



Malta-EU Steering & Action Committee

EMPLOYMENT, SOCIAL POLICY & HEALTH



20.03.2009

EU SPRING SUMMIT

The economic and financial situation, energy and climate change and the Eastern Partnership are the main topics on the agenda of the
the
Spring European Council in Brussels on 19th and 20th March.

Apart from the stability of financial markets, the heads of state and government of the 27 EU countries will discuss the EU's strategy for jobs and growth - a traditional subject of any spring summit but of particular importance in the present situation. They will also prepare the EU's stance for the G20 summit to be held in London at the beginning of April.

EU SPRING SUMMIT

The Council Conclusions will be included in next week's update.



Malta-EU Steering & Action Committee

...from the COMMISSION

TRIPARTITE SOCIAL SUMMIT

The Tripartite Social Summit is held at least once a year, before the European Council meeting in Spring, to allow an exchange of views by the social partners, the European Commission and the prime ministers and employment ministers of the Troika (which comprises the Member State holding the Presidency of the European Council and the next two States which will succeed it. The present Troika is thus composed of Sweden and Spain). The Summit agenda always closely follows the agenda for the Spring European Council meeting.

During the Tripartite Social Summit, the European social partners (ETUC - European Trade Unions Council, BUSINESSEUROPE – European Association of Industries and Employers, CEEP – European Centre of Employers and Enterprises, and UEAPME – European Association of Craft, Small and Medium-sized Enterprises) presented their new work programme for 2009-2010. It includes joint monitoring of the implementation of the principles of flexicurity and the assessment of the role and involvement of the social partners, a joint contribution on the topic of mobility and economic migration, together with promoting the integration of migrant workers in the market and the workplace.

Barroso's Press Conference after the sessions

The president of the Commission said that there is a clear convergence of views regarding the priorities the Member States should be giving to employment. At the same time there is a common determination to defend and protect the internal market as a great source of growth for Europe, to resist any kind of protectionism, and to keep and to reinforce the basic principles of the Lisbon strategy, because we need Europe to get out stronger from this crisis. He said that there were of course some differences on emphasis but there was a great convergence around the main priorities, namely around the priority of employment.

In agreement with the social partners, a large public consultation process was launched yesterday to contribute to the achievement of concrete results and new strategies at the EU employment summit on 7 May in Prague. "During this consultation we will organise, together with the Czech Presidency, some seminars in the Czech Republic, Sweden and Spain on various themes including



Malta-EU Steering & Action Committee

skills, access to employment, and mobility. What we want is to build consensus for concrete results at the Employment summit in Prague.”

“Our absolute priority must be to keep people in jobs, for instance by providing financial support to temporary flexible working-time arrangements, and get those who have lost their jobs back into jobs as quickly as possible, for instance by investing in re-training and skills upgrading. This will also help our businesses, SMEs in particular, to prepare for recovery and serve their long and short term needs.

What we need is to avoid the vicious circle of long term unemployment, leading to poverty and social exclusion.

And we need to make the most of national actions to help the most vulnerable. We also need to make the most of our European instruments – the European Social Fund and the European Globalisation Adjustment Fund.”

Barroso reiterated the Commission’s motto under his presidency by saying that Europe cares and matters in this crisis. “Our response is putting people first. Let’s build on the process we have launched with our European Economic Recovery Plan and on our economic and social achievements”. “Now it is time for action, to focus on implementation, no longer just on words and gesticulation, but to deliver concrete results also in terms of our action for employment in Europe.

**European Economic and Social Committee
- preparation for the special employment summit –
*Citizens’ and civil society’s concerns to be
right at the heart of Prague Summit***

In the context of the financial and economic crisis currently afflicting the European Union, the European Commission is placing a lot of importance on having citizens’ concerns put at the heart of European policies, particularly as part of recovery plan implementation.

With this in mind, the president of the Commission, José Manuel Barroso, sought to back the European Economic and Social Committee (EESC) in its preparation of the special employment summit he had requested for the 7th of May, in Prague.



Malta-EU Steering & Action Committee

President Barroso explained that the idea of a special employment summit “is an important idea because I believe citizens would not understand that European leaders meet up so often to discuss financial system and banks but do not have time to focus on social issues, particularly unemployment”. Mr Barroso affirmed that, “this does not mean that it is here that efforts will begin. We have already taken measures for the recovery and jobs. But May will enable us to concentrate on what has occurred so far and what additional measures need to be taken”.

