EMPLOYMENT POLICY IMPLEMENTATION MECHANISMS IN THE EUROPEAN UNION

The ILO and its constituents have made significant progress in developing national employment policies (NEPs). However, unless appropriate institutional arrangements can be put in place to ensure their timely and effective implementation, even sound policies may not produce the desired results. To respond to the increasing requests from its constituents for assistance with NEP implementation, the ILO launched a research project on “a comparative analysis of employment policy implementation mechanisms in selected countries”. Case studies and a synthesis report were published as working papers. This Research brief presents the mechanisms, accountability and financing systems for employment policy implementation under the European Semester framework in the European Union (EU).

1. Coordination of employment policy at the EU level: A short history

The responsibility for employment policies in the EU is primarily with its Member States. However, over the course of the EU integration process, the EU institutions have taken on some role in coordinating, monitoring and supporting employment policies in the Member States.

Figure 1. European employment policies in the framework of the European integration process

The ILO and its constituents have made significant progress in developing national employment policies (NEPs). However, unless appropriate institutional arrangements can be put in place to ensure their timely and effective implementation, even sound policies may not produce the desired results. To respond to the increasing requests from its constituents for assistance with NEP implementation, the ILO launched a research project on “a comparative analysis of employment policy implementation mechanisms in selected countries”. Case studies and a synthesis report were published as working papers. This Research brief presents the mechanisms, accountability and financing systems for employment policy implementation under the European Semester framework in the European Union (EU).

Despite their lack of competence, the predecessor institutions of the EU had already provided support to workers affected by restructurings in the coal industry in the 1950s and supported Member States in tackling unemployment through the European Social Fund set up under the 1957 Treaty of Rome.
In 1993 the European Commission (EC) published a White Paper on Growth, Competitiveness and Employment which stated that employment was one of the most important areas of concern to the European Community. This message was underlined by the European Council during its subsequent meeting in Essen, Germany in December 1994. In its conclusion, it put forward five common employment objectives that later became known as the Essen Strategy. The Strategy called on Member States to transpose these objectives into national policy and asked the EC and the Council to monitor and report annually to the European Council on the progress achieved.

The 1997 Treaty of Amsterdam provided the legal basis for the coordination of employment policy at the EU level with the insertion of the "Employment Title". Provisions under this Title required Member States to work towards a coordinated strategy for employment creation and to draft annual national employment reports. Furthermore, the Treaty requested the EC and the Council to assess the employment situation in a joint annual report on the basis of which the European Council would adopt conclusions which in turn would serve as the basis for EU Employment Guidelines for Member States to be adopted by the Council. It also provided the basis for the Employment Committee (EMCO), an advisory body composed largely of representatives of the EU Member States.

The mechanisms foreseen in the Treaty of Amsterdam were implemented already in 1997 through the Luxembourg Process kick-started by the ‘Jobs summit’ which led to the adoption of the European Employment Strategy (EES). The EES included measures to better coordinate the employment policies of Member States in line with the provisions foreseen in the Treaty of Amsterdam. Many of the elements and mechanisms set up under the Treaty and the Luxembourg Process exist to this day (albeit in revised form) and have been integrated in new strategies and frameworks.

In 2000, the EU adopted the Lisbon Strategy (2000-2010) which set out the broad overall priorities for the EU in different areas – employment, environmental, economic and social. In its March conclusions that same year, the European Council introduced a new Open Method of Coordination (OMC) to achieve convergence towards the EU’s main economic and employment goals by enhancing the coordination of Member States’ policies in different areas (see Section 3 for more details). The Lisbon Strategy was re-launched in 2005 with a focus on growth and jobs, and a simplified and streamlined governance structure including employment coordination. This included the integration of the Guidelines for the Employment Policies of Member States and the Broad Economic Policy Guidelines into the Europe 2020 Integrated Guidelines for the Economic and Employment Policies of Member States with a three year governance cycle.

In 2010 the Lisbon Strategy was succeeded by “Europe 2020 – a European Strategy for smart, sustainable and inclusive growth” (2010-2020). This new strategy continued to set overall targets in a range of areas and proposed several flagship initiatives outlined in Table 1 below. Its implementation and monitoring has, since been integrated into the European Semester, an annual cycle of economic policy coordination set up in 2010 (see Table 2 for details).

