employment strategy, the European Pillar of Social Rights and the European Semester.

### Amendment

(1) Accurate, timely, reliable and comparable labour market statistics on businesses in the European Union are required for the design, implementation and evaluation of the Union policies, in particular those addressing economic, social and territorial cohesion, the European employment strategy, the European Pillar of Social Rights (EPSR), and the European Semester as well as those related to the implementation of the EPSR action plan and the social economy action plan. They are equally important for the Union to fulfil the tasks assigned to it under Articles 2, 3 and 4 of the Treaty on the Functioning of the European Union (TFEU).

### Amendment 2

# Proposal for a regulation Recital 2

Text proposed by the Commission

(2) The prevention and correction of macroeconomic imbalances according to Regulation (EU) 1176/2011<sup>15</sup> *and* the monitoring of adequate minimum wages according to Directive (EU) 2022/2041 of the European Parliament and of the Council<sup>16</sup> require accurate information on the evolution of hourly labour costs and wage levels across Member States.

### Amendment

(2) The prevention and correction of macroeconomic imbalances according to Regulation (EU) 1176/2011<sup>15</sup>, the monitoring of adequate minimum wages according to Directive (EU) 2022/2041 of the European Parliament and of the Council <sup>16</sup> require accurate information on the evolution of hourly labour costs and wage levels, *as well as on the collective bargaining coverage* across Member

- <sup>15</sup> Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25)
- <sup>16</sup> Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275 of 25.10.2022, p. 33).

## Proposal for a regulation Recital 3

Text proposed by the Commission

(3) The European Central Bank uses European labour market statistics on businesses, in the context of the single monetary policy, for monitoring inflation and deflation risks arising from labour costs. Therefore, accurate, timely and comparable Union statistics on the evolution of labour costs are necessary.

#### Amendment

(3) The European Central Bank uses European labour market statistics on businesses, in particular those on the evolution of labour costs and wage growth, in the context of the single monetary policy, for monitoring inflation and deflation risks arising from labour costs. It is important that this analysis is complemented by the monitoring of inflation and deflation risks arising from profits.

### Amendment 4

# Proposal for a regulation Recital 4

Text proposed by the Commission

(4) It is necessary to extend the coverage *of* job vacancy *statistics and the* timeliness of the labour cost index as both indicators are listed among the Principal European Economic Indicators (PEEIs)<sup>17</sup>, needed to monitor monetary and economic

### Amendment

(4) It is necessary to extend the *data on* job *vacancies and to improve* timeliness of the labour cost index as both indicators are listed among the Principal European Economic Indicators (PEEIs)<sup>17</sup>, needed to

<sup>&</sup>lt;sup>15</sup> Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25)

<sup>&</sup>lt;sup>16</sup> Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275 of 25.10.2022, p. 33).

<sup>17</sup> Communication of the Commission to the European Parliament and the Council on eurozone statistics 'towards improved methodologies for eurozone statistics and indicators' – COM/2002/0661 final of 27

<sup>17</sup> Communication of the Commission to the European Parliament and the Council on eurozone statistics 'towards improved methodologies for eurozone statistics and indicators' – COM/2002/0661 final of 27 November 2002.

### **Amendment 5**

### Proposal for a regulation Recital 5

November 2002.

Text proposed by the Commission

(5) A legal basis is necessary to regulate the transmission of the annual gender pay gap for monitoring the Sustainable Development Goals under the 2030 Agenda of the United Nations (UN), in particular, goal 5 on Gender Equality.

#### Amendment

(5) A legal basis is necessary to regulate the transmission of the annual gender pay gap, for monitoring the Sustainable Development Goals under the 2030 Agenda of the United Nations (UN), in particular, goal 5 on Gender Equality and goal 8 on Decent work and economic growth, as well as for monitoring the impact of Directive (EU) 2023/970.

### Amendment 6

# Proposal for a regulation Recital 6

Text proposed by the Commission

(6) The implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation<sup>18</sup> requires comparable data on wages received by men and women. Directive (EU) 2023/970 of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women<sup>19</sup> requires Member States to provide the Commission with up-to-date

#### Amendment

(6) The implementation, *monitoring* and assessment of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation<sup>18</sup> requires comparable data on wages received by men and women. Directive (EU) 2023/970 of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women<sup>19</sup> requires Member States to provide the Commission

gender pay gap data annually and in a timely manner. This obligation should be complemented by the appropriate necessary statistical frame for compiling and transmitting gender pay gap data.

18 Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of

employment and occupation (OJ L 204 of

<sup>19</sup> Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms (OJ L 132 of 17.05.2023, p. 21).

### Amendment 7

Proposal for a regulation Recital 6 a (new)

26.07.2006, p. 23)

Text proposed by the Commission

with up-to-date gender pay gap data annually and in a timely manner. This obligation should be complemented by the appropriate necessary statistical frame for compiling and transmitting gender pay gap data.