This is why president Barroso finds this employment summit and EESC involvement in its preparation “very important”, given its very high quality reports and opinion, (not just of a technical quality but also of a quality in terms of what the EESC describes as consensus). The president believes that they are facing an “exceptional challenge that requires an exceptional response” from both governments and institutions and that “civil societies and social partners should also be committed to this orientation and everyone should make an effort in this response”. This explains the importance the EESC attaches to, “the very culture of civil society cooperation, which is extremely important, especially in crisis periods”.

In connection to the efforts that member states can make, given the scale and suddenness of the crisis, Mr Barroso noted that, “the level of effort we are making at a European level can always be discussed... It is unprecedented, we have never made such a powerful effort in such a coordinated manner. We estimate it at 3.3% of GDP in budgetary terms, if automatic stabilisers are considered. I am not excluding the fact that other measures may be needed. What I think, and this was greeted very positively at the EESC, is that we must focus on carrying out what we have decided on rather than begin speculating on even more negative scenarios. It is true that we are in a very serious and difficult situation but we are currently providing a response to it. Let’s now concentrate on executing measures we took together and work with our non-European partners how to obtain a global response”. Mr Barroso said that he hoped that, “this orientation will be followed by a consensus during our European Council at the end of this week”.

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... from the PARLIAMENT

COMBATING MULTIPLE DISCRIMINATION

Discrimination doesn't occur only in employment but also in access to goods and services such as banking, education, transport and health. A directive aiming to guarantee equal treatment in these areas was backed on Monday by the EP Civil Liberties Committee, which particularly highlighted the need to tackle multiple discrimination.

COM (2008) 420 COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS.

Non-discrimination and equal opportunities: A renewed commitment.

The directive put forward by the European Commission is intended to reduce discrimination on grounds of religion or belief, age, gender or sexual orientation, whether direct or indirect, and whether based on real or presumed criteria.

Three Directives¹ have already been adopted to give effect to Article 13 TEC, which allows for action to outlaw and combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation. These Directives prohibit discrimination on grounds of age, sexual orientation, disability and religion or belief in employment, occupation and vocational training, whilst protection from discrimination based on race and gender extends beyond the employment field to include social protection and access to goods and services.

All these goals were reaffirmed by members of the Civil Liberties Committee when they adopted a consultation report by Kathalijne Buitenweg (Greens/EFA, NL).

¹ Council Directives 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, 2000/78/EC establishing a general framework for equal treatment in employment and occupation, and 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services.



Malta-EU Steering & Action Committee

The directive will apply to social protection and health care, social benefits, education and access to goods and services, including housing. MEPs would like it to apply to access to transport as well. However, they say transactions between private individuals outside professional and commercial activities should be excluded.

The committee also believes the directive should cover multiple discrimination, based on two or more grounds, as well as discrimination by association. However, special arrangements should apply to small firms, for which the rules could be a burden.

No impact on matrimonial law or the secular state

MEPs stress that the directive does not impinge on the separation of powers between the European Union and its Member States nor does it affect national law on marriage, the family and health. Member States retain responsibility for the organisation and content of education. National laws on the secular nature of the state are not affected, nor are differences of treatment based on nationality. Member States are not precluded from taking steps to prevent or compensate for disadvantages (such as positive action or quotas) or from allowing such measures to be taken by the public, private or voluntary sectors.

Harassment is discrimination

Under the directive, harassment (defined as unwanted conduct takes place with the effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment), must be deemed as a form of discrimination. MEPs stress that the concept of harassment must be defined in accordance with national law and the practices of Member States.

Improving arrangements for the disabled

The directive bans discrimination on grounds of disability - as understood in the definition by the United Nations - in access to social protection, social benefits, health care, education and goods and services. MEPs want it also to cover transport, telecommunications, information, financial services, culture and leisure. Efforts at "reasonable accommodation" of the needs of people with disabilities (for example wheelchair access to buildings) must be made or alternative solutions found where appropriate. However, such measures must not impose a "disproportionate burden" nor require a fundamental change in the nature of the goods and services in question.

Some differences of treatment must be tolerated



Malta-EU Steering & Action Committee

Member States may allow some differences of treatment, such as in access to education provided by religious bodies, provided these differences are necessary and proportionate and do not in themselves result in a denial of the right to education.

Risk factors related to disability and age used in the insurance and banking industries should not be regarded as discrimination if they are shown to be directly determining factors for the assessment of risk. However, MEPs call for service providers to demonstrate the risks precisely.

In addition, say MEPs, differences of treatment on grounds of age may be accepted if legitimate, for example in the sale of alcohol, weapons or the granting of driving licences. But young people with disabilities must also have access to favourable terms and conditions such as free or reduced tariffs for the use of public transport, museums or sport facilities.