Apart from the European Semester policy coordination cycle, the EU institutions have adopted targeted policy initiatives to address specific issues related to employment and labour markets. Noteworthy recent initiatives include the Employment Package (April 2012), the Youth Employment Package (December 2012), and the New Skills Agenda for Europe (June 2016).

2. Employment policy implementation framework: Key elements, main actors and process

This section sets out the key elements of employment policy coordination at the EU level, its main actors, and the Open Method of Coordination (OMC) as the main process for implementation.

2.1 Key elements of employment coordination

As the monitoring of the Europe 2020 strategy (including its employment targets) has been integrated in the European Semester of economic policy coordination, the main elements for employment coordination coincide with and complement the European economic governance system. Key elements for the coordination of employment policy at the EU level include the following six elements.

A. Overall objectives and targets set at EU level

Overall quantified objectives and targets in the area of employment are set at the European level, under the Europe 2020 framework (see Table 1). These targets go beyond employment and include targets in other areas such as environment and climate change as well.
Table 1. Europe 2020 in a nutshell

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<thead>
<tr>
<th>Priorities</th>
<th>Five Targets</th>
<th>Seven Flagship Initiatives</th>
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<tbody>
<tr>
<td>Smart:  More effective investments in education, research and innovation</td>
<td>1) Employment: 75% of the 20-64 year-olds to be employed.</td>
<td>Smart growth:</td>
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<tr>
<td>Sustainable: A decisive move towards a low-carbon economy</td>
<td>2) R&amp;D: 3% of the EU's GDP to be invested in R&amp;D.</td>
<td>1. Digital agenda for Europe.</td>
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<td>Inclusive: A strong emphasis on job creation and poverty reduction</td>
<td>3) Climate change and energy sustainability: reduce greenhouse gas emissions by 20%; 20% of energy from renewables; 20% increase in energy efficiency.</td>
<td>2. Innovation Union.</td>
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<td></td>
<td>4) Education: reduce the rates of early school leaving below 10%; at least 40% of 30-34-year-olds completing third level education.</td>
<td>3. Youth on the Move.</td>
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<td>5) Fighting poverty and social exclusion: at least 20 million fewer people in or at risk of poverty and social exclusion</td>
<td>Sustainable growth:</td>
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<td>4. Resource efficient Europe.</td>
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<td>5. An industrial policy for the globalization era.</td>
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<td></td>
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<td>Inclusive growth:</td>
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<td>6. Agenda for new skills and jobs.</td>
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<td>7. European platform against poverty.</td>
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These EU targets have been translated into national targets by the Member States. Member States regularly report on the implementation of these targets.

B. Guidelines for the employment policies of Member States

The Guidelines for the Employment Policies of Member States\textsuperscript{16} set broad policy priorities for the EU Member States in line with the Europe 2020 targets.\textsuperscript{17} Since 2005, the Guidelines have been integrated with the Broad Economic Policy Guidelines to jointly form the Europe 2020 Integrated Guidelines. The Integrated Guidelines for employment policies are reviewed annually while the Economic Guidelines remain valid for a period of several years.\textsuperscript{18}

The European Commission (EC) makes a proposal for these guidelines, which are then agreed upon by the Member States and adopted by the Council. The European Parliament has to be consulted, while the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR) provide non-binding opinions.

C. Joint Employment Report (JER)

The Joint Employment Report (JER)\textsuperscript{19} provides an annual overview of key employment and social developments in the EU as well as Member States’ reform actions in line with the Guidelines for the Employment Policies of Member States. The report includes a scoreboard of key employment and social indicators on the basis of which EU countries are benchmarked.

The draft JER is published in November as an annex accompanying the Annual Growth Survey (AGS) as well the Alert Mechanism Report, both published on the same day. The AGS sets the EU’s general economic priorities for the coming year and kicks off the annual European Semester process. It takes account of the findings of the draft JER and the Alert Mechanism Report for macroeconomic imbalances. The Alert Mechanism Report analyses potential macro-economic imbalances in EU member states. Since 2015 it includes three employment indicators (activity rate, long-term and youth unemployment rate) in its main scoreboard of indicators. However, these employment indicators cannot trigger the macroeconomic imbalances procedure. A number of other social and employment indicators are included in its auxiliary scoreboard.

