

Bridging the gaps or falling short?

The EPSR and what it can bring to EU-level policy-making

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Overview

- Explaining the EPSR
 - *Content*
 - *Form*
- The impact
- How/who can enforce the EPSR?

Explaining the EPSR: the content

Equal opportunities and access to the LM	Fair working conditions	Social protection and inclusion
<ul style="list-style-type: none">– Education, training and LLR– Gender equality– Equal opportunities– Active support to employment	<ul style="list-style-type: none">– Secure and adaptable employment– Wages– Information about Employment conditions and dismissal protection– Social dialogue and involvement of workers– Work-life balance– Healthy, safe and well-adapted work environment and data protection	<ul style="list-style-type: none">– Childcare and support to children– Social protection– Unemployment benefits– Minimum income– Old age income and pensions– Health care– Inclusion of people with disabilities– Long-term care– Housing and assistance for the homeless– Access to essential services

Explaining the EPSR: the content

20 rights/principles

«[2b] *Women and men have the right to equal pay for work of equal value*»

«[6a] *Workers have the right to fair wages that provide for a decent standard of living*»

Explaining the EPSR: the form

- **“Pillar package”** (*recommendation; draft proclamation; scoreboard; legislative proposals; soft-law measures*)
- **Recommendation:**
 - Not binding (288 TFEU)
 - Article 292 TFEU as basis
 - An instrument of indirect action aiming at preparation of legislation in member states
- **Proclamation:**
 - The EU Charter of Fundamental Rights (7th Dec 2000)
 - *Pillar (Gothenburg, 17 Nov 2017)*
 - Expresses primarily inter-institutional commitment
 - Not binding

The impact of the EPSR

- The EPSR and making of EU social policy and labour law:
 - Primary law (impact on Charter?)
 - Secondary law (Social Action programme???)
 - Soft law (European Semester?, [...])

- The impact beyond social dimension?
 - Institutional discretion
 - Reference point (benchmark for social standards to be ensured)

Enforcement of the EPSR?

- **WHO?**

- European Institutions (Commission, European Parliament, Council)
- Member States
- Social partners (?)
- NGOs
- Individuals?

- **HOW?**

- Via legislative measures
- Via non-legislative avenues/measures
- Via courts (?)
- Via collective bargaining (?)
- Via advocacy

Thank for your attention!

- Further reading:

Z. Rasnača «Bridging the gaps or falling short? The European Pillar of Social Rights and what it can bring to the EU-level policymaking», 2017