### Amendment

The gender pension gap is the relative difference between average gross pensions earned by women and men. The gap has its roots in different professional careers; those of women are characterised by lower pay, shorter and interrupted careers, and a lower volume of hours worked. As a result, women are at greater risk of poverty in later life than men. The data collected in the context of the labour market statistics on businesses regarding the structure of earnings, the gender pay gap and the structure of labour costs can also contribute to a better understanding of the gender pension gap in the Member States.

<sup>&</sup>lt;sup>18</sup> Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204 of 26.07.2006, p. 23)

<sup>&</sup>lt;sup>19</sup> Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms (OJ L 132 of 17.05.2023, p. 21).

### Proposal for a regulation Recital 9

Text proposed by the Commission

(9) To limit the burden on enterprises, in particular on SMEs, the national statistical authorities should consider administrative and innovative sources, the main aim of which is not the provision of statistics, as a substitute for or a complement to statistical surveys, subject to the quality requirements for official statistics. The latest technological and digital developments can contribute to this objective.

#### Amendment

(9) The collection of data should not create any unnecessary administrative burden for enterprises. To limit the burden on enterprises, in particular on social enterprises, SMEs and micro-enterprises, the national statistical authorities should consider administrative and innovative sources, the main aim of which is not the provision of statistics, as a substitute for or a complement to statistical surveys, subject to the quality requirements for official statistics. The latest technological and digital developments can contribute to this objective.

### **Amendment 9**

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

### Amendment

(10 a) Where the activities to be carried out under this Regulation involve the processing of personal data, such processing should comply with the relevant Union legislation on personal data protection, namely Regulation (EU) 2018/1725¹ and Regulation (EU) 2016/679². In accordance with the data minimisation principle set out in those Regulations, data provided under this Regulation should be aggregated to such a degree that individuals cannot be identified;

<sup>&</sup>lt;sup>1</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of

- 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

#### Amendment

(10 b) Processing of personal data for the statistical purposes, which is considered to be in the public interest, should be subject to appropriate safeguards in accordance with Article 89 of Regulation (EU) 2016/679¹ and Article 13 of Regulation (EU) 2018/1725². Particular attention should be paid to compliance with the principle of anonymization of personal data.

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<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

<sup>&</sup>lt;sup>2</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union

institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

**Amendment 11** 

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) The use of web scraping techniques to collect data from websites in an unstructured way should comply with the data protection principle of accuracy.

**Amendment 12** 

Proposal for a regulation Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) 'social enterprise' means a private law entity that provides goods and services for the market in an entrepreneurial way and in accordance with the principles and features of the social economy, having social or environmental objectives as the reason for its commercial activity. Social enterprises can be set up in a variety of legal forms<sup>1a</sup>

Amendment 13

Proposal for a regulation

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<sup>&</sup>lt;sup>1a</sup> Council recommendation on developing social economy framework conditions of 9 November 2023.

### Article 2 – paragraph 1 – point 5

Text proposed by the Commission

(5) 'employee' means any person irrespective of his/her nationality, residency or how long he/she has worked in the Member State who has a direct employment *contract* with an enterprise (whether the agreement is formal or informal) and receive remuneration, irrespective of the type of work performed, the number of hours worked (full-time or part-time) and the duration of the contract (fixed or indefinite, including seasonal); the remuneration of an employee can take the form of wages and salaries, including bonuses, pay for piecework and shift work, allowances, fees, commission and remuneration in kind;

#### Amendment

'employee' means any person (5) irrespective of his/her nationality, residency or how long he/she has worked in the Member State who has a direct employment *relationship* with an enterprise, established by a formal contract or an informal agreement, and receive remuneration, irrespective of the type of work performed, the number of hours worked (full-time or part-time) and the duration of the contract (fixed or indefinite, including seasonal); the remuneration of an employee can take the form of wages and salaries, including bonuses, pay for piecework and shift work, allowances, fees, commission and remuneration in kind;

### **Amendment 14**

Proposal for a regulation Article 2 – paragraph 1 – point 6

Text proposed by the Commission

(6) 'employer' means an enterprise or a local unit that has a direct employment *contract* with an employee *(whether the* agreement *is formal or informal)*;

### Amendment

(6) 'employer' means an enterprise or a local unit that has a direct employment *relationship* with an employee, *established by a formal contract or an informal* agreement;

#### Amendment 15

Proposal for a regulation Article 3 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The processing of data referred to in Article 3(1)(c) is without prejudice to Directive 2002/58<sup>1</sup>. The use of web scraping techniques shall be limited to

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Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications).

