



Employment, Social Policy, Health and Consumer Affairs

Luxembourg, 13 and 14 June 2019

The Council meeting on 13 June 2019 will be chaired by **Marius-Constantin Budăi**, Minister of Labour and Social Justice of Romania, and will be dedicated to employment and social policy issues.

The session will be preceded by a vote to select the seat of the future **European Labour Authority (ELA)**. In case the selection process is not completed by the beginning of the session, the vote will continue later in the day.

The session will begin at **10.00** with the approval of "A" items followed by a policy debate on the **European Semester 2019**. The presidency will then present to ministers a progress report on the **directive on equal treatment**.

Ministers are also expected to adopt conclusions on **Closing the Gender Pay Gap: Key Policies and Measures**.

Over lunch they will hold a discussion on **Promoting fair mobility to enhance labour market outcomes**, with the participation of Eugen Orlando Teodorovici, Minister of Public Finance of Romania, as special guest.

During the afternoon session the Council is expected to adopt **conclusions on**:

- **The changing world of work**: reflections on new forms of work and implications for the safety and health of workers
- **European Court of Auditors' Special Report No 5/2019**: "FEAD - Fund for European Aid to the Most Deprived: Valuable support but its contribution to reducing poverty is not yet established"

A press conference with minister **Marius-Constantin Budăi** and Commissioner **Marianne Thyssen** will be held at **16.30** (tbc).

The Council meeting on 14 June 2019 will start at **10.00** and will be chaired by **Sorina Pinte**a, Minister of Health of Romania. Only health issues will be on the agenda.

Ministers are expected to adopt conclusions on **the next steps towards making the EU a best practice region in combatting antimicrobial resistance** and to hold a public debate on **facilitating investments to transform and improve health systems**.

A press conference with minister **Sorina Pinte**a and Commissioner **Vytenis Andriukaitis** will be held at **13.15** (tbc).

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*Press conferences and public events by video streaming: <http://video.consilium.europa.eu>
Video coverage in broadcast quality (MPEG4) and photo gallery: <https://europa.eu/hM79kk>*

¹ This note has been drawn up under the responsibility of the press office.

European Semester 2019 - public debate

Ministers will hold a public policy debate on the employment and social policy aspects of the European Semester 2019, based on a note prepared by the Employment Committee (EMCO) and the Social Protection Committee (SPC) (9879/19). The outcome of the discussions will feed into a note for the European Council discussions on 21-22 June.

The debate will be steered by a presidency note containing three questions ([9878/19](#)):

1. Is the European Semester an effective tool for ensuring that Member States improve their employment and social performance in a coordinated manner, including by achieving the Europe 2020 targets?
2. How could the Semester process be further adjusted to enhance its social dimension, including by ensuring that social considerations are properly taken into account in other policy areas?
3. Through which measures could Member States increase ownership of the European Semester process in order to enhance the effective and coordinated implementation of the CSRs and national reforms?

Due to the European elections, the Commission delayed the publication of the proposals on the country-specific recommendations (CSR's). This did not allow sufficient time for member states to coordinate their positions and for EMCO and SPC to examine the proposals before the Council meetings on 13-14 June and European Council on 21-22 June. Therefore, as an exception to the established practice, the June EPSCO will not discuss the CSR's, approve the national reform programmes or adopt the employment guidelines. This is expected to take place at an additional EPSCO meeting, scheduled for the beginning of July under the Finnish presidency.

Directive on Equal Treatment

The Council will take note of a progress report on the proposal for a directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation ([9567/1/19](#)).

The aim of the proposal is to extend the protection against discrimination on the grounds of religion or belief, disability, age or sexual orientation to areas outside employment. The proposed directive would prohibit discrimination on the above-mentioned grounds in the following areas:

- social protection, including social security and healthcare
- education
- access to goods and services, including housing

A large majority of delegations support the proposal and welcome its aim to complete the existing legal framework by encompassing all four grounds of discrimination. Many delegations have also highlighted its importance in promoting equal treatment as a shared social value within the EU.