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Negotiations with the European Parliament on working time will continue

Last night, the EU Member States led by the Czech EU Presidency met for the first time with the Members of the European Parliament at the session of the Conciliation Committee.

Parliament and Council still divided over working time - new conciliation meeting on 1 April.

The Conciliation Committee is trying to reach a compromise concerning new EU rules on working time. The Czech Presidency adopted a very active approach to the negotiations, providing the MEPs with several new options to deal with controversial issues. The Presidency aims at improving the overall situation of workers in the whole of the EU. "Adopting the directive is our joint responsibility", noted Czech Deputy Prime Minister and Minister of Labour and Social Affairs Petr Nečas. "Not adopting the draft would bring victory to no one. It would be regarded as a joint failure of both the EU Council and the European Parliament", he added.

During the preparatory talks it became obvious that the European Parliament considers the abolition of the opt-out clause, i.e. an exception from the maximum weekly working hours, as issue number one. Deputy Prime Minister Petr



Malta-EU Steering & Action Committee

Nečas, who was representing the EU-27 at the preparatory talks, however pointed to the fact that a balanced text of the new directive on working time must treat all issues.

The proposal for a new working time directive, which has been discussed within the EU since 2003, will improve the overall situation of workers compared to the current state. The Czech Presidency strives hard to reach an agreement with the European Parliament. It tabled the proposal as soon as on 24 January at the informal meeting of Social Affairs Ministers in Luhačovice. This was followed by three informal meetings with MEPs.

The opt-out to the maximum working week is currently being used by 15 out of the 27 Member States. It mostly serves to solve difficulties related to professions which involve regular standby duty (e.g. in healthcare or fire service) and allows for flexible work arrangements according to the wish and needs of workers. The Member States' position towards the new directive maintains the opt-out, but also strengthens the protection of workers.

Czech Presidency reaches agreement with the European Parliament regarding co-ordination of social security systems

EU nationals living and working in a Member State other than their country of origin will be able to rely on easier provision of social benefits.

This will be guaranteed by new rules on the co-ordination of social security systems, which the Czech EU Presidency agreed upon with the European Parliament on 16th March.

Jana Reinišová, the Deputy Head of the Permanent Representation of the Czech Republic to the EU, who has lead the negotiations with MEPs on behalf of EU-27, said that this agreement will strengthen the position of the citizens, simplify legal rules and remove unnecessary discriminatory barriers.

Searching for a compromise regarding such a difficult and complex proposal took several years. The present agreement must yet be confirmed by the vote of the EP's Employment and Social Affairs Committee and by a vote in the plenary session. The EU Council will adopt the document officially at one of its ministerial meetings. The Czech Presidency hopes, however, that the compromise will not be further endangered.



Malta-EU Steering & Action Committee

The new document significantly modernises and simplifies the current rules for co-ordination of social security systems and, at the same time, it takes into consideration the rulings of the European Court of Justice. Electronic data exchange between institutions from different Member States is a significant step forward. It will considerably increase the speed and transparency of the clients' applications for social benefits and it will also facilitate an appropriate assessment of these claims by the authorities.

On the other hand, after the implementation of these new rules, the citizens will experience improvements in the area of healthcare payments paid by their health insurance while abroad or in relation to pension claims after having worked for a certain time in different Member States. Furthermore, the legislation will facilitate the free movement of persons, which is not only one of the basic rights of European citizens but also one of the priorities of the Czech EU Presidency.

Signs that employers opt for alternatives to redundancy

Eurofound, The European Foundation for the Improvement of Living and Working Conditions, a EU agency based in Dublin, published a report which maps innovative and good practice government and company measures to keep workers in employment. There are signs that EU governments and companies are opting for employment-maintaining initiatives, as opposed to redundancies and lay-offs, as they look to ride out the storm of the current financial chaos. It shows how companies are using short-term working, paid/unpaid sabbaticals and 'pay for jobs' clauses in restructuring agreements and how social partners are reacting to these developments.

Many EU governments have short-time compensation programmes in place whereby employers can apply for temporary state assistance to top up the wages of workers working reduced hours. Generally, these programmes are conditional and negotiated agreements between the social partners, subject to specific market conditions and declines in sales levels.

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EUROSTAT... **the Statistical Office of the European Communities**

Euro area labour costs rose by 3.8%
EU27 up by 4.6%
Fourth quarter 2008 compared with fourth quarter 2007

The two main components of labour costs are wages & salaries and non-wage costs.

Among the Member States, the smallest annual increase in hourly labour cost for the fourth quarter of 2008, was observed in Malta (0.4%).