**Amendment 16** 

Proposal for a regulation Article 3 – paragraph 3 a (new)

Text proposed by the Commission

#### Amendment

3 a. Any processing of personal data, shall comply with the relevant Union legislation on personal data protection, including Regulation (EU)2016/679<sup>1</sup>, respecting data subjects fundamental rights in line with Regulation (EC) No 223/2009<sup>2</sup>.

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Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the

### Statistical Programmes of the European Communities.

### Amendment 17

Proposal for a regulation Article 4 – paragraph 1 – point a – indent 2a (new)

Text proposed by the Commission

Amendment

(iii) collective bargaining coverage;

**Amendment 18** 

Proposal for a regulation Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. For all topics in the Annex, the Member States shall collect and provide separate data on social enterprises.

### **Amendment 19**

### Proposal for a regulation Annex I

Text proposed by the Commission

### ANNEX I

Domains, topics and detailed topics; periodicity of the data provision, reference periods and deadline for data transmission per topic

Domain	Topic	Detailed topic	Periodicity	Reference	Data	First
				period	transmission	Reference
					deadline (1)(2)	Period
Earnings	Structure	Earnings	Every	Calendar	T+16 months	2026
	of	Total annual and	four	year		
	Earnings	monthly earnings and	years			
		all their components,				
		as well as hourly				
		earnings paid to each				
		employee sampled.				

	Employer's characteristics Economic, legal, geographical and employment information on the local unit to which each sampled employee is attached, and on its enterprise.  Employee's characteristics Individual demographic, educational, contractual and occupational information on each employee sampled.  Working periods Information on paid working periods, for each				
	contractual and				
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	<i>employee sampled.</i> Technical items of the				
	survey Sampling and				
	data collection				
	information for each				
	employee sampled				
	and his/her employer				
	(e.g., weights).				
Gender	Hourly earnings	Every year	Calendar	T+13 months	2026
Pay Gap	Hourly earnings of		year		
	male and female				
	employees by main				

		characteristics of the employer and of the employee and corresponding relative differences between hourly earnings of male and female employees. Employees Number of male and female employees by characteristics of the employee.				
Labourcosts	Structure of labour costs	Labour costs Total costs borne by the employer for employing labour and components of these costs.  Hours worked Hours actually worked by main types of employees. Hours paid Hours paid by main types of employees. Employees Number of employees by main types. Local units Information on local units in the sample.	Every four years	Calend ar year	T+18 months	2028
	Labour cost index	Quarterly index of labour costs per hour worked Quarterly index of labour costs per hour worked, by type of costs; unadjusted and adjusted time series.  Quarterly index of total labour costs Unadjusted and adjusted time series.	Every quarter	Calend ar quarter	- Early estimates: T+45 days Final data: T+65 days	First quarter of year 2026

		Quarterly index of hours worked <i>Unadjusted and adjusted time series.</i>		Colondon	End of the	
		Annual labour costs  Annual labour costs levels (weights) by type of costs.	Every year	Calendar year	End of the first quarter of year T+1 + 65 days	
Labour deman d	Job vacancies	Vacant posts Information on vacant posts recorded; unadjusted and adjusted time series. Occupied posts Information on occupied posts recorded; unadjusted and adjusted time	Every quarter	Calend ar quarter	- Early estimates: T+45 days Final data: T+70 days	First quarter of year 2026

<sup>(1)</sup> After the end of the reference period "T".

ANNEX I

Domains, topics and detailed topics; periodicity of the data provision, reference periods and deadline for data transmission per topic

Domain	Topic <sup>(3)</sup>	Detailed topic	Periodicity	Reference period	Data transmission deadline (1)(2)	First Refere nce Period
Earnings	Structure of Earnings	Earnings Total annual and monthly earnings and all their components, as well as hourly earnings paid to each employee sampled.	Every four years	Calendar year	T+16 months	2026

<sup>(2)</sup> When the above-mentioned deadlines fall on a Saturday or a Sunday, the effective deadline shall be the following Monday before 12:00 am (CET).

	Employer's characteristics Economic, legal, geographical and employment information on the local unit to which each sampled employee is attached, and on its enterprise.  Employee's characteristics Individual demographic, educational, contractual and occupational information on each employee sampled.  Working periods Information on paid working periods, for each employee sampled.  Technical items of the survey Sampling and					
	Working periods Information on					
	periods, for each					
	Technical items of the survey Sampling and					
	data collection information for each					
	employee sampled and his/her employer (e.g., weights).					
Gender Pay Gap	Hourly earnings Hourly earnings of male and female employees by main	Every year	Calendar year	T+13 months	2026	