However, a number of delegations consider that the proposal infringes on national competences in certain areas. They also continue to question the inclusion of social protection and education within its scope. All delegations have maintained scrutiny reservations on the text.

The Romanian presidency has made progress on a number of issues, including discrimination on multiple grounds, discrimination by assumption and by instruction, proportionate differences in treatment, and accessibility.

The European Commission (EC) adopted the proposal on 2 July 2008. At this stage, it has affirmed its original proposal and maintains a scrutiny reservation on any changes.

The European Parliament (EP) adopted its opinion under the consultation procedure on 2 April 2009. Following the entry into force of the Lisbon Treaty on 1 December 2009, the proposal now falls under Article 19 of the Treaty on the Functioning of the European Union, which means that unanimity in the Council is required and that the EP will have to be re-consulted before the directive can be adopted.

Conclusions on Closing the Gender Pay Gap: Key Policies and Measures

The Council will adopt conclusions on Closing the Gender Pay Gap: Key Policies and Measures ([9804/19](#)).

Closing the gender pay gap is a priority for the Romanian presidency and also remains a priority at EU and national level. The conclusions recognise that equality between men and women is a fundamental principle of the European Union enshrined in the Treaties. They also take note that according to Eurostat, the gender pay gap in the EU is still approximately 16% and is only very slowly decreasing or is even increasing in some Member States. Further to that, the gender overall earnings gap indicator shows that the gender gap is around 40% in the EU-28.

A research by the European Institute for Gender Equality (EIGE) reveals that women across the EU are four times more likely than men to work part time or on temporary contracts. A fifth of women living in poverty are not active in the labour market due to caring and domestic responsibilities.

Against this background, the conclusions call on member states, in accordance with their competences and taking into account national circumstances, to examine and improve all available measures or to introduce new ones with a view to:

- ensure the effective enforcement of the legal principle of equal pay for equal work or work of equal value at the national level
- promote equality in education and employment in order to address labour market segregation
- facilitate the reconciliation of work, family and private life for both women and men

The conclusions also call on member states and the Commission to take measures such as eliminating gender stereotypes, improving pay transparency, facilitating more women to apply for management positions or encouraging employers to support men in taking up parental leave and other family-related leaves.

Conclusions on the changing world of work

Ministers will adopt conclusions on The changing world of work: reflections on new forms of work and implications for the safety and health of workers ([9686/19](#)).

The conclusions focus on occupational health and safety in relation to the new forms of work, in particular due to digitalisation, robotisation, use of artificial intelligence and the development of the digital platform economy. They recognise that in this context new forms of work emerge, contributing to social inclusion, but also presenting serious challenges for traditional employment arrangements, as well as for ensuring adequate levels of workers' protection.

Against this background, the Council conclusions call on member states and the Commission to undertake a range of actions to ensure decent work and fair working conditions, as well as high levels of occupational safety and health in the framework of new forms of work, such as:

- to examine the impact of new forms of work on working conditions and on workers' safety and health
- to explore complementary procedures and tools to traditional inspection and control procedures for compliance with occupational safety and health and labour law rules
- to explore how digital technologies can be better exploited to support employers, workers, labour inspectorates and in particular micro and small enterprises, in managing the changes in work organisation in the best interest of workers

Conclusions on the European Court of Auditors' Special Report No 5/2019

Ministers are expected to adopt conclusions on the European Court of Auditors' Special Report No 5/2019: "FEAD - Fund for European Aid to the Most Deprived: Valuable support but its contribution to reducing poverty is not yet established" ([9575/19](#)). The adoption of Council conclusions as a response to all special reports of the European Court of Auditors (ECA) is a well-established practice.

In its conclusions, the Council notes three recommendations by the ECA:

- better targeting of FEAD aid
- safeguarding of social inclusion measures for recipients of basic material assistance
- improvements to the assessment of the social inclusion of FEAD end recipients.

The Council considers that these concluding recommendations should be taken into account, where and as far as relevant, including in knowledge sharing and peer learning in relation to FEAD measures.