The JER is published by the EC and adopted by the EU ministers of employment meeting at the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO), usually in March.

D. Country Reports

Based on the information provided in the AGS, the Alert Mechanism Report and the draft JER, the EC publishes country reports in February which analyse the areas of macroeconomic and social importance for each Member State and assess their respective budgetary situation. Furthermore, they assess progress made in implementing the previous years’ country-specific recommendations\textsuperscript{20} as well as the country-specific Europe 2020 targets. Discussions with the Member States take place before and after the country reports are published (see Table 2).
National Reform Programmes (NRPs) are action plans drawn up by national governments which set out how their respective countries will implement the targets and objectives set under the Europe 2020 strategy (Table 1), including their employment targets. Jointly with the NRPs, EU Member States also submit their stability/convergence programme reports to the EC for assessment in March/April. Member States are asked to consult with their national parliaments, social partners and civil society before submitting these documents to the EC.

Country-Specific Recommendations (CSRs)

The EC assesses the NRPs and the stability/convergence programmes. Based on its assessment of the documents submitted as well as on the analysis of the country reports, the EC proposes country-specific recommendations (CSRs), usually in mid-May. The CSRs are tailor-made recommendations to a Member State as to which economic, budgetary, employment or social issues should be addressed in the coming 12-18 months. In 2015, as part of broader efforts to streamline the European Semester, the number of CSRs have been reduced to 2-5 overall recommendations per country, possibly including that on employment policy.

The employment and social aspects of the CSRs are discussed with the Member States in the EPSCO and its advisory body, the Employment Committee (EMCO). These bodies may also propose amendments to the proposals issued by the EC. The overall CSRs are then endorsed by the European Council in June and formally adopted by the economic and finance ministers meeting in the Economic and Financial Affairs Council (ECOFIN) in June/July.

2.2 Key actors and bodies

A. The Member States

Member States remain key actors when it comes to implementing employment policy. In the coordination framework at the European level, they are obliged to draw up and submit annual NRPs and have the political obligation to implement the CSRs. National parliaments are involved in the translation of the overall EU targets into national targets as well as in the drafting of the annual NRPs.

B. The Council of the EU

The Council of the EU brings together ministers of the EU Member States in different formations. The EPSCO formation meets usually four times per year to discuss and adopt policy and legislative initiatives related to employment and social affairs. In the framework of employment policy coordination, it adopts the JER, the Guidelines for the Employment Policies of EU Member States and provides input for the discussions on the country reports and the CSRs in the areas of employment and social policy within the European Semester.

C. The Employment Committee (EMCO)

The EMCO is the main advisory body to the EPSCO Council in the area of employment. It is composed of two representatives plus two alternates (at technical level) per EU Member State as well as two representatives of the EC. It meets regularly during the year and holds regular exchanges with the European social partners. It is supported by two sub-groups: 1) the policy analysis group, which provides advice on EMCO work; and 2) the indicators group, which carries out technical work related to the indicators which are used to monitor EU employment strategy implementation.

Most of EMCO’s work is focused on supporting the EPSCO ministers with the European Semester. For instance, EMCO provides an opinion to the EPSCO on the employment and social aspects of the European Semester and the progress of the individual Member States. It also proposes amendments to the CSRs on employment, supports the drafting of the Council Conclusions adopted by EPSCO on the AGS, provides input to the Guidelines for the Employment Policies of EU Member States, and agrees on the final text of the JER.

Since 2011, EMCO has monitored the progress achieved by Member States in implementing reforms in the framework of the Europe 2020 targets and within the European Semester. The tools it uses to carry out this multilateral surveillance include:

- The Joint Assessment Framework (JAF), an analytical tool based on a set of commonly agreed indicators showing progress towards the main Europe 2020 targets.
- The Employment Performance Monitor (EPM), a joint EC-EMCO report summarising the JAF assessment and the key challenges it identifies. It is adopted twice a year by the Council and contains a benchmarking tool for comparison of performance against the EU average.