T		_		T		1
		characteristics of the employer and of the employee and corresponding relative differences between hourly earnings of male and female employees. Employees Number of male and female employees by characteristics of the employer and of the employee.				
		Number of employees	Every year	Calendar year	T+13 months	2026
Labou r costs	Structure of labour costs	Labour costs Total costs borne by the employer for employing labour and components of these costs.  Hours worked Hours actually worked by main types of employees. Hours paid Hours paid by main types of employees. Employees Number of employees by main types. Local units Information on local units in the sample.	Every four years	Calend ar year	T+18 months	2028
	Labour cost index	Quarterly index of labour costs per hour worked Quarterly index of labour costs per hour worked, by type of costs; unadjusted and adjusted time series.	Every quarter	Calend ar quarter	- Early estimates: T+45 days Final data: T+65 days	First quarter of year 2026

		Quarterly index of total labour costs Unadjusted and adjusted time series.  Quarterly index of hours worked Unadjusted and adjusted time series.				
		Annual labour costs	Every year	Calendar	End of the	
		Annual labour costs levels (weights) by type of costs.		year	first quarter of year T+1 + 65 days	
Labour deman d	Job vacancies	Vacant posts Information on vacant posts recorded; unadjusted and adjusted time series. Occupied posts Information on occupied posts recorded; unadjusted and adjusted time series.	Every quarter	Calend ar quarter	- Early estimates: T+45 days Final data: T+70 days	First quarter of year 2026

<sup>(1)</sup> After the end of the reference period "T".

<sup>(2)</sup> When the above-mentioned deadlines fall on a Saturday or a Sunday, the effective deadline shall be the following Monday before 12:00 am (CET).

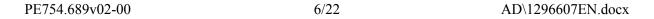
<sup>(3)</sup> All topics shall be disaggregated by social enterprises.

# ANNEX: ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The rapporteur has received input from the following entities or persons in the preparation of the opinion:

Entity and/or person
Statistical office of the Republic of Slovenia (Statistični urad Republike Slovenije)
Association of Free Trade Unions of Slovenia (Zveza svobodnih sindikatov Slovenije)
European Trade Union Confederation (ETUC)

The list above is drawn up under the exclusive responsibility of the rapporteur.



### PROCEDURE - COMMITTEE ASKED FOR OPINION

Title	European labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council
References	COM(2023)0459 - C9-0316/2023 - 2023/0288(COD)
Committee responsible Date announced in plenary	ECON 19.10.2023
Opinion by Date announced in plenary	EMPL 19.10.2023
Associated committees - date announced in plenary	19.10.2023
Rapporteur for the opinion Date appointed	Milan Brglez 17.10.2023
Discussed in committee	23.1.2024
Date adopted	14.2.2024
Result of final vote	+: 35 -: 2 0: 3
Members present for the final vote	João Albuquerque, Atidzhe Alieva-Veli, Marc Angel, Gabriele Bischoff, Vilija Blinkevičiūtė, Milan Brglez, Sylvie Brunet, Jordi Cañas, Ilan De Basso, Margarita de la Pisa Carrión, Klára Dobrev, Jarosław Duda, Estrella Durá Ferrandis, Cindy Franssen, Chiara Gemma, Elisabetta Gualmini, Alicia Homs Ginel, Agnes Jongerius, Stelios Kympouropoulos, Katrin Langensiepen, Miriam Lexmann, Jozef Mihál, Max Orville, Sandra Pereira, Dragoş Pîslaru, Dennis Radtke, Elżbieta Rafalska, Antonio Maria Rinaldi, Daniela Rondinelli, Mounir Satouri, Monica Semedo, Marianne Vind, Maria Walsh
Substitutes present for the final vote	Catherine Amalric, Rosa D'Amato, Paola Ghidoni, Wolfram Pirchner, Pirkko Ruohonen-Lerner, Kim Van Sparrentak
Substitutes under Rule 209(7) present for the final vote	France Jamet

### FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

35	+
ECR	Pirkko Ruohonen-Lerner
ID	France Jamet
PPE	Jarosław Duda, Cindy Franssen, Stelios Kympouropoulos, Miriam Lexmann, Wolfram Pirchner, Dennis Radtke, Maria Walsh
Renew	Atidzhe Alieva-Veli, Catherine Amalric, Sylvie Brunet, Jordi Cañas, Jozef Mihál, Max Orville, Dragoş Pîslaru, Monica Semedo
S&D	João Albuquerque, Marc Angel, Gabriele Bischoff, Vilija Blinkevičiūtė, Milan Brglez, Ilan De Basso, Klára Dobrev, Estrella Durá Ferrandis, Elisabetta Gualmini, Alicia Homs Ginel, Agnes Jongerius, Daniela Rondinelli, Marianne Vind
The Left	Sandra Pereira
Verts/ALE	Rosa D'Amato, Katrin Langensiepen, Mounir Satouri, Kim Van Sparrentak

2	-
ECR	Margarita de la Pisa Carrión, Elżbieta Rafalska

3	0
ECR	Chiara Gemma
ID	Paola Ghidoni, Antonio Maria Rinaldi

Key to symbols: + : in favour - : against 0 : abstention