

## **IMPLEMENTATION OF THE EUROPEAN FRAMEWORK AGREEMENT ON INCLUSIVE LABOUR MARKETS**

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## I - Foreword

On 25 March 2010, ETUC (and the liaison committee Eurocadres-CEC), BUSINESSEUROPE, UEAPME and CEEP signed the autonomous framework agreement on inclusive labour markets. The negotiations formed part of the Work Programme of the European Social Partners for 2009 – 2010.

With this agreement, the European Social Partners recognized that achieving an inclusive labour market is a multi-faceted challenge, where employers, individuals, workers, workers' and employers' representatives all share responsibility to tackle the challenge. The social partners also recognized that achieving an inclusive labour market does not depend exclusively on their action. The agreement therefore includes an annex of recommendations to public authorities and other actors, who have responsibilities in ensuring that there is a framework which encourages and promotes inclusive labour markets.

The European Social Partners remain acutely aware of the challenging economic and social climate in which the framework agreement was negotiated. This was an added impetus for them to work together to promote inclusive labour markets, to maximise the full potential of Europe's labour force, to increase employment rates and to improve job quality. This challenging climate has also endured throughout implementation of the agreement and features clearly in the actions taken by national social partners.

The agreement concerns the issues of access, return, retention and development, with a view to achieving full integration of individuals on the labour market. In this way it covers those persons who, due to certain contextual, work-related and/or individual factors, encounter difficulties in entering, returning to or integrating into the labour market and those who are at risk of losing their job. This recognizes that active inclusion depends on the way the labour market and society are organized as well as on the capacities, talents and motivation of individuals and organisations.

The agreement aims to provide an action-oriented framework for workers, employers and their representatives to identify obstacles to inclusive labour markets and solutions to overcome them without focusing on specific groups. It also aims to increase the awareness, understanding and knowledge of employers, workers and their representatives of the benefits of inclusive labour markets. A number of non-exhaustive obstacles are identified which constitute challenges to achieving inclusive labour markets. The agreement highlights that solutions to these obstacles entail various measures, actions and/or negotiations which should promote the creation of jobs and the employability of workers and jobseekers. In this respect it highlights some indicative examples of measures.

The European social partners opted for the fourth time for a European framework agreement to be implemented directly by their members, in accordance with the procedures and practices specific to the management and labour in the Member States as defined in Article 155 of the Treaty on the Functioning of the European Union (TFEU). By formulating a framework agreement, which highlights a broad range of obstacles and examples of action, national social partners have the necessary flexibility to devise measures tailored to their specific situation. One of the innovations of this framework agreement was that the European Social Partners opted for it also to be promoted by national social partners. This was also the first autonomous agreement deriving from EU Social Partners' autonomous work programme, signaling a further step in the development of autonomy of

the European Social Partners. This leads the European social partners to believe that this agreement should be treated differently to other autonomous framework agreements. At the same time, we would welcome the Commission taking an interest in our agreement, which adds value in achieving more inclusive labour markets.

The implementation and promotion of the agreement had to be carried out within three years after the date of signature of the agreement, i.e. by March 2013. As foreseen in the framework agreement, the European social partners have also submitted during the first three years after the signature (2011 – 2013) to the Social Dialogue Committee a yearly table summarizing the on-going implementation of the framework agreement. These annual tables are available at both the Employers' Resource Centre (<http://www.erc-online.eu>) and the ETUC Resource Centre (<http://resourcecentre.etuc.org>). When implementing this agreement, the members of the signatory parties avoid unnecessary burdens on SMEs. This report also reflects the discussions held during the European Social Partners conference on implementation of the framework agreement, which took place on 9 April 2014. By 18 September 2014, at least one joint national implementation report had been received from 20 EU Member States and 2 EEA countries, including final joint reports from 17 EU Member States and 1 EEA country. Joint reports have not yet been received from national social partners in 8 countries, although in one country (Italy) a joint letter was sent by the national social partners with a commitment to take actions.<sup>1</sup> European social partners encourage social partners in these countries to keep them informed about their follow-up activities until actions have been undertaken at national level.

The present joint implementation report was adopted by the European social dialogue committee on 24 September 2014 and transmitted to the European Commission in November 2014.

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<sup>1</sup> However for some of these countries, relevant information provided in the joint implementation tables for 2011, 2012 and 2013 is included in this report.

## II - Social Partner Actions

### 1. Overview of implementation

1. The framework agreement has been a valuable tool for national social partners to work together to promote inclusive labour markets, which can also help respond to long-term challenges such as demographic change.
2. It has proved to be an effective framework for social partners to take action targeted at different levels: at the macro level – e.g. general labour market measures and reform of education systems; at the micro level – measures targeting the workplace.
3. The economic crisis, resulting in challenging employment and social situations, has provided further impetus for social partners to take action to ensure inclusive labour markets. The crisis has therefore clearly been a feature in the implementation of the agreement: The agreement has helped social partners to devise responses to the crisis, often jointly with governments; although in some cases the crisis has created a challenging environment for implementation.
4. The broad nature of the agreement has given national social partners the possibility to implement it in a way which is appropriate and relevant for their specific labour market, economic and social challenges, as well as social dialogue structures.
5. The general framework of the agreement has given to social partners the possibility to develop measures and specific tools linked to one or more of the steps described in the agreement: access, return, retention and development.
6. A combination of tools were used, including national social partner agreements (some tripartite), social partner programmes and projects, some sectoral and company initiatives, awareness-raising campaigns, training, online tools, publications and seminars.
7. Its broad nature has also been a strength given the complexity of issues at stake. This is clearly reflected in the diverse range of topics tackled by national social partners and the groups targeted by their actions.
  - Topics tackled include training and qualifications, diversity, active ageing, health promotion and rehabilitation, mobility, restructuring, and more.
  - Although the agreement did not focus on specific groups, certain groups were targeted in implementation, such as older workers, young persons, low-skilled, disabled persons, migrant workers etc.
8. Whereas the broad nature of the agreement has been an asset for some national social partners, for others this has made implementation more difficult in terms of pinpointing where they may take action.
9. Some social partners, on occasion jointly with governments, have implemented the framework agreement through measures which aim at general improvements on the labour market or which combine action across a number of areas.
10. This diversity in implementation is an indicator of the relevance of the agreement for the different national labour market realities and needs.
11. As well as national social partner actions, the agreement has had a positive impact in reaching out to other actors, including governments, the third sector and education and training providers.
12. In addition to their own actions, some social partners have reported on general employment and labour market measures undertaken by their governments. In some cases this action is linked to reform measures as a response to the crisis. In this context, the recommendations made to other actors in the annex to the agreement proved to be relevant.

## 2. In numbers...

- 20 EU Member States and 2 EEA countries have reported at least once
- 8 EU Member States have not reported so far – 2 older and 6 newer member states

	2011	2012	2013	2014 Final report
<b>EU Member States</b>				
Austria	x	x	x	x
Belgium	x	x	x	x
Bulgaria				x
Croatia				
Cyprus	x	x	x	x
Czech Republic	x	x	x	x
Denmark	x	x	x	x
Estonia				
Finland	x	x	x	x
France		x	x	x
Germany	x	x	x	x
Greece				
Hungary	x		x	
Ireland	x	x		x
Italy				Joint letter from social partners. Commitment to take actions.
Latvia	x	x	x	x
Lithuania				
Luxembourg	x	x	x	
Malta				
Netherlands	x		x	x
Poland	x	x	x	
Portugal	x	x	x	x
Romania				
Slovakia				
Slovenia	x	x		
Spain		x		x
Sweden	x	x	x	x
United Kingdom	x	x	x	x
<b>Total EU MS</b>	<b>17</b>	<b>17</b>	<b>16</b>	<b>16</b>
<b>EEA countries</b>				
Iceland		x	x	
Norway	x	x	x	x
<b>Candidate countries</b>				
Turkey				
<b>Total (out of 31)</b>	<b>18</b>	<b>19</b>	<b>19</b>	<b>17</b>

EU interprofessional social partners	x	x	x	x
European sectoral social partners				

### 3. In content...

The framework agreement highlighted a number of factors which individually or in combination may encourage or discourage labour market participation. This included contextual factors linked to the economic and labour market environment, work-related factors and individual factors. In implementing the agreement, the factors highlighted have clearly been a reference for national social partners, as they are reflected in many of the actions taken:

#### ➤ **Contextual factors**

For many of the contextual factors governments have a key role, as was recognized in the annex of recommendations for public authorities and other actors.

In a number of cases, national social partners have reported on measures taken, often in cooperation with the government to improve the general labour market situation. This has often been part of national labour market reforms, including action targeted at job creation, dealing with restructuring, changes to the conditions for concluding different types of employment contracts, changes to tax and benefit systems and labour market mobility (amongst others). Other actions targeting structural changes include reform of education systems, improving transitions from school to the labour market or measures to assist people in a precarious situation in relation to employment.

In a number of cases, national social partners in their implementation of the agreement have worked together with public employment services to improve information on and access to employment opportunities. In addition, there have been joint and unilateral actions by social partners to provide information to jobseekers on employment opportunities and information to employers on jobseekers.

#### ➤ **Work-related factors**

Since aspects related to work organisation and environment are generally core competences for national social partners, it is not surprising that a wide range of actions have been taken in this area to implement the agreement.

These include programmes devised by national social partners to increase hiring of long-term unemployed persons, as well as other specific groups of people to encourage diversity in recruitment. Other initiatives have focused either on employers or jobseekers, for example providing guidance to employers/companies in recruiting persons having difficulties entering the labour market; or actions to accompany people in recruitment processes, as well as integration once they are on the labour market.

Actions related to working conditions and work organisation have also been taken, for example regarding working time, work-life-balance and health and safety at the workplace. Action on training

at the workplace has also featured. Finally, there have been a number of activities regarding human resources planning and development of competence plans.

➤ **Individual factors**

Social partners cannot necessarily have a direct influence on individual factors affecting participation in and integration on the labour market, such as motivation, language knowledge or health status, as this is often down to individuals themselves or through other support mechanisms. However, social partners, as well as other actors, can take actions to create the right conditions for individuals to have a better chance of participating in and integrating on the labour market and in the workforce.

One specific area is improvement of skills and qualification levels, as well as education and training achievements and outcomes, to better match the needs of the individual and those of the labour market. Many of the initiatives reported on by national social partners in implementation of the agreement are in this area. There have also been some actions on health improvement and rehabilitation.

Also, a fairly large number of initiatives have been taken targeted at changing the attitudes of employers, workers and jobseekers. These include promoting the benefits of diversity in the workplace, sensibilisation of workers to adapt to a diverse workforce, and motivation of groups who are underrepresented in the workforce or who have low levels of education and career prospects.