The highest annual rises were registered in Romania (21.5%) and Bulgaria (17.9%).

In the EU27, wages & salaries rose by 4.7% and the non-wage component by 4.2%. For the previous quarter the corresponding rates were 4.3% and 4.1% respectively.

Volume of retail trade up by 0.1% in euro area
Up by 0.6% in EU27
January 2009 compared with December 2008

The volume of retail trade rose by 0.1% in the euro area (EA16) and by 0.6% in the EU27.

In December, retail trade fell by 0.3% and 0.2% respectively.

In January 2009, compared with January 2008, the retail sales index decreased by 2.2% in the euro area and by 1.2% in the EU27.

Euro area and EU27 employment down by 0.3%

The number of persons employed in the euro area (EA15) fell by 0.3% (453 000 persons) in the fourth quarter of 2008 compared with the previous quarter, according to national accounts estimates published by Eurostat. In the same period, the number of persons employed in the EU27 also decreased by 0.3% (672 000 persons). In the third quarter of 2008, employment declined by 0.1% in the euro area and by 0.2% in the EU27. These figures are seasonally adjusted.

Euro area inflation up to 1.2%
EU down to 1.7%

Euro area annual inflation was 1.2% in February 2009, up from 1.1% in January.



Malta-EU Steering & Action Committee

HEALTH

Commission completes pesticide review programme

On the 12th March, the European Commission issued the review of the existing pesticides that were on the market before 1993. This is considered by the Commission as an important step forward in its efforts to ensure improved protection of human health and the environment. This programme concerned about 1,000 substances, of which about 250 have passed the harmonised EU safety assessment. All reviewed pesticides have undergone a detailed risk evaluation with respect to their effects on humans and on the environment.

This important achievement is the result of a considerable joint effort by the Commission, the European Food Safety Authority (EFSA) and the Member States.

Council Directive 91/414/EEC of 1993, lays down a comprehensive risk assessment and authorisation procedure for active substances and products containing these substances. Each active substance has to be proven safe in terms of human health, including residues in the food chain, animal health and the environment, in order to be allowed to be marketed. If the evaluation carried out by the European Food Safety Authority (EFSA) shows that the substance has no harmful effect on human or animal health and that it has no unacceptable impact on the environment, the substance can be approved.

The European Commission has created an EU list of approved active substances and Member States may authorise only plant protection products, containing such substances, which are included in this list.

As from 16 March 2009, a database on active substances will be available on the website of the European Commission. This newly developed database will



Malta-EU Steering & Action Committee

Ensuring safety and quality of health services for patients is crucial for Czech Presidency

The Chief Health Officer of the Czech Republic, Michael Vít, held talks with representatives of the Ministries of Health of the EU Member States and national experts on patient safety at the regular meeting of chief medical officers in Prague on 16 – 17 March.

During the two-day meeting the representatives of the Member States addressed the issue of high-quality and safe health services, which is one of the main priorities in the health area. Examples of the best practices of selected Member States were presented along with current legislative proposals concerning patient safety which are being treated by the EU institutions and examples of practice from real life.

The Czech Republic has fulfilled the strategy for quality care and adopted a national plan for patient safety and quality health services. It primarily puts emphasis on external evaluation of quality and the safety of health services. Programmes to ensure patient safety are of crucial importance, but also systems for creation and subsequent introduction of national health service standards and indicators are important. An inseparable part is dissemination of information to both experts and the general public and integration of patient safety into the process of lifelong learning for health workers. In this respect the website of the Ministry of Health of the Czech Republic will launch a Portal of quality and safety (for health professionals and the general public). At the same time a so-called Book of Safety will be published, which both health professionals and patients can help disseminate.

At the end of the meeting the chief medical officers discussed the proposal for a Council Recommendation on patient safety, including the prevention and control of healthcare associated infections, which the European Commission presented in December 2008. The main aim of the proposal is to find suitable measures to increase patient safety. The Czech Presidency considers this document to be of key importance and will do its utmost to make sure that it is adopted at the EPSCO Council in June 2009.



Malta-EU Steering & Action Committee

OPEN CONSULTATIONS

ON THE EUROPEAN WORKFORCE FOR HEALTH
COM (2008) 725

CLOSING DATE – 31.03.2009

ON EU ACTION TO REDUCE HEALTH INEQUALITIES

CLOSING DATE – 01.04.2009

[http://ec.europa.eu/health/ph_determinants/socio_economics](http://ec.europa.eu/health/ph_determinants/socio_economics/documents/cons_paper_en.pdf)
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YOU MAY SEND YOUR CONSULTATIONS TO:

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