In addition, EMCO plays a role in the review of Member State policy initiatives to tackle the challenges identified in the CSRs or the EPM. These assessments constitute an important basis to assess new EC proposals for CSRs under the European Semester.

D. The European Commission (EC)

The EC plays a key role in both the formulation and monitoring of EU employment targets as well as in providing support (in particular financial support) for their implementation at the Member State level. The EC elaborates and launches the AGS, proposes the Employment Guidelines, formulates and issues the country-specific recommendations, and analyses NRPs and convergence/stability programmes submitted by Member States. The various Directorate-Generals in the EC play a role in this process, with the Directorate General for Employment, Social Affairs and Inclusion being particularly involved in the employment and social aspects of the country reports and the CSRs.
The European Council

The European Council brings together the Heads of Government of the EU Member States and sets the overall policy priorities for the EU. During its March meeting, the Heads of State discuss the EU’s economic situation and endorse the priorities in the AGS of the European Semester. In its June meeting, this body endorses the CSRs each year before they are formally adopted by the ECOFIN Council.

Other actors with supporting roles:

- The European Parliament (EP) has to be consulted on the Employment Guidelines before their adoption by the Council. Its role in the European Semester process is limited. It adopts opinions and reports during the Semester (e.g. on the employment and social aspects of the AGS and its implementation) and discusses them with the EC. The EP has been supportive of recent EC policy packages (e.g. the Youth Guarantee, the Council Recommendation for Long-term Unemployment, and the New Skills for New Jobs initiative).

- The European Economic and Social Committee (EESC) brings together employers, workers and civil society representatives in a consultative role and provides opinions on EU policy initiatives, including employment coordination, Europe 2020 and the European Semester.

- The Committee of the Regions (CoR) represents local and regional authorities in the EU and has the same role as the EESC, providing opinions on EU initiatives.

The general process for employment policy coordination – The Open Method of Coordination (OMC)

Responsibility for the implementation of employment policy is primarily a competence of the EU Member States, and according to the Treaties, the EU can merely encourage coordination, support and where necessary complement the actions of Member States while respecting national competences. Hence, employment policy coordination is primarily implemented through the OMC within the Council of the EU (particularly through the EMCO and EPSCO). The OMC is a “soft governance” policy-making and coordination process which neither leads to binding EU legislative measures nor requires Member States to change their laws. Rather, it aims to foster the exchange of good practices and thereby achieve convergence among the EU Member States.

The OMC is applied not only to employment policy coordination, but also in other areas in which Member States have primary competency such as research, integration and social protection. While in the preceding paragraphs it has already been described how the OMC fits in the European Semester, in general it works in several stages. First, policy goals are agreed upon by the Council of the EU which are then translated by EU Member States into national goals. Subsequently specific benchmarks and indicators are established to measure progress and identify best practices. The results are monitored and evaluated. As this approach is decentralized - the policies are implemented largely by the Member States and supervised by the Council – the EC has principally a monitoring role.

Timeline of the European Semester (aspects related to employment policy coordination)

- **November:** The EC publishes the AGS which sets out the economic priorities of the EU for the following year as well as the draft JER and the Alert Mechanism Report.

- **February:** The EC publishes Country Reports for each EU Member State, followed by bilateral discussions with the national government. While in the preceding paragraphs it has already been described how the OMC fits in the European Semester, in general it works in several stages. First, policy goals are agreed upon by the Council of the EU which are then translated by EU Member States into national goals. Subsequently specific benchmarks and indicators are established to measure progress and identify best practices. The results are monitored and evaluated. As this approach is decentralized - the policies are implemented largely by the Member States and supervised by the Council – the EC has principally a monitoring role.

- **March:** Usually in early March the EPSCO Council holds a policy debate on the employment and social aspects of the European Semester and adopts the draft JER as well as conclusions on the AGS (focusing on the employment and social aspects). The spring meeting of the European Council takes stock of the overall macroeconomic situation and progress towards the Europe 2020 targets, and provides policy orientations covering fiscal, macroeconomic and structural reforms.

- **March-April:** Member States submit their NRPs and their stability/convergence programmes to the EC.

- **May:** The EC assesses the programmes submitted by the Member States and proposes CSRs as appropriate. These recommendations provide tailor-made policy advice to Member States in areas deemed as priorities for the next 12-18 months. These are discussed by the Council and endorsed by the European Council in its June meeting.