#### **4. Promotion and dissemination activities...**

In addition to actions to implement the framework agreement, national and EU social partners also actively promoted and disseminated it. The way in which this was done differed from one country to another, reflecting the different national systems and practices. Joint action was taken by national and EU social partners, as well as some unilateral actions. In some cases other actors were involved. The main purpose of these activities was to further inform about, raise awareness and promote the framework agreement, and to encourage national social partners to start work on implementation. Some actions also served more generally to raise awareness on the importance of the topic of inclusive labour markets and the subjects included in the framework agreement.

##### **National social partners**

The basis for dissemination and promotion of the framework agreement at national level was in many cases translation. This often marked the start of negotiations between national social partners on implementation, and can be a crucial process for creating a common understanding about the content of the European social partners' framework agreement. In many cases the translation was done with the help of the Translation Fund managed by the ETUC and BUSINESSEUROPE (on behalf of the European employers' organisations) as part of the European Social Partners' Integrated Programme. In Portugal for example, despite the difficult economic and social circumstances, the national social partners developed a set of activities that were aimed at the dissemination of the Framework Agreement, starting with a negotiated translation into Portuguese, followed by

information and awareness sessions among their respective internal structures. At the time of publication, the agreement was translated into 14 languages.<sup>2</sup>

Action to disseminate the (translated) framework agreement at national level ranged from direct sending, publishing in social partners' information bulletins, and making available on social partners' and other websites (e.g. Labour foundation, as in the Netherlands). Dissemination was targeted at affiliated organisations, in some cases through national social partners to companies (e.g. in Germany), to relevant national ministries and other stakeholders.

Promotion activities included presenting and explaining the framework agreement at seminars, information and awareness-raising sessions and specific conferences on the topic of an inclusive labour market. Some actions were supported by EU project funding, including in some cases collaboration between several countries. This helped national social partners to exchange experience on different approaches and tools for creating inclusive labour markets. Promotion activities were targeted for example among internal structures (jointly or unilaterally), at social partners, the public, university students and companies.

The Swedish social partners, for example, jointly organised the conference "An inclusive Labour Market – the European Framework Agreement". The purpose was to further inform about and promote the agreement and present some examples for inspiration. The conference had a specific focus on how to work with education and employment for young people.

In some cases, promotion activities extended to press and media work. In Hungary, for example, a conference, 'Social partners for the inclusive labour market' was organized with members of the Reconciliation Council of the Business Sector and Government – the highest level tripartite body. This was part of an EU funded project run by the Hungarian employers on behalf of the social partners. Discussions focused on the prerequisites of the inclusive labour market, reducing territorial differences on the labour market and employability of the SME-sector. The conference sparked high interest of national press, by way of a joint social partner press release. The public was also informed about the agreement and its objectives through this.

In Poland a conference was organized as part of an international project co-financed by the EU, run by the Polish trade union NSZZ Solidarnosc in cooperation with Bulgarian, Finnish and Lithuanian trade unions. The conference gathered trade unionists, employers and researchers. The project also consisted of international training courses for trade union leaders and joint workshops of Polish social partners. Following this, a number of press articles addressed at social dialogue practitioners and academics promoted the agreement more widely. The Polish employers' organization, Lewiatan, also organized an international conference in cooperation with the Ministry of Labour and Social Policy and public employment services on innovative methods of professional activation of unemployed. This included participation of British and German experts, which allowed exchange of knowledge on the topics of the agreement.

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<sup>2</sup> According to latest information – Joint translation Fund - Bulgarian, Czech, Dutch, French, German, Latvian, Polish, Portuguese, Slovenian; Spanish; Joint translations by national social partners – Finnish, Hungarian, Norwegian and Swedish.



## European cross-industry social partners

The EU cross-industry social partners have also actively promoted the framework agreement, both jointly and individually. First and foremost, the final agreement was presented by the European Social Partners at the Tripartite Social Summit on 25 March 2010, as well as informing the press.

Following on from this, *joint activities* have included presentations to EU sectoral social partners and to a broader range of stakeholders at EU and national events. For example, In April 2010, ETUC and BUSINESSEUROPE jointly presented the content of the framework agreement to the sectoral social dialogue committee of UNI Commerce and Eurocommerce, including a debate on how the sector could follow-up on the issue of inclusive labour markets. In March 2011, the European Social Partners all gave key note speeches to jointly present the agreement in a conference organized by the European Economic and Social Committee, the European Disability Forum and ETUC. In June 2010, the agreement was highlighted by social partners in the context of the EU Advisory Committee on Vocational Training (ACVT). In October 2011, ETUC and BUSINESSEUROPE jointly presented the framework agreement to the Belgian National Labour Council. The Agreement was also actively promoted by European Social Partners in the framework of the 2010 European Year Against Poverty and Social Exclusion, including via the European Commission website for the European Year. All this allowed for promotion of the framework agreement towards a wide variety of stakeholders, including also Eurofound, and set it in the context of broader EU social and employment priorities.

The original version of the framework agreement and national translations were also made available on the EU Employers' and ETUC Resource Centre websites (<http://resourcecentre.etuc.org/> and <http://www.erc-online.eu/>), as part of the European Social Partners Integrated Programme. Also as part of this programme, the European Social Partners provided training and mentoring seminars for national social partners in a number of EU candidate countries to provide capacity-building opportunities. In this context, they jointly presented the framework agreement and debated its implementation. Such seminars took place in Croatia, Iceland, the Former Yugoslav Republic of Macedonia, Montenegro and Turkey.

European Social Partners also organized *individual activities*, to encourage implementation by their national members and ensure a continuous dialogue on this, as well as to broaden the target audience for promotion of the framework agreement.

### ETUC

As part of the aims pursued through its Resource Centre project, notably the reinforcement of social partner capacities on EU social dialogue (which is part of the European Social Partners' Integrated Programme), ETUC has carried out a series of activities dealing directly or indirectly with the content and objectives of the framework agreement.

- Seminars "Training and mentoring on European social dialogue". Around 20 trade unionists from EU member states and the candidate countries, with little knowledge of the European social dialogue mechanisms, were introduced to the content and background of a number of European social dialogue results, with a view to further developing their negotiation skills.
- As for assisting its member organisations in the actual implementation of the framework agreement on inclusive labour markets, the ETUC continued to run also a specific project, with the financial support of the Commission, which foresees different but complementary actions. More in particular, it concerned the following:

- The elaboration of an ETUC interpretation guide on the agreement made available in different languages (EN/FR/DE) (<http://resourcecentre.etuc.org/Agreements-57.html>)  
This interpretation guide provides an overview on the content of the agreement, chapter by chapter, focusing on the main issues at stake as discussed throughout the negotiations. Furthermore, this guide provides in the annexes further information on some good examples of implementation. It is intended to support the ETUC member organisations in the implementation of the content of the agreement and to allow better monitoring and evaluation of the results achieved. It is also hoped that this guide will help to enhance the dissemination and awareness of this agreement and its content among social partners, workers and the public at large.
- A specific section on the ETUC website relating to the agreement and its implementation
- A translation fund providing for financial support to allow member organisations who wish so to dispose of a translation of the framework agreement in their national languages.
- A European Conference of 1 ½ day was organised on 24-25 January 2012, with the main objective of exchanging information and experiences in relation to the implementation of the agreement.

## **Employers**

In December 2012, in the context of the EU employers' project on active ageing, BUSINESSEUROPE, UEAPME and CEEP stressed the importance of promoting employment opportunities for disadvantaged groups on the labour market in line with the ILM agreement (see final ICF-GHK report "Employers' practices for Active Ageing").

## **BUSINESSEUROPE**

In terms of promotion activities, BUSINESSEUROPE presented the framework agreement at a number of conferences organised by EU Presidencies, the European Commission and other stakeholders. These included the following:

- Séminaire Européen du Centre Européen du Travail, Intégration des jeunes migrants (12 June 2009)
- European Commission conference on active inclusion (6 May 2010)
- Spanish Presidency conference on personal autonomy and employment (21 May 2010)
- 10th meeting of people experiencing poverty (14 May 2011)
- Council of Europe - European Commission workshop on combating racism and racial discrimination in employment (21 September 2011)
- European Commission conference on business innovation and creation through diversity (30 November 2011)

In relation to one of the specific topics of training, skills and capabilities included in the framework agreement, in December 2011 BUSINESSEUROPE set up a youth taskforce to promote apprenticeships and dual learning systems. The taskforce met twice in February 2012 and produced a declaration. The objective, building on existing good practices in some countries, was to advise all EU Member States on how to find cost-effective ways to establish, reform or expand the apprenticeship approach. The taskforce also looked into how to make vocational education and training more attractive to young people, and find ways to address the negative image of apprenticeship in some public opinions.

BUSINESSEUROPE also continuously discussed and exchanged views with its member federations on the implementation of the framework agreement, from the preparation stage, up until the final implementation report. Discussions were based on analyses of the implementation of the framework agreement so far, including the nature of the initiatives launched by social partners, targeting of specific groups and/or specific topics, the evolution in implementation observed between different years, and any difficulties encountered.

#### **UEAPME**

UEAPME has been actively promoting the framework agreement at conferences of the EU Presidencies, the European Commission, the European Economic and Social Committee and Committee of the Regions, including:

- Public Employment Services conference Zaragoza (27/28 May 2010)
- 4th Equality Summit (15/16 November 2010)
- Boosting the employment of older workers (25 November 2010)
- Final conference on implementing the Action Plan on Adult Learning “It is always a good time to learn” - Budapest (7-9 March 2011)
- Meeting of the Directors General for Vocational Training and Adult Learning - Cracow (26-27 September 2011)

UEAPME also discussed the preparations for implementation of the framework agreement with its member organisations and continued to actively discuss the different type of implementation measures undertaken, including any issues encountered.

In relation to one of the specific topics of training, skills and capabilities included in the framework agreement, UEAPME promotes apprenticeships in qualitative and quantitative terms, as well as the mobility of apprentices. In this context UEAPME was responsible for the political coordination of “Euroapprenticeship” an EC co-funded project led by the UEAPME French member organisation APCMA. It aimed to increase the mobility of apprentices in Europe by making a placement abroad a feasible option for apprentices and other young persons in alternate vocational education and training (VET). Its deliverables included a web-based platform with a network of competent bodies and intermediary organizations, providing expertise and support to learning mobility projects of VET providers for the benefit of skilled crafts companies and apprentices, a “toolbox” of best practice, a new “European Observatory on Learning Mobility in VET” and a label to increase visibility. The duration was 3 years until late 2012. See [www.euroapprenticeship.eu](http://www.euroapprenticeship.eu)

#### **CEEP**

Since the framework agreement was adopted CEEP has actively promoted it on several occasions, including through meetings, conferences and seminars organised by EU Presidencies, other EU institutions and stakeholders:

- CIRIEC International Congress, 17 May 2010
- Seminar on the cooperation between employers in the field of disability and companies for inclusive labour markets in Europe, 20 April 2011

CEEP has involved its member enterprises from the public transport sector in implementing a strategy for people with reduced mobility.

