



European Confederation of Independent Trade Unions (CESI)

Position

Adopted by the Presidium of CESI

Messages to the Gothenburg Social Summit *for Fair Jobs and Growth*

Further information

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European Confederation of Independent Trade Unions

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SECTION I: INCLUSIVE SOCIAL DIALOGUE?

In 2015, the European Commission announced a 'New start for social dialogue'. However, since then, little has been achieved when it comes to giving all social partners a fair voice in Europe.

"I commend CESI for the constructive role it plays in EU social dialogue."

[European Commission Vice-President Valdis Dombrovskis at CESI's Congress, December 2016](#)

Representing 5 million workers in 43 member organisations operating in more than 20 European countries, CESI has been a recognised sectoral social partner for a considerable time. CESI and its members are actively involved in 5 European social dialogue committees and its affiliates work in diverse sectors ranging from education, healthcare, telecoms and postal services to justice, security and defence as well as central, regional and local administration. CESI represents nurses and doctors, teachers and educators, policemen and judicial officers, soldiers, postmen, and many more. **The Commission has formally acknowledged CESI's important role as a sectoral social partner.**

"In a Union of equals, there can be no second class workers."

[European Commission President Jean-Claude Juncker in his State of the Union speech, September 2017](#)

Nevertheless, in spite of an explicit request being made, European Commission President Jean-Claude Juncker and Swedish Prime Minister Stefan Löfven have denied CESI and its 5 million workers a place in the employee delegation at the high-level Gothenburg Social Summit for Fair Jobs and Growth on November 17. This is incompatible with minority rights and trade union pluralism. The New Start for Social Dialogue must be inclusive. *In a Union of equals, there can be no second class workers. For CESI, all workers count.*

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"Social partners at all levels have a crucial role to play in pursuing and implementing the European Pillar of Social Rights."

[Proclamation of the European Pillar of Social Rights, October 2017](#)

In a critical but constructive manner, CESI has actively contributed to the consultation process in the year-long run-up to the publication of the Pillar and CESI and its members and affiliates are committed to helping implement it, since they believe that it can provide an opportunity for the EU to bring real, visible benefits to workers in Europe and to become more popular among citizens. According to the Pillar's Proclamation, **social partners at all levels have a crucial role to play in pursuing and implementing the European Pillar of Social Rights.** If social partners play such a vital role, yet some remain excluded from the Gothenburg Summit and other events, these will not be able to play a crucial role in the Pillar's implementation.

CESI deplores the European Commission's and the Swedish government's lack of ambition to reach out in a consistent manner to all sectoral social partners that are affected, but the organisation remains committed to the goal of helping implement the European Pillar of Social Rights on the ground, especially if the European Commission facilitates this to a greater degree than it has heretofore.



SECTION II: WHAT IS NEEDED FOR A MORE SOCIAL EUROPE

The **European Pillar of Social Rights** is, at its core, not rights-based but rather soft law-based. Its provisions ('principles') are mostly neither legally binding nor directly enforceable at the level of the individual. Some principles concern areas of EU legislative competence, others are clearly in the remit of Member State competence. It is therefore vital that all actors at all levels seize the Pillar politically, legally and administratively. CESI, its member organisations and affiliates will make sure they do their part by pressuring governments, authorities and policy-makers to convert principles of the Pillar into concrete policies, rendering them alive via collective agreements, and raising awareness among workers, their representatives and employees about the possibilities for fairer working conditions that the Pillar foresees for them. CESI and its member organisations also commit themselves to seize the pillar within the scope of their collective negotiations and agreements, regardless of their sectors and levels. Furthermore, within legal proceedings, they will try to make sure that the Social Pillar and the principles and rights enshrined therein are being respected. The Pillar can only have a meaningful impact if it is concretely used and referred to in different contexts and at all levels.

The implementation of the Pillar will require additional funding, especially at the national, regional and local levels. Public spending on healthcare, early childhood education and care, secondary education and further training needs to be stepped up, in accordance with the principle that these are much needed **social investments which yield both economic and social returns**. The European Commission plays a key role in encouraging and enabling it through adjustments to the EU's macroeconomic and fiscal coordination.

There is a gap between a social dimension at the national level and the Europeanisation of the economic and fiscal dimensions. To remain effective, **social rights** must finally be placed on an equal footing with economic freedoms in Europe. If deployed effectively, the European Pillar of Social Rights can be an instrument to achieve this. It needs to be seized. The Proclamation of the Pillar by the EU Institutions and the Member States in Gothenburg is a start. A uniform, comprehensive and targeted scoreboard is required in order to measure upward social convergence and social progress.

Legislative gaps at the EU level need to be closed with regard to both individual and collective labour law. Due to globalising and digitalising labour markets, which are increasingly open and flexible, **new forms of work and atypical employment relationships**, including bogus self-employment in de facto dependent work models, have been emerging. In many cases, these are not or insufficiently covered by core labour law and social security. The EU needs a broad, shared legal definition of the term 'employee' which can be used to regulate all applicable social and employment aspects of precarious new and atypical forms of work. An agenda on social protection for all must remain high on the EU's political agenda.

The full **implementation and enforcement of employment and social legislation** is of key importance. A comprehensive and transparent portability of entitlements and equal treatment of mobile workers must be a reality. The recently proposed European Labour Inspectorate may be a useful instrument when it comes to achieving this.

Trade unions' efforts to facilitate the proper enforcement of all national and European rules should enjoy the full support of authorities and institutions at all levels. The best protection of all workers is their seamless representation by trade unions.