

Public employment services *I**

European Parliament legislative resolution of 16 April 2014 on the proposal for a decision of the European Parliament and of the Council on enhanced co-operation between Public Employment Services (PES) (COM(2013)0430 – C7-0177/2013 – 2013/0202(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2013)0430),
- having regard to Article 294(2) and 149 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0177/2013),
- having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis
- 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 17 October 2013¹,
- having regard to the opinion of the Committee of the Regions of 28 November 2013²,
- having regard to the undertaking given by the Council representative by letter of 7 February 2014 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rules 55 and 37 of its Rules of Procedure,
- having regard to the report of the Committee on Employment and Social Affairs (A7-0072/2014),

1. Adopts its position at first reading hereinafter set out;
2. Approves its statement annexed to this resolution;
3. 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;
4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 67, 6.3.2014, p. 116.

² Not yet published in the Official Journal.

P7_TC1-COD(2013)0202

Position of the European Parliament adopted at first reading on 16 April 2014 with a view to the adoption of Decision No .../2014/EU of the European Parliament and of the Council on enhanced co-operation between Public Employment Services (PES)

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Decision No 573/2014/EU.)

ANNEX TO THE LEGISLATIVE RESOLUTION

STATEMENT BY THE EUROPEAN PARLIAMENT

ON

THE ESTABLISHMENT OF A NETWORK FOR PUBLIC EMPLOYMENT SERVICES

The European Parliament:

1. WELCOMES the agreement reached by the co-legislators on the Commission's proposal for a Decision on enhanced co-operation between Public Employment Services (PES), which is formalising and strengthening the existing informal network of cooperation between PES;
2. RECALLS that Article 149 TFEU provides that the European Parliament and the Council may adopt incentive measures designed to encourage cooperation between Member States in the field of employment. Such acts are legislative acts and may provide for legally binding obligations, however, without harmonising laws and regulations of Member States;
3. CONSIDERS that setting up the network of cooperation between PES is an incentive measure falling within the scope of Article 149 TFEU. Therefore, once the Decision is adopted, all Member States shall participate in the said network, as the non-participation of a Member State in a Union policy cannot be justified by the mere wish of Member States;
4. UNDERLINES that, according to the recitals and the enacting articles, the primary objective of this Decision is to strengthen and enhance the effectiveness of the previously existing informal PES network, by formalising it through a legislative act. Such an objective can only be achieved if all Member States are participating in the network and engaging in the activities laid down in Article 3 of the Decision.