CEEP has several times discussed the implementation of the framework agreement, including obstacles encountered, with its national members.

### III - Social Partner Actions in detail

National social partners have used the full range of instruments available to them to implement the inclusive labour markets framework agreement at national, sectoral and enterprise levels. The choices made reflect the different national settings and industrial relations systems.

Their approach often targeted specific groups and some actions were developed in cooperation with other actors (such as public authorities, employment services, NGOs or training centres).

Despite some potential overlap, the classification below serves to highlight the different actions taken by national social partners on the topics identified in the agreement and for each of these, the types of measures implemented as suggested in the agreement. The topics are as follows:

1. Availability of information
2. Recruitment
3. Training, skills, and capabilities
4. Responsibilities and attitudes
5. Working life
6. Combined and general labour market

#### 1. Action on availability of information

##### **Types of measures implemented**

- Organisation of awareness-raising campaigns and design of action plans to improve and/or restore the image of a sector or occupation(s) in all their aspects;
- Organisation of awareness-raising campaigns and design of tools to promote the diversity of the workforce;
- Dissemination of information about availability of jobs and training schemes;

**A large number of initiatives were focused on availability of information both for jobseekers/workers and employers with a strong partnership or cooperation with employment, recruitment and training services.**

**In Denmark** for example, in advance of the planning of the local employment initiatives, LO and DA are drafting a joint publication for nearly 1,400 of their representatives in the local and regional employment councils. For the 2015 campaign, the social partners will place special priority on the work of the employment offices by developing a strategic contact with firms and a campaign directed toward more education.

**In Iceland**, following the Collective Agreements in the private sector in May 2011 and the statement given by the Government at that time and further dialogue between the Social Partners (ASI and SA) and the Government, an agreement was reached between these parties in late January 2012. This agreement led to a pilot project regarding employment services for unemployed workers including active labour market measures and recruitment services. The main aim of the project is to strengthen recruitment services and there is also a focus on the promotion of active labour market measures and initiatives which increase the chances of unemployed people to get new jobs on the labour market. The project was launched in May 2012 and covers about 25% of the unemployed. The project will last for three years. Based on the outcome of the project decisions, further arrangements will be taken. The project is managed by special a organisation of ASI and SA named WORK –

Recruitment and Counselling. The service is provided by trade unions affiliated to ASI in cooperation with organisations and companies affiliated to SA.

**In Portugal**, UGT has developed a campaign to enhance the dialogue with unemployed people; seeking a better understanding of their difficulties and desirable employability solutions; supporting the unemployed in a personalised manner; finding a new job or training offers; improving UGT's demands and proposals regarding Active and Passive Employment and Economic and Social Development Policies. This initiative was developed in coordination with UGT's training Centre (CEFOSAP) and with the National Institute for Employment and Training (IEFP), and it makes use of the 2 existing Professional Insertion Offices of UGT and 20 Public Employment Centres.

*GIP - Professional Insertion Office*

UGT has created 2 employment support structures (one in the Lisbon headquarters and other in Viseu's District Union) in close cooperation with the Public Employment Centres. These offices provide support for young people and unemployed adults for the establishment or development of their integration or reintegration into the labour market, through different activities, namely active job search.

The **Austrian** contribution shows that **actions to improve availability of information were also devoted to help particular groups, in these cases disabled persons, third country nationals, ageing workers and young people.** In **Austria**, every spring the AMS (*Tripartite Board of National Employment Service*) visits partner enterprises in the framework of its "eMotion Tour". These visits aim at providing information about the services of the AMS in general and in particular about recruiting, current promotions as well as eServices. The 2013 campaign focused on employment of disabled persons - Details can be found on <http://www.ams.at/sfu.html>

Furthermore, there is a specific eService which allows unemployed people to apply for the unemployment benefit online, to receive job-offers and to apply for AMS benefits. This specific eService also helps employers to file applications for the employment of third country nationals and to receive contact details of suitable unemployed persons. The e-AMS account allows employers to apply for company integration subsidies online. A wider use of this service allows the AMS' human resources to be focused on the most disadvantaged groups in the labour market.

These examples also **illustrate the variety of tools used to improve availability of information, including publications, eservices, campaigns, and agreements.**

## 2. Action on recruitment

### **Types of measures implemented**

- Dissemination of information about availability of jobs and training schemes;
- Cooperation with the “third sector” to support those who encounter particular difficulties in relation to the labour market;
- Implementation of specific and effective recruitment methods and induction policies as well as ensuring the right working conditions to welcome and support new entrants in the enterprise;

**National contributions reported few examples of recruitment activities and the majority of recruitment actions could be classified as general labour market measures to encourage diversity in recruitment.**

The **Belgian** contribution goes in this direction and shows indeed that the social partners are considering the issue of anonymous CVs, recruitment policy and the selection of workers, as well as how to react to the request to ensure equal opportunities for candidates. The social partners have confirmed their commitment to continue to work on diversity and the fight against discrimination in a joint statement in early February 2014.

For the French and the Icelandic members, **partnership with other actors played a key role in developing recruitment measures.**

In **France**, the ALERT collective brings together 36 associations fighting against exclusion, trade unions (CFDT, CGT, UNSA, CFTC and CFE-CGC) and employers (MEDEF, CGPME, UPA and FNSEA). The ALERT collective found that the partitioning of actors, lack of awareness of services and low levels of direct involvement - including the welcome and support - remain obstacles to the success of social and professional integration. These actors decided to promote a co-written guide « Vers l’emploi mais pas tout seul ». Also in **France**, a five-year plan to fight against poverty has been adopted and a qualified person has been appointed, François Chérèque, to monitor the implementation of this plan, particularly its territorial dimension. The social partners are involved in this monitoring through the Conseil national de lutte contre l’exclusion (CNLE) and through the Conseil national de l’insertion par l’activité économique (CNIAE), but also by their participation in regional and local structures in 2013. One of the main measures adopted under the plan against exclusion aims to give more time in the integration process to people excluded from sustainable employment.

**In Iceland**, the social partners in cooperation with the government initiated in 2011, 2012 and 2013 four major programmes addressing education and unemployment. The second program, “the way to work” aims at creating new jobs for unemployed people – especially those who have not been able to find a job for more than a year.

**National social partners in some countries, for example the Netherlands, UK and Slovenia, also focused their activities on specific target groups: people furthest from the labour market or with long absences from the labour market, disabled persons, people with health conditions, young people, homeless, lone parents, migrants, refugees and asylum seekers, and women. In some cases initiatives were taken at company level.**

**The Dutch public sector** committed to create 25.000 extra jobs for people with a work disability over 10 years. For the central public administration this means an effort to create about 350 extra jobs yearly for these people, while at the same time the central public administration is getting smaller, and more efficient. Within the central public administration a temporary project-based organisation

has been established. The objectives are to facilitate the departments with instruments, to create suitable jobs for this target group, to train the management and other supervisors and to recruit candidates. Furthermore, the central public administration has an agreement with the national employment offices to support the intended influx. Concerning gender balance, the cabinet set a quota which stipulates that at least 30% of the top positions of the central public administration should be taken by women. To stimulate the achievement of the quota, there is an action plan to increase the visibility and the opportunities of female talent in the administration. The Dutch government signed the charter 'Talent to the top', which is meant as an instrument to stimulate private and public labour organisations to increase their share of female (top) managers.

**In the UK,** Marks and Spencer has implemented a company initiative which is an employability programme which helps those facing barriers to work to get into employment (further development of existing initiative 'Marks & start'). The four groups it supports are young people between the ages of 16-24, those with disabilities and health conditions, the homeless or those at risk of homelessness and lone parents. Marks & Spencer works with partners to identify people to participate in Marks & Start and has developed strong working relationships with these partners. It works with the Prince's Trust to deliver the programme that focuses on young people. Since its launch, this scheme has been hugely successful, and has led to over 1,000 young people taking part in the programme, with over 40% of participants going on to find employment.

**Association of Free Trade Unions of Slovenia – ZSSS** (in association with partner non-governmental organisation *Slovenska Filantropija* and various other organisations) carried out the project "Integration package for unemployed migrants, refugees and asylum seekers". The three year project, which started in December 2010 and ended in December 2013, stems from an ongoing effort to assist labour market access and general integration. While initially focusing on unemployed migrant workers, asylum seekers and refugees, the project also aimed at including the migrant youth. Its goal was a more general migrant social inclusion, at the same time as keeping in mind the necessity to contribute to migrant equality in terms of labour market access and access to full workers' rights and benefits.

### 3. Action on training, skills and capabilities

#### **Types of measures implemented**

- Cooperation with education and training systems in order to better match the needs of the individual and those of the labour market, including by tackling the problems of basic skills (literacy and numeracy), promoting vocational education and training and measures to ease the transition between education and the labour market;
- Improving transparency and transferability, both for the worker and for the enterprise, in order to facilitate geographical and occupational mobility and to increase the efficiency of labour markets:
  - By promoting the development of means of recognition and validation of competences,
  - By improving the transferability of qualifications to ensure transitions to employment;
- Promotion of more and better apprenticeship and traineeship contracts
- Introduction of individual competence development plans (in line with the framework of actions for the lifelong development of competences and qualifications) jointly elaborated by the employer and the worker, taking into account the specific situation of each employer, particularly SMEs, and worker. These plans identify the required competences of the worker in a given work situation; and, with shared responsibilities according to the individual situation, actions to develop the worker's competences.

**National social partners were very active in the fields of training, skills and capabilities. The large number of initiatives reported from macro to individual level illustrates the joint interests of both sides in these topics. Activities such as programmes to help specific groups, joint reforms of education and VET systems, and measures to ease transitions from education to the labour market were implemented. A large variety of tools were used, from social partners' agreements to projects.**

**The main focus of social partners' activities was VET: vocational education and training.**

**In Latvia**, a joint project initiated by LDDK and LBAS in 2011 on restructuring the vocational education qualification system and improvement of the efficiency and quality of vocational education and training has been extended until 2015. The project was aimed at research of education and labour market needs in 12 priority economic sectors. Main actions were the establishment of sectoral expert councils as an advisory tool for the improvement of vocational education and training (VET). Since 2011 twelve sectoral expert councils have been established (composed from representatives of employers, trade unions and state institutions).