- **June/July:** The Council (ECOFIN) formally adopts the CSRs.
Table 2. The European Semester

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<tr>
<th>Phases</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
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<td>Preparatory phase: Analysis of the situation and follow up to the previous year</td>
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<td>Phase 1: Policy Guidance at the EU level</td>
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<td>Phase 2: Country-specific objectives, policies and plans</td>
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<td>Phase 3: Implementation</td>
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*Alert Mechanism Report.

3. Accountability system

Where recommendations are not acted on within the given timeframe, policy warnings can be issued. The funds provided by the European Commission (EC) to Member States to implement the Country-Specific Recommendations (CSRs) are an important lever for implementation. To implement the policies and ensure wide ownership, the EC cooperates closely with the European Parliament, the EU advisory bodies (CoR and EESC) and the Member States, notably to organize the fact-finding missions and bilateral meetings between the national authorities and the EC. Such cooperation involves national parliaments, social partners, regions and other stakeholders.

As mentioned above, the main implementation process is a soft governance tool – the Open Method of Coordination (OMC). In terms of accountability and monitoring, important tools at EU level are the Joint Employment Report (JER – including the monitoring tools developed by EMCO) and the Country Reports of the EC, which assess progress made in terms of implementation towards the Europe 2020 goals and the implementation of the CSRs.

At the national level, the National Reform Programmes (NRPs) are an important accountability instrument.

4. Financing system

The main instruments to support the implementation of the employment policy and targets are the European Social Fund (ESF) and the EU Programme for Employment and Social Innovation (EaSI).

4.1 European Social Fund (ESF)

The ESF was created in the Treaty of Rome in 1957. It is the EU's main financial instrument for supporting employment, and promoting economic and social cohesion in the Member States. The aim of ESF is to support the creation of more and better jobs in the EU by co-funding national,
regional and local projects that improve the levels of employment, the quality of jobs, and the inclusiveness of the labour market in the Member States and their regions.

The ESF strategy and budget is negotiated between the EU Member States, the European Parliament and the European Commission (EC). The strategy defines the objectives of ESF funding. For the current ESF funding cycle (2014-2021) these objectives are: 1) the regional competitiveness and employment objective - to reinforce regional competitiveness, employment and attractiveness for investment; and 2) the convergence objective - to stimulate growth and employment in the least-developed regions. The second objective receives more than 80 per cent of total ESF funding. For the richer Member States and regions, ESF funding complements existing national employment initiatives; for less-wealthy Member States, ESF funding can be the main source of funds for employment-related initiatives.

While the strategy definition is done at the EU level, implementation of ESF funding is the responsibility of EU Member States and regions. Once the strategy and budget allocation have been agreed, a shared approach to programming is taken. Seven-year Operational Programmes are planned by Member States and their regions together with the EC. These Operational Programmes describe the fields of activity that will be funded, which can be geographical or thematic.

Implementation of the ESF on the ground is achieved through projects which are applied for and implemented by a wide range of organizations, both in the public and private sector. These include national, regional and local authorities, educational and training institutions, non-governmental organizations (NGOs) and the voluntary sector, as well as social partners, for example, trade unions and work councils, industry and professional associations, or individual companies.

The Member States designate national ESF management authorities that are responsible for selecting projects, disbursing funds, and evaluating the progress and results. Certification and auditing authorities are also appointed to monitor and ensure compliance of expenditure with ESF regulations.

4.2 EU Programme for Employment

The EaSI programme brings together three existing programmes (PROGRESS, EURES and Progress Microfinance) previously managed separately; it is managed directly by the EC. Concerning the implementation of employment policy, its PROGRESS axis is important as it supports the EU and its Member States in the thematic areas of employment (especially addressing youth unemployment), social protection, inclusion and working conditions. It aims to generate and disseminate analytical and comparative knowledge, facilitate mutual learning and information sharing, provide financial support to test innovations in social and labour market policy.

5. Summary

Employment policy has become one of the main issues in the European Union during the last decade, especially in the context of the Eurozone crisis, but also even before the financial crisis in 2008. Since the implementation of the European Employment Strategy, high employment rates and job creation have been targeted.

