

#4

Put regulation into perspective: the European Pillar of Social Rights (EPSR) is a proclamation, not a new European Constitution.

→ Legislation is successful when it concretely adds value for employees and -at the same time - does not create excessive administrative burden on companies.

→ Employment could potentially be negatively affected as overly strict labour market regulation can induce firms to increase their capital intensity.

Zooming in /// TPWC

- 🔍 The extensive list of information in the Directive on Transparent and Predictable Working Conditions (Article 4) causes additional administrative burden on companies.
- 🔍 Arguably it has little to no added value for employees, as for example the mentioning of the identity of social security institutions in the employment contract.
- 🔍 Before proposing minimum working rights, it should have been assessed whether any action is needed and justified at EU level as these topics are at the core of social partners competences.
- 🔍 Moreover, the minimum rights overlap with different EU Regulations, as for example the Working Time Directive, which creates legal uncertainty for both employers and employees.



Better Regulation

#1

Improve national implementation and support enforcement of the existing EU regulatory framework, before introducing new regulation.

→ The development of an instrument delivering on a 'One In, One Out' principle will relieve people and businesses of an equivalent existing burden in the same policy area in which the EU created a new one.

→ The transposition of EU legislation into national legislation takes time. This time needs to be considered before enforcement and/or additional rules are considered.

→ EU policymakers must be vigilant of the consequences of the one-size-fits-all proposals when it comes to EU social policy, than their US or China competitors.

Regulation must be applicable, enforceable, and based on comprehensive and objective impact assessments. If it fixes the problem, it will boost competitiveness, business investment and job creation.

Key Messages

- #1 Improve national implementation and support enforcement of the existing EU regulatory framework, before introducing new regulation.
- #2 Assess continuously the relevance of existing legislation, focusing on reducing its burden and costs, in particular for SMEs.
- #3 Use subsidiarity as an opportunity to bring citizens closer to Europe.
- #4 Put regulation into perspective: the European Pillar of Social Rights (EPSR) is a proclamation, not a new European Constitution.

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Who is Ceemet ?



200 000 companies



35 million (in)direct jobs



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The number of companies and their workers that are indirectly relying on meaningful legislation that underwent a competitiveness check before being rigorously implemented.



200,000

#2

Assess continuously the relevance of existing legislation and its implementation, with a focus on reducing its burden and costs, in particular for SMEs (REFIT).

→ The simplification of the regulatory framework will add value to the economy by reducing administrative and compliance costs on companies. The reduction in costs, will in turn help improve EU competitiveness globally and improve levels of worker protection in SMEs, as they will be able to better focus on the task of prevention.

→ The interpretation of directives in the social field, notably in the area of OSH, can often be challenging. Companies sometimes don't know how to meet the legal requirements as transposed into national legislation. This is compounded for SMEs, making it particularly challenging for those enterprises to comply with the requirements. This problem can be alleviated by putting greater emphasis on best practice, guidance, and the provision of concrete examples.

→ The nature of social legislation at EU level is that it sets minimum standards, where Member States can go further with EU legislation at a national level. 'Gold plating' is often a problem as it causes a too fragmented legislative field across the EU.

Zooming in /// Carcinogens

🔍 In the Carcinogens or Mutagens at Work Directive (2004/37/EC), and its ongoing updates, the Occupational Exposure Limits (OELs) are different depending on the Member States.

🔍 There is not one recognised method of measuring exposure to these substances at an EU level.

🔍 Therefore, not only are there discrepancies in the transposition at a national level, the method of measurement of these limit values can often further skew the level playing field.

#3

Use subsidiarity as an opportunity to bring citizens closer to Europe and have an economy that works for its people.

→ Adherence to the principle of subsidiarity, founded in the Treaty on European Union, is essential to ensure that social policy can reflect the diverse needs of national labour markets, as well as the disparate needs of local businesses and their workforces.

→ The evidence-based policy making is a pillar for the assessment of legislation. Consulting social partners and other stakeholders is key. However, the use of these consultation tools at a time when the European Parliament is not sitting, e.g. the month of August or the end of December, beginning of January is not an effective way of consulting social partners.

Zooming in /// Risks

🔍 Hazard-based, precautionary directives covering Electromagnetic Fields (2013/35/EU) and Artificial Optical Radiation (2006/25/EC) have been introduced where:

→ the requirements were not proportional to the risk

→ the risks had previously been controlled and managed through the existing OSH Framework Directive (89/391/EEC).

🔍 It is particularly difficult for companies to meet the legal requirements of these directives.