On the basis of an agreement between the Ministry of Education and Science, the Latvian Rectors' Council, the Higher Education Council, LDDK, LBAS and the Student Union of Latvia, the following objectives and measures were implemented: improvement of compliance between labour market demand and supply of education institutions; participation of employers in defining learning outcomes of study programmes and ensuring apprenticeships; preparation of a proposal for tax policy that would facilitate greater private contributions into the higher education sector; and greater cooperation between the employers and higher education institutions.

**The Czech** social partners supported the formation of a working group for the preparation of a National plan for implementation of the Youth Guarantee and steps to strengthen vocational training in companies. The SPCR, the Czech Chamber of Commerce, the Forum of Industry and Universities and the Ministry of Industry and Trade joined forces to improve vocational education and training (VET) at schools and succeeded in pushing through an amendment to the law on corporate tax. There are new tax concessions introduced in the amendment aiming at modernisation of subjects of study



and raising attractiveness of VET by stimulating companies for the provision of tutors/mentors, factory space, machines and know-how for VET. The amendment entered into force on 1<sup>st</sup> January 2014.

Both the social partners have been working on the National Register of Occupations and National Register of Vocational Qualifications. The National Register of Occupations monitors and records demands for the performance of particular occupations on the labour market by the means of sector councils of employers and, together with the National Register of Occupations, will provide important information about the qualification needs that will be subsequently reflected in all levels of education.

The social partners **in Denmark** have taken an active part in shaping the reform of the vocational training system which was adopted at the political level in February 2014. The aims of this reform are to ensure that more young people embark on vocational training immediately upon completion of lower secondary school, to reduce the drop-out rate in vocational training programmes and to raise the standard of teaching. In this regard, the social partners have supported the establishment of an education guarantee so that everyone who embarks on vocational training can complete it, either by means of a training agreement with a company, a trainee centre or by means of a combination of company trainee placement and school training.

In June 2013, DA and LO presented a joint proposal regarding changes to vocational training programmes. Finally, the parties have contributed to the establishment of combined youth vocational training targeting young persons who will not, in the short term, be able to acquire the skills that are required in order to commence and complete a vocational training programme. In this proposal, LO and DA suggested a clarification of the preconditions that are required in order to be able to complete a vocational training programme.

**Young people were at the centre of many measures reported and the objective to ease the transition from education to the labour market was crucial for national social partners.**

**In Germany**, the initiative “Erstausbildung für junge Erwachsene” was established to motivate and support around 100.000 low-skilled young people between the ages 25–34 without a qualification to complete vocational training, or gain at least a partial vocational qualification. Faced with an increasing skills shortage, the aim is also to take into account the labour market needs of companies and in particular SMEs. The initiative is supported by social partners and the Federal Employment Agency. Social partners are closely involved in selecting the right vocational training courses and in providing the training facilities (e.g. training centers of chambers of skilled crafts). Financial assistance is available both for the young adult and the company. According to findings, the long-term employment prospects of young adults participating in this initiative are greatly enhanced.

**In Sweden**, the basis of vocational introduction employment is formed by collective bargaining agreements signed independently between parties in the labour market. The target group for these agreements is young people who lack relevant vocational experience. The design of the agreements varies between industries, but a common factor is that work is combined with education (time in training is limited to a maximum of 25 per cent of working hours). The education can either be on-the-job training or training provided by external providers. The time in training is not salary-qualifying. Central agreements on vocational introduction agreements have been signed within the following industries: Retailing (Swedish Trade Federation and Swedish Commercial Employees' Union), the municipal sector (SALAR/Pacta and Swedish Municipal Workers' Union), the sawmill industry (Swedish Forest Industries Federation and Swedish Union of Forestry, Wood and Graphical Workers), part of the manufacturing industry (Teknikarbetsgivarna/IKEM/Svemek/GAF/Steel and Metal Employers Association and IF Metall) and the real estate business (Almega Tjänsteförbunden Fastighetsarbetsgivarna and the Swedish Building Maintenance Workers' Union).

**In Belgium**, the fight against youth unemployment and vocational training constitutes a central theme in the Belgian social dialogue. These have been monitored by the social partners at interprofessional level for many years, and their first aim is to maximize the development of the workforce and improve the employment rate and the quality of employment, including by promoting training and skills development. Based on the observation that the number of early school leavers and the rate of youth unemployment are worrying in Belgium, the Belgian social partners working at a cross sectoral level became convinced that the dual training systems provide an adequate response to integration problems in the labour market. In 2009, they therefore committed themselves to develop a common social security platform and common minimum rules on labour law with regard to work and training. The opinion of the Conseil national du travail and the Conseil Central de l'Economie No. 1770 of 25 May 2011 aims to develop a common basis and this opinion has been recently confirmed in the Government.

As part of this harmonisation and application of the Federal Government, a platform for dialogue has been established. As part of this platform, the social partners of the federated entities (Regions and Communities) will establish an interfederal framework for traineeships and vocational training in companies for young people in view of optimizing policy coherence between all levels of government. Work in this area is ongoing.

**The Bulgarian** trade union CITUB initiated a National campaign "My first workplace" in 2011, 2012 and 2013. The main objective of the campaign was to support the transition from school to the labor market of graduates and their successful adaptation to the world of work.

**The Competence development plan is a key action of the inclusive labour markets agreement which was chosen as an important tool to be implemented at national level.**

**In France**, the follow up of the "Accord annuel interprofessionnel" January 11, 2013: Décret of 26 June 2013 relating to partial activity, introduced development plans of individual skills which are developed jointly by the employer and the worker. In the context of a difficult economic situation, this new system encourages the development of individual skills as part of a joint decision.

**The French** "Accord annuel interprofessionnel" of 14 December 2013 on vocational training described four actions related to VET and to individual plans: Action 3 – Dissemination of information on the availability of jobs and training programs; Action 5 – cooperation with education and training systems to better match the needs of individuals and those of the labour market; Action 7 – Introduction of development plans of individual skills developed jointly by the employer and the worker; and Action 8 – Improvement of transparency and portability for both the worker and the company in order to facilitate geographic and occupational mobility and to improve the efficiency of labour markets.

Another initiative called "MyCompetence" was created within a project "Development of a Workforce Competence Assessment System by Sectors and Regions" carried out by the **Bulgarian** Industrial Association (BIA) in partnership with the Confederation of the Independent Trade Unions in Bulgaria (CITUB) and the Confederation of Labour Podkrepa and the financial assistance of the European Social Fund.

**The importance of partnership with public authorities, training centres and sectors was also underlined in the different reports.**

**The Icelandic** social partners, in cooperation with the government initiated in 2011, 2012 and 2013 four major programmes addressing education and unemployment. *The first program, "learning is a working experience"* started in the autumn of 2011 and aims to decrease the number of people that have not graduated from secondary school. Young people from ages 16-25 were given another opportunity of admittance to schools at upper secondary level. Furthermore, a special effort was

made to activate people that had been unemployed for more than 6 months with new educating opportunities for persons older than 25 years and almost all of them enrolled in vocational studies. This program is funded jointly by the government (up to 25 years olds) and the unemployment fund that is financed by all employers.

**In Spain,** CEOE (Spanish Confederation of Employers and Industries'), CEPYME (Spanish Confederation of Small and Medium-Size Enterprises), CCOO (Confederation of Workers Commissions) and UGT (General Workers Union) signed on 27 December 2010 the extension of the Fourth National Agreement on Training. On 31 March 2014, a working document on Vocational Training for Employment reached by CCOO, UGT, CEOE and CEPYME was adopted as the basis for bipartite negotiation of the Fifth National Agreement on Vocational Training for Employment, after which a Tripartite Agreement will be set together with the government.

**In the UK,** the Royal United Hospital Bath NHS Trust and Norfolk and Norwich University hospitals NHS Foundation Trust have both run an innovative internship programme called Project Search to help people with learning difficulties into paid work. Both trusts worked in partnership with an education establishment and a supported employment organisation to enable candidates with learning disabilities to participate in a year-long supported employment internship programme.

#### 4. Action on responsibilities and attitudes of employers, workers, their representatives and jobseekers

##### **Types of measures implemented**

- Implementation of specific and effective recruitment methods and induction policies as well as ensure the right working conditions to welcome and support new entrants in the enterprise;

A large number of initiatives were reported on responsibilities and attitudes of employers, workers, their representatives and jobseekers. The actions were targeted at company level in particular, at employers, employees and jobseekers.

The raising of awareness and promotion of diversity was one of the main priorities highlighted in this field which is illustrated by the Dutch and Slovenian examples.

**The Dutch** bipartite A+O foundation (A+O fonds Gemeenten), commissioned by the Employers Association of the Dutch municipalities (VNG) and the unions (Abvakabo FNV, CNV Publieke Zaak, CMHF), publish the so called 'Staff monitor municipalities' (Personeelsmonitor gemeenten). This publication provides an insight into the composition of the workforce and includes facts and figures on diversity, mobility and age of the workforce. The Dutch central public administration stimulates an integrated perspective for its own organisation and supports this with instruments that fit into that approach. Diversity and inclusion are taken into account regularly in processes like recruitment, selection and career planning. Pilots have been implemented with 'HR essentials' for managers and training modules on management basics in a changing public context. Management of diverse teams and the creation of an inclusive culture forms part of these modules.

**The Dutch central government** in 2012 and 2013 implemented pilots with 'diversity proof' coaching for employees and with benchmarking of the labour satisfaction of employees from the perspective of diversity. In addition two 'serious games', digital games with a serious focus and aim, were developed, to support teams and managers to work in a more inclusive way.

In **Slovenia**, ZDS was a partner in "Managing diversity in employment project" which aimed at awareness raising and providing examples of good practice, making recommendations to the companies. The project was not aimed solely at older people, but at including all groups in the labour market equally (gays and lesbians, minorities, older people, first time job seekers etc.) – promoting diversity at work place.

**Other countries focused on groups which they identified as being at a disadvantage in their labour market.**

**The Hungarian** social partners identified certain groups that are at a disadvantage in the labour market and worked out solutions for them in the frame of several projects, as well as other events, in order to increase their efficiency in job finding and job retention. During the implementation of the projects, special attention was given to elaboration and publicity of solutions for promoting the employment of ageing workers (National Federation of Workers' Councils -MOSZ and the National Association of Entrepreneurs and Employers VOSZ); the improvement of the situation of young people (Confederation of Hungarian Employers and Industrialists – MGYOSZ and the National Association of Trade Unions - MSZOSZ); and operation of a general consulting network to facilitate integration in the labour market for entrepreneurs, employees and the unemployed (JOGPONT PLUS and JOGPONT the National Association of Workers' Councils – MOSZ, National Association of

Strategic and Public Utility Companies - STRATOSZ, Association of Trade and Catering Enterprises - KISOSZ, Hungarian Industrial Association - OKISZ, National Federation of Consumer Co-operatives and Trade Associations - AFEOZCOOP, LIGA Trade Unions).