In the EU, employment policies including the targets, policy contents, institutional setup, and budget have always been integrated into the broader economic policy framework where they are interrelated and mutually supportive. This gives the implementation of employment policies strong support in terms of political commitment, governance structure and budgetary arrangements.

Coordination has been a critical ingredient of employment policies in the EU since 1957 when the Treaty of Rome was signed and the European Social Fund (ESF) was established to support employment policy implementation. In 1993, an annual report on employment policy implementation was required in the White Paper on Growth, Competitive and Employment. The 1997 Treaty of Amsterdam provided a legal basis for the coordination of employment policy at the EU level, with the insertion of the “Employment Title”. The later adopted European Employment Strategy (EES) included the Employment Guidelines to better coordinate the employment policies of Member States. When the Lisbon Strategy (2000-2010) was launched, the European Council introduced the new Open Method of Coordination (OMC) to enhance coordination of Member States’ policies in different areas. Since 2010, the European 2020 Strategy established the European Semester, a process for economic and employment policy coordination.

Over the course of the EU integration process, the EU institutions have taken a stronger role in coordinating, monitoring and supporting employment policies in the Member States. Many stakeholders at both the national as well as at the EU level, such as social partners, civil society, governments, EU institutions and bodies, are included in the process of policy formulation and implementation.

Accountability largely takes place within the European Semester process with peer review and multilateral surveillance in the advisory bodies of the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO). Key documents are the Joint Employment Report (JER), the European Commission’s (EC) country reports and the National Reform Programmes (NRPs) at the national level.
Endnotes

1 This Research brief was prepared by Yadong Wang and Irene Wintermayr, based on Zimmermann and Fuentes (2014), Employment policy implementation mechanism in the European Union, the United Kingdom and Germany (Employment Working Paper No.160, Geneva: ILO) as well as other documents. Claire Courtelle provided support. Lukas Lehner commented and Aurelio Parisotto reviewed the Research brief.

2 The following countries are covered: Argentina, Bosnia and Herzegovina, Burkina Faso, Brazil, China, Republic of Korea, South Africa, and the European Union (EU) including from Argentina and South Africa, the other countries mentioned here have ratified ILO’s Employment Policy Convention, 1964 (No. 122).

3 Workers whose jobs were threatened by industrial restructurings in the coal and steel sectors benefited from “re-adaptation aid” in the European Coal and Steel Community (ECSC) (see: http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_5.10.3.html).


5 http://www.eurpap.europa.eu/summits/ess1_en.htm


7 Art. 109 of the Treaty of Amsterdam.

8 The Treaty of Amsterdam formally entered into force only in 1999.


11 https://ec.europa.eu/info/strategy/european-semester/framework/europe-2020-strategy_en

12 The European Semester was created in 2010 and came into operation in 2011. It has been adjusted over the years with the last changes introduced in 2015; efforts have been made to streamline the process and to better involve social partners (see: http://ec.europa.eu/rapid/press-release_MEMO-11-14_en.htm).


14 http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2757&furtherNews=yes

15 http://ec.europa.eu/social/main.jsp?langId=en&catId=1223


17 However, the Employment Guidelines are not identical to the employment and social targets in the Europe 2020 strategy.


19 The 2017 report is available at: http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2757&furtherNews=yes


22 The EPSCO not only deals with employment but also with policy fields related to social, health and consumer affairs policy.


24 See, for example, its assessment of the 2016 CSRs and the implementation of the 2015 CSRs as well as messages from the 2016 multilateral surveillance cycle at: http://data.consilium.europa.eu/doc/document/ST-9684-2016-INIT/EN/pdf.


27 Art. 147 of the Treaty on the Functioning of the European Union.


29 In 2017 country reports were published for all Member States except Greece as it was under an Economic Adjustment Programme due to its economic and financial situation.

30 See, for example, the EPSCO Conclusions of March 2017 at: http://www.consilium.europa.eu/en/meetings/epsco/2017/03/03/.


33 The aim is to strengthen the European job mobility network that provides information, guidance and recruitment/placement services to employers, jobseekers and citizens wanting to make use of their freedom of movement.

34 Aims to provide microcredits to vulnerable groups and to foster social entrepreneurship.