The situation on the labour market for older workers is also of concern for **Belgian social partners**. For this reason the Conseil national du travail has negotiated a collective agreement with the objective of maintaining in employment, or increasing the employment, of workers 45 years and over (Collective Labour Agreement No. 104 concerning the implementation of a plan for the employment of older workers in the company). This instrument aims to provide an alternative to the one established by the program law of 29 March 2012, which better meets the respective interests and expectations of employers and workers concerned. An evaluation is planned in this context.

**The Danish social partners** implemented a project guidance for companies on persons with mental illnesses working in reduced-hours jobs. LO and DA are part of an expert monitoring group which aims to advise businesses on employees with mental illnesses. The overall task of the expert monitoring group is partly to deliver input and recommendations for the solution of the task at hand and partly to contribute with comments to the evaluation of experiences in connection with the former.

As part of the four-party agreement for better integration of immigrants from non-Western countries, the '4U' Danish project has been implemented jointly by the social partners and the National Association of Municipalities. The project is supported financially by the Ministry of Integration. The goal of the project is to support employment-targeted integration by conducting practical initiatives in selected municipalities. The 4U project seeks to motivate the group of educationally under-prepared ethnic minority youth, especially boys, to obtain further education and enhance their participation in society by placing future possibilities for education and career in a new light. Workplaces will be used as a practical training ground in an individually-oriented process aiming toward better clarification of skills and goals.

**In Germany**, BDA, ZDH, DGB and the Federal Ministry for Labour and Social Affairs have, with a number of other partners, jointly set up an initiative for better inclusion of disabled people into the labour market. In the framework of the "initiative on the inclusion into training and employment", a wide range of activities and campaigns are aimed at informing and preparing companies (including SMEs) for the labour force potential and the capacities of disabled people.

**The tools used included project guidance, expert groups, dissemination of information and exchange of good practices.**

**Action to improve the attractiveness of sectors** was illustrated in one example – in **Portugal** : CIP member “APIGRAF – Associação Portuguesa das Indústrias Gráficas, de Comunicação Visual e Transformadoras do Papel” (employers association) developed actions to improve the image of its sector, namely among young people.

## 5. Action on working life

### **Types of measures implemented**

- Implementation of specific and effective recruitment methods and induction policies as well as ensuring the right working conditions to welcome and support new entrants in the enterprise;
- Introduction of individual competence development plans (in line with the framework of actions for the lifelong development of competences and qualifications) jointly elaborated by the employer and the worker, taking into account the specific situation of each employer, particularly SMEs, and worker. These plans identify the required competences of the worker in a given work situation; and, with shared responsibilities according to the individual situation, actions to develop the worker's competences.

National social partners reported many activities in the field of working life. Some are focused on general labour market measures jointly with governments (e.g. conditions for concluding different types of employment contracts) and others are focused on working conditions and other workplace issues, such as health and safety, working time, work-life balance, training, health and rehabilitation, .

### **Labour market measures**

The French, the Czech and the Danish examples show how social partners, very often with governments, have implemented (or participated in) **labour market measures**.

In France, the Décret of 26 June 2013 relating to the partial activity (follow up of the ANI 11/01/2013) introduced new features: partial activity is now more simple in its implementation mechanisms; it is more flexible in the definition of counterparties, leaving significant room for negotiation at company level; it supports maintaining the skills required to face an economic problem and the level of wages at 100% in case of entry into training.

The spirit of the Framework Agreement is also in line with the mutual consensus of the **Czech social partners** (CMKOS and SPCR) achieved in 2012 which sought to change the excessively rigid conditions for concluding fixed-term employment contracts. These conditions were changed in such a way to allow, in justified cases (i.e. from the so called "serious reasons" which must be specified in collective agreements or other instruments), additional contracts after the limit of three repetitions for three years set by law. This measure aimed at retaining employment and preventing layoffs. In order to keep its positive impacts the social partners have been discussing prolonging the repetitions of fixed-term contracts since 2013.

Another agreement achieved in 2012 aimed at the implementation of changes is the duration of rest periods between shifts in order to enable more flexible employment in continuous or two-shift operation in certain industries, particularly energy. This consensus was accepted by the Government and reflected in the amendment of the Labour Code, which entered into force on 16th May 2013.

The Danish regions signed collective agreements on the social chapter and the integration and training positions. The so-called agreement "The Social Chapter" sets the framework for initiatives dealing with the retention and recruitment of people who for various reasons are not able to hold a job on regular terms and conditions. The people concerned are those often referred to as furthest from the labour market, people with mental and physical disabilities, etc. The agreement gives them the possibility of working under various flexible terms and conditions.

### Working conditions measures

Other national reports highlight initiatives **on working conditions such as the Latvian and the Norwegian contributions.**

In September 2013, **the Latvian social partners** (LDDK and LBAS) signed a cooperation agreement during the conference on social dialogue. Its objectives include the improvement of health and safety conditions of workers, the facilitation of equal opportunities and social conditions, the quality of education and the improvement of workers qualification.

**In Norway**, the inclusive labour market agreement has been compared to the existing tripartite Norwegian agreement on an inclusive working life (the IA Agreement).

The paramount goal of the Norwegian IA Agreement is to prevent and reduce absence due to illness, including bringing employees back to work and improving the working environment, as well as prevent expulsion and withdrawal from working life. The targets are the reduction of sick leave, the increase of employment for people with reduced functional ability and the increase in the average period during which people (over age 50) are actively employed.

The newly concluded IA Agreement is specifically targeted at young people with functional disabilities. The agreement has separate chapters which distinguish commitments between business/enterprise, social partners and the Central Government.

For business it is underlined that an active inclusion policy is most efficient at the business/enterprise level. The management must be engaged with long term goals and activities. The activities and follow-up of the IA Agreement shall be discussed twice a year between the management, elected representatives and safety representatives.

The chapter regarding the social partners includes commitments on information, training and development of tools in order to support the businesses in their work.

The Central Government main commitments are to complete legislative changes and to follow closely the measures and the activities.

Unemployment in general and recruitment of employees with an immigrant background are not included in the Norwegian IA Agreement.

**In this field of working life, there are also various examples which illustrate a focus on specific groups. Measures are dedicated to better training and integration for young people, women and older workers in the labour market.**

- **Older workers**

**In Netherlands**, in 2012 and 2013 the central public administration (in its role as employer) developed and implemented several programs regarding active ageing. To stimulate active ageing the central public administration also developed online exercises and tests for employees at different life stages. Another programme is on in-company training for employees of all ages and stages of life.

In **Slovenia**, the association of Employers – ZDS (in association with partner organisations from Slovakia, Austria, Croatia and Hungary) carried out an awareness raising project “Ageing workforce”. There were several main goals of the project: raising awareness on the issue of ageing population; providing employers with a tool on assessing age structure in the company and making a projection of future requirements (e.g. “Self-evaluation check list”); providing employers with tools for managing ageing structures in the company and demographic trends and tools for developing age management strategies (e.g. health management, knowledge transfer, redeployment of older workers, career development, work process reorganisation, corporate culture).

- **Women**

**Swedish Social Partners** in the municipal sector have agreed on a Gender Equality Council. The aim of the Council is to monitor wage and employment term trends from a gender equality perspective



and to propose active measures with the aim of achieving more gender-equal working life. The objective is for terms of employment in municipalities, county councils and regions to lead to attractive and gender-equal jobs where the operations are effective and of good quality.

**In Germany**, the ESF-funded social partner programme “Gleichstellen” aims at the strengthening of relevant players on company level that focus on equal opportunities for women and men. The programme will particularly support company projects that include measures for career advancement of women and the dissemination of flexible working-time models respecting different life phases of male and female employees.

- **Young people**

**In Finland**, the Youth Guarantee is one of the Government’s spearhead projects. In addition to ministries, labour market organisations, the Association of Finnish Local and Regional Authorities and the Finnish Youth Co-operation Association Allianssi are committed to its implementation. Their job was to show that it is one good way of decreasing exclusion from the labour market and creating prospects for the young.

The youth guarantee entered into force on 1 January 2013. It offers a job to each young person under 25 and recently graduated people under 30 (on-the-job training, a study place, or a period in a workshop or rehabilitation) within three months of their having registered as being unemployed. The educational guarantee included in the youth guarantee promises a study place for each young person finishing basic education. The skills programme for young adults, to be implemented as part of the youth guarantee, provides those under 30 and who have completed only their basic education with the possibility to complete a vocational qualification.

**The different tools used include a large variety of projects, surveys, awareness-raising activities and also many social partners agreements (which have been more utilised in implementing actions on working life than for other actions).**

An illustration of a collective agreement is the *Vocational Rehabilitation Fund (VIRK)* from **Iceland**. **The Social Partners (ASI and SA)** decided in a collective agreement to set up a vocational rehabilitation fund, VIRK, using capital pledged by employers, the pension funds and the government. This arrangement was the subject of a tripartite agreement between the employers’ and employees’ organisations and the government. According to its articles, the role of VIRK is to systematically reduce the likelihood that workers will withdraw from the labour market due to permanent disability by enabling them to be more active, upgrading their rehabilitation and by other means. The fund’s main task is to organise and monitor the work of the counsellors working for trade unions’ sick-pay funds and assist individuals who are in need of vocational rehabilitation. Particular priority is given to early intervention and multiple vocational rehabilitation measures. The fund pays for various types of counselling and measures aimed at improving working capacity on an individually-tailored basis. User services provided by VIRK are free of charge. All the principal workers’ and employers’ organisations in Iceland are now participants in VIRK, and a broad consensus has been reached on the development of a service providing vocational rehabilitation. The intention was to have a legal amendment introduced to extend access to these measures to workers whose employers stand outside the national employers’ federations and to the self-employed. An Act on Vocational Rehabilitation and the Functioning of Vocational Rehabilitation Funds in line with the agreement made with the Social Partners was passed in June 2012.



## 6. Combined and general labour market action by social partners and other actors

### **Social partners' recommendations and actions with/of other actors**

There are also several factors going beyond the sole competences of social partners, which impact on the effectiveness of labour markets in integrating everybody of working age. Such factors, measures and policies can contribute to labour market inclusion and are developed in the recommendations included in annex of the agreement.

Some social partners have implemented the framework agreement through measures which aim at general improvements on the labour market or which combine action across a number of the areas highlighted previously. Topics which have been covered include pensions, wages, social benefits, employment contracts, training, restructuring and job mobility. The target groups for these actions have mostly been general, but in some cases specific groups were targeted, such as young and older workers, disabled workers or those with partial work abilities, or workers with an ethnic background.

**In Finland**, the employment of people with partial work abilities is promoted on the basis of a comprehensive action plan for developing the labour market for people in this category. The plan introduces incentives, support programmes, service chains, information systems, legislation as well as affecting attitudes. Special attention is paid to making pensions and wages more compatible in a motivating way. In addition, employment processes are to be improved so that they are clearly capable of leading to employment.

**In Czech Republic**, in 2013 social partners formed a bipartite group of trade unions and employer sectoral federations in order to address and discuss fundamental topics of the labour market (minimum wage, human resources development, social benefits, forms of employment, repeated formation of fixed-term employment contracts with the same employee without any time limits, possibilities for employment of older persons, youth employment, etc).

**In France**, the agreement "*Accord national interprofessionnel du 11 janvier 2013 relatif à la sécurisation de l'emploi*" includes several steps in the direction of greater inclusion of workers in employment, including the establishment of an innovative measure, facilitating the return to employment, guaranteeing new rights for job seekers including maintaining some unemployment insurance rights. Another agreement of 19 October 2012 on generation contracts aims to promote young people's access to employment while safeguarding the employment of older workers. Adopting an incentive-based approach – involving payment of an incentive to companies for hiring a young person aged under 26 (or under 30 for a disabled young person) and retaining in employment an older worker aged 57 or over (or 55 or over in the case of a disabled worker) – the main purpose of generation contracts is to enable members of the active population, regardless of their age, to find their place in a company. The agreement also foresees adapted implementation according to the size of the company: over 300 employees by collective agreement, 50-299 employees by company agreement or action plan and for small companies up to 49 employees there is more flexibility, including the possibility to benefit directly from financial payments. The provisions set out in this agreement specifically address the target measures of the social partners as laid down in the European Framework Agreement:

- Measure 2 – Organise where relevant awareness-raising campaigns and design tools to promote the diversity of the workforce: this agreement encourages hiring young people while

safeguarding the employment of older people, and therefore helps promote age-group diversity in the workforce.

- Measure 6 – Implement specific and effective recruitment methods and induction policies as well as ensure the right working conditions to welcome and support new entrants in the enterprise: by promoting generational diversity in companies, the agreement on generation contracts aims to ensure the transfer of knowledge and skills.'

**In the Netherlands**, an agreement was reached in April 2012 in the central government sector about job-to-job guidance. This agreement applies in situations of reorganisation. The principle of "last in, first out" regarding redundancies has been replaced by a system that gives younger civil servants (including staff members with an ethnic background) more chances to keep their jobs. Even though the objective of the new system is not to decrease the average age of the state government staff, the system still contributes to this. This 'job-to-job' approach is part of the current CLA (June 2011 – 31 December 2013) for municipalities. For every person made redundant an individual scheme (job-to-job agreement) is set up with responsibilities for both employer (career counselling, education, internships) and employee (accepting fitting jobs). The job-to-job agreement is a temporary agreement for, in principal, two years. In order to prepare employees for the increased need to be mobile, due to either organisational change or changes in work itself, every individual as per 2013 has an annual Individual Career Budget of €500, which enables the person to pursue training courses, internships etc.

#### **In some cases, such measures have been implemented jointly with governments.**

In August 2012, **the Danish government and the central players** on the labour market agreed to introduce immediate and massive efforts to help many citizens at risk of losing their right to unemployment benefit (which has been reduced from 4 to 2 years) if they still have not found a job. The government agreed on a number of specific initiatives amounting to a total of 332 m DKK in cooperation with, among others, LO and DA. The first phase of the emergency job creation package includes:

- The setting up of a specific job task force in unemployment insurance funds and job centres consisting of staff that are tasked with helping the unemployed whose unemployment benefit period is ending.
- All unemployed workers with six months or less left before their unemployment benefits run out and who, since the summer of 2013, risk losing their entitlement to unemployment benefit, will receive a letter from the unemployment insurance fund encouraging them to contact the job task force.
- Unemployed persons who contact the task force receive quick assistance and support for finding a new job.
- The job centre contacts all the unemployed whom the job task force has not been in touch with. This will take place no later than a month after a notice has been sent out by mail from the unemployment insurance fund.

The initiatives expired in 2013.

As part of the recovery strategy for employment decided by the **Belgian Government** in July 2012, measures to promote the employment of young people and other vulnerable groups have been incorporated into the law containing the plan for employment December 27, 2012. The National Labour Council has thus given its opinion on a number of these measures which aim to increase the bonus to social employment, to redirect "des reductions groupe cible", to introduce a global requirement for all employers to provide yearly a number of traineeships and to submit projects for workers at risk and alternative financing the extension of the work bonus.

The Council issued proposals around four axes for the radical modernisation of the regulatory and contractual framework of temporary work (avis No. 1807 and draft collective agreement). New legal and contractual provisions are proposed for implementing an adaptation of information, control and supervision of daily contracts, the introduction and management of a new pattern to employ agency workers, namely the insertion pattern. It is therefore not an instrument designed to cope with a temporary need for flexibility for a user but rather a means by which agency work is used as a recruitment channel for permanent workers.

The Conseil national du Travail has taken steps to introduce a system to maintain the competence in the unemployment scheme to set any rights acquired by workers before the entry into force of recovery conditions of age and seniority so as to ensure their legal certainty and facilitating their participation for a longer period in the labour market.

**In Latvia**, both social partners LBAS and LDDK participate in the legislative process of the amendments to the Labour Law. The legislative process started in February 2013 and still continues within the Parliament.

**In Bulgaria**, projects of social partners, aiming at fighting against unemployment, raising awareness or training of workers are included in the Annual National Employment Action Plans.

The National Employment Action Plan:

- Identifies the main challenges of the labour market, determines objectives, priorities, actions and target groups.
- Identifies active employment policies implemented by the state institutions and also joint projects with the social partners and non-governmental organisations.
- Provides funding of active employment policy from the state budget, the European Social Fund, and others.
- Determines the eligibility of expenditures of the employers – wages, social contributions and of the unemployed – for training, daily allowances, travel costs etc.

**In the Netherlands**, Social partners signed agreements to improve labour market participation for older employees which was confirmed in the Government Policy Agenda 2020. Dutch unions and employers will be responsible for preventing unemployment and try to facilitate job mobility together. The position of employees with temporary contracts will be strengthened. The private sector will create 100.000 extra jobs for people with an occupational disability. The public sector will assist in creating an additional 25.000 jobs for these people.

**In Iceland**, the social partners, in cooperation with the government initiated in 2011, 2012 and 2013 four major programmes addressing education and unemployment. *The third program, "Lidsstyrkur"/"stronger team"* started in January 2013. Its aim is to create new jobs for unemployed people – especially those who have not been able to find a job for more than 2 ½ years, with special emphasis on those who have been out of work for over 36 months. The objective is to offer all those who have been out of work for more than 36 months a job opportunity for at least six months in the year 2013. Municipalities, the social partners and the government are the promoters of this project.

**In Spain**, the General secretaries of CCOO and UGT, the Presidents of the employers organizations CEOE and CEPYME and the Government signed the Social and Economic Agreement for growth, employment and pension security on the 2nd of February 2011. This Agreement reaffirms the importance, the value, the validity and the utility of social dialogue. It includes reforms that would ensure the financial sustainability and viability of the social security system with substantial reforms in employment policies, in order to ensure more specialized attention to unemployed people. Finally, this exercise of shared responsibility between the Government and the social partners conveys a message of social solidarity and confidence in the future of the Spanish society.

**In Luxembourg**, the social partners exchange their views on employment, unemployment, working conditions, and health and safety regularly in the standing committee on labour and employment.

This committee is composed of representatives from government, national trade unions and employers in different sectors. The committee is in charge of monitoring the situation, addressing the development of the employment market in Luxembourg. This is done in view of optimal use of the workforce in coordination with the economic and social policy, the composition of employment supply and demand, recruitment, application of legislation for the prevention and fight against unemployment and legislation concerning relations between the employment administration and employers. The social partners who take part in the committee's deliberations have the opportunity to discuss various topics such as the employability of older workers, training or orientation.

**Some social partners have provided information on policy action taken by their governments to promote inclusive labour markets, in which they have been involved to differing degrees. Some of the recommendations to public authorities and other actors included in annex to the framework agreement feature in these actions, for example, in the areas of tax and benefit systems, education and training, creation of new business, employment and career services and transitional measures for people who encounter difficulties in the labour market.**

**In Czech Republic** in 2010 – 2013, the Government planned and implemented a number of structural reforms including reforms of the labour market, educational system, social security systems and health care. In 2010 -2011 the Government planned to include measures to stimulate economic activity by: changes in the tax and social systems; measures to develop qualified labour force by upgrading and updating skills of employees (changes in education, vocational education and training and programmes of life-long learning); better matching of skills and labour market needs; encouraging cooperation between employers and educational institutions; measures to modernize the system of employment and career advice services; and measures to support creation of new businesses. For instance the Labour Office of the Czech Republic was reformed in 2012 in a way that its activities were essentially reduced to payment of social benefits and the agenda of active employment policy was restricted regarding the number of officers, the contents of activities and the financial means, which were reduced every year in connection with the austerity measures. An adjustment of law was needed to strengthen the role of private employment agencies. In 2013 the capacities of the Labour Office for active labour market policy were strengthened and the social partners formed a special group for addressing agency work in order to set a basic scope of contents of new legislation on the status and role of private employment agencies, administration and finance rules and the role of users.

**In Ireland**, the first Action Plan for Jobs was launched in February 2012 and the plan is now in its third iteration. The 2013 plan had more than 333 distinct actions to be implemented across 16 Government Departments, 46 State Agencies and social partner organisations to support and create jobs. This has proven a good template for focusing attention on the reforms needed to get people back to work. It aims to have 100,000 more people in work by 2016 and 2 million people in work by 2020. A much stronger focus on active unemployment support was significantly spurred on by Ireland's Memorandum of Understanding with the 'Troika'. Under this, the Government committed to taking steps to tackle unemployment and poverty traps, including reducing replacement rates for those receiving more than one type of benefit; and reforming the system of activation policies to make it more effective.

There have been two iterations of the Pathways to Work programme since 2012 to implement these commitments. The 2013 programme had five strands:

- Better engagement with unemployed people and jobless households
- More activation places and opportunities for those on the Live Register
- Removing disincentives to the take-up of opportunities by unemployed people
- Incentivising employers to provide more jobs for those who are unemployed

- Reforming institutions to deliver better services

In 2013, **the Dutch government** (in its role as legislator) unfolded its plans to reform the social security system. These plans have consequences for both employers and employees, in the private and public sector. With the Work and Social Security law (Wet Werk en Zekerheid) the government aims to create a new balance between flexibility and social security in the labour market. Work security instead of job security is the focus of the labour market policy today. This act shortens the duration of the unemployment benefits, includes adjustments to the dismissal law and improves / strengthens the position of workers with temporary contracts. In another proposed act called the Participation law (Participatiewet) the government takes on a new approach to assist people with occupational disability to find work with employers in the private and public sector. The government will heavily reduce the number of protected jobs for persons with a disability in sheltered workplaces. Furthermore, the government wants to accelerate the process of increasing the retirement age (at the moment 65 years and 2 months). The intention is that the age of retirement in 2021 will be 67; after that the retirement age will depend on the average life expectancy. Also, the fiscal rules for the supplementary pension for workers are more restrictive.

## IV - Challenges

In dealing with the key topic of inclusive labour markets, social partners at all levels have shown that they have an important role to play in fostering economic development and social cohesion. The implementation of the framework agreement demonstrates that it has provided a clear added value for social partners at all levels to deal with this key topic. However there were some challenges in doing so which were mainly related to the context or to the nature of the agreement.

### 1. Challenges related to the context

As stated in the 2009-2010 Social dialogue work programme, BUSINESSEUROPE, UEAPME, CEEP, ETUC (and the liaison committee EUROCADRES/CEC) wanted to reinforce their commitment to jointly address Europe's major social, economic and environmental challenges. EU social partners were aware of the new context created by the financial, economic and social crisis and were –and are– ready to consider the short, medium and long term implications this will have on workers and employers. To foster sustainable development, the European social partners consider that Europe needs to restore economic growth, to improve competitiveness, productivity and job quality, to achieve full employment and social progress and to enhance environmental protection. In this challenging context, they started the negotiations on the inclusive labour market agreement. **This context has sometimes made the work of social partners difficult but also fundamental and has created an impetus for partnership and action.**

The ability of social partners to effectively implement the agreement depends on **the social dialogue structures and processes** at national and/or sectoral levels within the specific national context, as this creates the necessary basis for joint action. Where these are weak or if there is a lack of experience in social dialogue, this posed a challenge for implementation. In some cases, EU funded projects had a positive role as a starting point for implementation.

National social partners were also faced with the challenge **of tailoring the implementation of the framework agreement** to the national context. The flexible and broad nature of the framework agreement is crucial in this respect, as it allows national social partners to decide on the actions to implement the agreement, according to their specific priorities and needs. It is natural that the topic dealt with by the framework agreement was more relevant for social partners in some member states than others, in particular where national activities were already undertaken on the topic.

### 2. Challenges related to the (broad) nature of the agreement

The first challenge linked to the nature of the agreement for some has certainly been **the inclusion of the substance of the framework agreement in collective agreements, where this was the desired approach**. Indeed, promotion and development of inclusive labour markets covers many different issues, many different disadvantaged groups considered at risk and a large variety of measures at different levels. It is for these reasons that it was not always easy for those national social partners that wished to, to determine concrete priorities and specific measures to be integrated in collective agreements.

It is also important to mention that in the particular area of inclusion, the framework agreement builds on the existing national and EU legal frameworks (see Annex 2 of the agreement - References). Therefore, **some of the actions naturally tended towards adapting and improving the legislative frameworks and/or existing actions and measures**, rather than developing completely new instruments.

The broad nature of the topic, reflected in the agreement, led also to the difficulty **to distinguish the responsibility of the social partners from the role of other actors**. The recommendations to public authorities and other actors in the first annex helped the member organisations to better frame the respective actions of the various actors and to highlight the necessary partnerships in some cases. Another key challenge was **dealing with the different perceptions between employers and worker representatives** regarding the status of the framework agreement. In some cases, this included a lack of willingness to take actions on one, other or both sides.

Although the broad concepts used in the framework agreement led to some difficulties in interpretation or choice of priorities, they also provided an important element of flexibility, allowing for tailor-made measures. This was important to allow for different interpretations of the topic, for example focusing on specific groups or tools.

## V - Conclusion

The implementation of the European Framework Agreement has clearly shown that creating inclusive labour markets is a key issue for employers and workers and their representatives. It also shows that the route to achieving inclusive labour markets is different in each member state, in terms of the priorities set at national level, the tools used by social partners, the topics of most relevance and partnerships with other actors. At the same time, implementation of the agreement has brought out some common themes for social partners across the EU, in particular action on training, skills and capabilities and action on working life. Since there is no silver bullet to achieving inclusive labour markets as it is a multifaceted issue, it is unsurprising that social partners have taken actions combined across a number of different areas.

The combined relevance of contextual, work-related and individual factors in creating inclusive labour markets – as highlighted in the agreement - has been underlined in implementation. Since work-related aspects are generally core competences for national social partners, it is not surprising that a wide range of actions have been taken in this area to implement the agreement, for example regarding working conditions and work organisation. Actions in particular on training, skills and capabilities highlight the importance of also creating the right conditions for individuals to have a better chance of participating in and integrating on the labour market and in the workforce. At the same time, actions showcase the need to have appropriate conditions for the demand side, for example concerning incentives to train or hire people, whilst taking into account employers' skills and workforce needs. Action of a more general contextual nature to improve the situation on the labour market also features in implementation.

The specific situation of economic crisis in which the framework agreement was negotiated and implemented has had an impact, even if this varies from one country to another. In some cases it has provided further impetus for social partners to work together to create an inclusive labour market, in other cases it has made joint work challenging. This specific context has also meant that some social partners, on occasion jointly with governments, have implemented the framework agreement through measures which aim at general improvements on the labour market, often to deal with the crisis.

The annex to the agreement which recommends action by other actors has also proved relevant, as some social partners have reported on general employment and labour market measures undertaken by governments and in some cases actions taken with the third sector and education and training providers.

The implementation of the framework agreement has also brought lessons in relation to EU social dialogue in general. The European Social Partners and their members acknowledge that there are gaps in the reporting of implementation of the agreement, as a number of countries have not yet submitted joint implementation reports. This is a more general issue, which they continue to address through joint projects and in the context of their work programme, to make progress on implementation in all EU Member States. In the absence of reporting by some members, European social partners will encourage those in the countries concerned to keep them informed about their follow-up activities until actions have been undertaken at national level.



The European Social Partners believe that given the multidimensional nature of the framework agreement and the saliency of the issues covered, that action will not stop here. In this way, the framework agreement will continue to be a useful reference and inspiration for action in the future.



# FRAMEWORK AGREEMENT ON INCLUSIVE LABOUR MARKETS

25 March 2010

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25 March 2010<sup>35</sup>

# 1 INTRODUCTION AND CONTEXT

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Achieving an inclusive labour market is a multi-faceted challenge and a key concern for European social partners. Employers' and workers' representatives at all levels, as well as social dialogue, have an important role to play to address this challenge.

In the context of their European Social Dialogue Work Programmes for 2006-2008 and for 2009-2010, and on the basis of their Joint Labour Market Analysis, European social partners agreed to negotiate an autonomous framework agreement on "inclusive labour markets".

The challenging economic and social climate in which this framework agreement has been negotiated in 2008-2009 further strengthens the impetus for social partners to work together to promote inclusive labour markets, to maximise the full potential of Europe's labour force and to increase employment rates and to improve job quality, including through training and skills development. Inclusion is also an important element of Europe's response to long-term challenges, in particular demographic change, the shrinking working-age population and the sustainability of social protection systems. Inclusive labour markets are a way of taking advantage of new job opportunities such as those resulting from the 'greening' of the economy.

The European social partners consider that an inclusive labour market is fundamental in terms of fostering economic development and social cohesion.

## **Shared responsibilities and role of other actors**

The Framework Agreement is based on the principle that ensuring inclusive labour markets implies shared responsibilities of employers, individuals, workers, workers' and employers' representatives.

The social partners are aware of the fact that achieving an inclusive labour market does not depend exclusively on their action. Public authorities and other actors have responsibilities in terms of ensuring that there is a framework which encourages and promotes inclusive labour markets. In this context, measures are also necessary, for example in terms of education and training, health, housing, transport, regional and local development. Annex 1 contains a non-exhaustive list of recommendations to public authorities and other actors. Synergies and partnerships need to be developed between different actors in order to increase the effectiveness of such measures.

The European social partners furthermore highlight that, alongside this framework agreement, there exist several European legislative and non-legislative instruments of which the implementation and application is particularly relevant in order to achieve the aims and principles set out in this framework agreement.<sup>36</sup> A non-exhaustive list of the instruments concerned can be found in Annex 2.

## 2 AIM OF THE AGREEMENT

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The main aim of the Framework Agreement is to:

- ✓ Consider the issues of access, return, retention and development with a view to achieving the full integration of individuals in the labour market;
- ✓ Increase the awareness, understanding and knowledge of employers, workers and their representatives of the benefits of inclusive labour markets;
- ✓ Provide workers, employers and their representatives at all levels with an action-oriented framework to identify obstacles to inclusive labour markets and solutions to overcome them.

## 3 DESCRIPTION AND SCOPE

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Inclusive labour markets allow and encourage all people of working age to participate in paid work and provide a framework for their development.

This Framework Agreement covers those persons who encounter difficulties in entering, returning to or integrating into the labour market and those who, although in employment, are at risk of losing their job due to the factors referred to below.

The social partners recognise that these people face different challenges which require adapted measures. This Framework Agreement does not focus on specific groups. Instead it provides a general framework focusing on what can be done to enhance labour market inclusion.

Several factors or their combination may encourage or discourage labour market participation. These factors can be contextual, work-related or individual and they may evolve over time. There is no hierarchy between the different factors.

- ✓ Contextual factors are linked to the economic and labour market environment. These may be of structural or geographical nature such as employment opportunities, the existence and quality of care facilities and employment services, transport networks or housing, as well as the interplay between fiscal and social policies.
- ✓ Work-related factors include amongst others work organisation and work environment, recruitment processes, technological evolution and training policies.
- ✓ Individual factors are linked to aspects such as skills, qualification and education levels, motivation, language knowledge, health status and frequent or long unemployment periods.

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## 4 OBSTACLES

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Access, return, retention and development are fundamental steps to achieving the full integration of individuals in the labour market. Active inclusion depends on the way the labour market and society are organised as well as on the capacities, talents and motivation of individuals and organisations. The European social partners have identified obstacles to an inclusive labour market. They do not necessarily occur simultaneously. Whilst not an exhaustive list, the issues set out below constitute challenges to achieving inclusive labour markets.

- 4.1** Obstacles regarding the availability of information: information regarding job seekers and available jobs, including that notified to employment agencies, whether public or private, as well as regarding the content and the conditions of the jobs, prospect for career development, training schemes and on how to access advice and guidance are all relevant. The information to employers about the existence of support measures to assist them in filling vacancies and initiatives regarding the image conveyed by a sector or a company are to be taken into account.
- 4.2** Obstacles regarding recruitment: ineffective recruitment methods in attracting a wide diversity of applicants for vacancies without discrimination, the effects on employability of frequent or long absences from the labour market, the existence of special advice and guidance on how to apply for and perform jobs are also identified.
- 4.3** Obstacles regarding training, skills and capabilities: the investment in or access to learning opportunities, the existence and/or recognition of individuals' skills (formal, informal, technical, social, language) and professional experience, the match between the training offered by education systems, vocational methods and the needs of the labour market are also important issues.
- 4.4** Obstacles regarding responsibilities and attitudes of employers, workers, their representatives and job seekers: motivation, self-confidence, anticipation of and adaptation to change, quality of information, consultation, internal communication and social dialogue, support and accompanying measures for those as identified in clause 3 as well as pressures from management, colleagues, customers and families are another group of obstacles.
- 4.5** Obstacles regarding working life: features such as working conditions and work organisation, work-life balance policies and career development prospects are key issues.
- 4.6** There are also several factors going beyond the sole competences of social partners, which impact on the effectiveness of labour markets<sup>38</sup> in integrating everybody of working age. Such factors, measures and policies can contribute to labour market inclusion and are developed in the recommendations in annex 1.

## 5 SOCIAL PARTNERS' ACTIONS

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European social partners consider that labour market inclusion is an essential condition for cohesion, including the fight against poverty, and economic success.

As a solution to the obstacles identified, achieving inclusive labour markets entails various measures, actions and/or negotiations at all levels, which can be taken by employers, workers, their representatives, jobseekers and third parties. These should promote the creation of jobs and the employability of workers and jobseekers with a view to integrating all individuals in the labour market.

The European social partners recognise that they have a responsibility to deepen their reflections and engage themselves to find solutions and mobilise their members.

The purpose of their exchanges, joint opinions and recommendations in this field is to strengthen access, retention, return and development of people in a precarious situation in relation to employment.

Such specific measures include for example:

- Organise where relevant awareness-raising campaigns and design action plans to improve and/or restore the image of a sector or occupation(s) in all their aspects;
- Organise where relevant awareness-raising campaigns and design tools to promote the diversity of the workforce;
- Disseminate information about availability of jobs and training schemes;
- Cooperate with the “third sector” to support those who encounter particular difficulties in relation to the labour market;
- Cooperate with education and training systems in order to better match the needs of the individual and those of the labour market, including by tackling the problems of basic skills (literacy and numeracy), promoting vocational education and training and measures to ease the transition between education and the labour market;
- Implement specific and effective recruitment methods and induction policies as well as ensure the right working conditions to welcome and support new entrants in the enterprise;

- Introduce individual competence development plans (in line with the framework of actions for the lifelong development of competences and qualifications) jointly elaborated by the employer and the worker, taking into account the specific situation of each employer, particularly SMEs, and worker. These plans identify the required competences of the worker in a given work situation; and, with shared responsibilities according to the individual situation, actions to develop the worker's competences.
- Improve transparency and transferability, both for the worker and for the enterprise, in order to facilitate geographical and occupational mobility and to increase the efficiency of labour markets:
  - ➔ By promoting the development of means of recognition and validation of competences,
  - ➔ By improving the transferability of qualifications to ensure transitions to employment.
- Promote more and better apprenticeship and traineeship contracts.

## 6 IMPLEMENTATION AND FOLLOW-UP

This framework agreement is an autonomous initiative and the result of negotiations between the European social partners as part of their social dialogue work programmes for 2006-2008 and 2009-2010.

In the context of article 155 of the Treaty, this autonomous European framework agreement commits the members of BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) to promote and implement it in accordance with the procedures and practices specific to management and labour in the Member States and in the countries of the European Economic Area.

The signatory parties also invite their member organisations in candidate countries to implement this agreement.

The implementation of this agreement will be carried out within three years after the date of signature of this agreement.

Member organisations will report on the implementation of this agreement to the Social Dialogue Committee. During the first three years after the date of signature of this agreement, the Social Dialogue Committee will prepare and adopt a yearly table summarising the on-going implementation of the agreement. A full report on the implementation actions taken will be prepared by the Social Dialogue Committee and adopted by the European social partners during the fourth year.



The signatory parties shall evaluate and review the agreement any time after the five years following the date of signature, if requested by one of them.

In case of questions on the content of this agreement, member organisations involved can jointly or separately refer to the signatory parties, who will jointly or separately reply.

When implementing this agreement, the members of the signatory parties avoid unnecessary burdens on SMEs.

Implementation of this agreement does not constitute valid grounds to reduce the general level of protection afforded to workers in the field of this agreement.

This agreement does not prejudice the right of social partners to conclude, at the appropriate level, including European level, agreements adapting and/or complementing this agreement in a manner which will take note of the specific needs of the social partners concerned.

For ETUC  
John Monks  
General Secretary

For BUSINESSEUROPE  
Philippe de Buck  
Director General

For UEAPME  
Andrea Benassi  
Secretary General

For CEEP  
Ralf Resch  
General Secretary

On behalf of the  
trade union delegation

# ANNEXES

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## Annex 1

### Recommendations to public authorities and other actors

The European social partners recommend that the Member States should design and implement comprehensive policies to promote inclusive labour markets. Wherever possible and taking into account national specificities, social partners must be involved at the appropriate level in measures to address:

#### 1 The extent and quality of specific transitional measures for people who encounter difficulties in the labour market

- Provide support and incentives for people furthest from the labour market to find a job;
- Provide support and incentives for employers to hire people furthest from the labour market and empower social partners to remove obstacles to employing such people;
- Develop or upgrade skills and address educational disadvantages through tailored education and training;
- Ensure equal access to health, education, housing and social security services as well as access to the basic utilities that play an important role in alleviating and addressing the impact of social exclusion;
- Make effective use of existing financial instruments, including the European Social Fund, to promote and fund policies aimed at the integration of disadvantaged people in employment.

#### 2 The effectiveness of employment and career advice services

- Increase the availability and quality of career advice services to help and support jobseekers to find a job and provide workers with the necessary skills;
- Create the necessary resources to develop high-quality active labour market policies aimed at an early activation of the unemployed so as to improve their skills and minimise unemployment spells;
- Provide additional tailor-made measures to prevent or curb long-term unemployment;
- Improve the quality of activation measures in order to maximise their efficiency and effectiveness.

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### **3 Education and Training**

- Make education and training systems better adapted to the needs of the individual and the labour market;
- Promote the parity of esteem and the permeability between vocational education and training and other forms of education, including higher education;
- Increase the effectiveness and equity of educational systems with a view to reducing the number of early school leavers;
- Enhance the active participation of adults in further education and training independent of their previous educational attainments;
- Improve the availability and quality of adequate training offers for individuals and employers, in particular taking into account the needs of SMEs and of people with the least qualifications;
- Improve the transparency and recognition of education and training qualifications at EU level;
- Support training schemes that better match job requirements and lead to qualifications in order to avoid whenever possible the loss of competences and/or jobs.

### **4 The adequacy of investment in territorial development**

- Support effective and full use of Community instruments, be it to develop regional infrastructures or to support transitions in sectors and areas affected by structural changes, such as provided by the European Social Fund (ESF), the European Regional Development Fund (ERDF) and the European Globalisation Adjustment Fund (EGF).

### **5 The adequacy of access to transport / care / housing / education**

- Ensure the availability, affordability, sustainability and quality of social and physical infrastructures such as transport, care, schools and housing;
- Put in place the framework to develop workplace practices improving the work/life balance and in this way promote full use of the productive potential of the European labour force.

## **6 The relative ease or difficulty of starting, sustaining and expanding businesses**

- Facilitate business creation and development in order to maximise the potential for job creation in the EU. An improved environment should allow entrepreneurs to invest in sustainable businesses;
- Ensure transparent information and minimise administrative burden and give adequate support for starters.

## **7 The role of tax and benefit systems**

- Examine and, where needed, implement the conditions so that the taxation and benefit systems aim to help people to enter, remain and develop in the labour market.

## Annex 2

### References

As mentioned in Clause I on “Introduction”, the European social partners consider that, alongside this framework agreement, there exist several European legislative and non-legislative instruments whose implementation and application is particularly relevant in order to achieve the aims and principles set out in this framework agreement.

#### European social partners’ texts

- Framework of actions on for the lifelong development of competencies and qualifications (28/02/2002)
- Framework agreement on telework (16/07/2002)
- Framework agreement on work-related stress (08/10/2004)
- Framework of actions on gender equality (01/03/2005)
- Framework agreement on harassment and violence at work (26/04/2007)
- Joint analysis of the key challenges facing European labour markets (18/10/2007)

#### Decisions/Recommendations/Conclusions

- Council Conclusions of 30 November 2009 “Promoting labour market inclusion – Recovering from the crisis and preparing for the post-2010 Lisbon Agenda”
- Commission Recommendation of 3 October 2008 on the active inclusion of people excluded from the labour market 2008/867/EC (Official Journal L 307, 18/11/2008 P. 0011-0014).
- Council Decision of 12 July 2005 on Guidelines for the employment policies of the Member States (2005/600/EC) (Official Journal L 205, 06/08/2005 P. 0021 – 0027) (in particular Guideline No 19: Ensure inclusive labour markets, enhance work attractiveness, and make work pay for job-seekers, including disadvantaged people, and the inactive)
- Council Recommendation of 27 July 1992 on the convergence of social protection objectives and policies (92/442/EEC) (Official Journal L 245, 26/08/1992 P. 0049 – 0052)
- Council Recommendation of 24 June 1992 on common criteria concerning sufficient resources and social assistance in social protection systems (92/444/EEC) (Official Journal L 245, 26/08/1992 P. 0046 – 0048)

## European Directives

- Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 05.12.2008, p. 9–14)
- 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 (recast) (OJ L 204, 26.07.2006, p. 23–36)
- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 02.12.2000, p. 16–22)
- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.07.2000, p. 22–26)
- Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.07.1999, p. 43–48)
- Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC - Annex: Framework agreement on part-time work (OJ L 14, 20.01.1998, p. 9–14)
- Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1–8)



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