The FEAD provides €3.8 billion of EU funding for the programme period 2014-2020. Between 2014 and 2017 the FEAD supported on average 12.7 million persons per year. It is for Member States to define those most exposed to poverty ("most deprived") to whom FEAD support should be provided through operational programmes at national level.

Conclusions on the next steps towards making the EU a best practice region in combatting antimicrobial resistance

Ministers are expected to adopt Council conclusions on the next steps towards making the EU a best practice region in combatting antimicrobial resistance (AMR) ([9765/19](#)). The conclusions are based on the outcome of a conference, organised on 1 March 2019 in Bucharest by the Romanian presidency in a broader framework of implementing the 2017 European One Health Action Plan against antimicrobial resistance and on discussions held in the Council preparatory bodies.

Among the main aspects covered by the conclusions are:

- encouraging close cooperation and solidarity among member states to support actions aimed at combating AMR
- implementing and expanding research agendas with the aim of developing new antimicrobials, vaccines, alternatives to antimicrobials, improved rapid diagnostics and renewed and better use of old antibiotics
- establishing national targets, including reduction in the overall use of antimicrobials and monitoring progress towards reducing spread of AMR
- encouraging research and development of new antimicrobial and alternatives and antibiotics
- increasing awareness and understanding of the AMR by the public, health professionals, farmers and veterinarians

AMR is considered a serious threat to public health and also has a significant impact on the environment and the economy as a whole, not least because of the associated costs carried by the healthcare systems in order to combat it. The issue of AMR is a major priority for the EU. Already in 2012, 2014 and 2016 three sets of Council conclusions were adopted in this regard.

Facilitating investments to transform and improve health systems - exchange of views

Ministers will hold an exchange of views on ways to ensure that funding made available through EU funds is best used for health-related investments ([9769/19](#)).

The presidency has prepared the debate in the context of discussions on a new set of EU funding tools that will be set-up under the next multi-annual financial framework (MFF). The aim of the exchange of views is to:

- take stock of good practices in using EU funding for health investments
- reflect on how to better use EU funds for the benefit of health systems across the Union.

To steer the debate among ministers, the presidency has proposed the following questions:

1. Based on the past experience, what could be done to optimise the use of financing instruments and funds (including Cohesion policy funds) and match them to investment priorities in the health sector?
2. What would be the most appropriate means of ensuring synergies between the different EU support instruments available for the health sector?

ELA seat selection

On 13 June, in the margins of the Council, representatives of member states will hold a vote to select the seat of the future European Labour Authority (ELA) ([7491/19](#)). The vote will begin at 9.00 before the Council session. In case the selection process is not completed by the beginning of the session, the vote will continue later in the day.

The voting process should consist of successive voting rounds. The votes are cast by secret ballot and each member state has one vote.

If within the first voting round one offer receives more than half of the votes counted, this offer will be considered the selected offer. This first voting round process shall be repeated until either one offer has received more than half of the votes counted or only two offers have received the highest number of votes. In the latter case, these two offers will participate in the second voting round, where each member state has one vote that it can give to one of the two offers which have been chosen for the second voting round.

If one offer receives more than half of the votes counted, thereby constituting the majority, this offer will be considered the selected offer. In case of a tie, new vote(s) will take place until one offer has received the majority of votes. The decision on the seat of ELA reflecting the outcome of the voting process will be confirmed by common agreement of the Member States' representatives.

Four EU countries have sent offers to the Council to host the seat of the future European Labour Authority in the following cities:

- Sofia (Bulgaria)
- Nicosia (Cyprus)
- Riga (Latvia)
- Bratislava (Slovakia)

Any other business (13/06/2019)

1. Ministers will be briefed by the Commission on the issue of gender balance on company boards ([9823/19](#)). The Commission will present the latest relevant data in this context, confirming the positive impact of gender diversity in management on business performance, but also highlighting that the EU still scores low when it comes to equality in decision-making, and that the gap between member states is widening.
2. The Presidency will provide information on two current legislative proposals:
 - Regulation on European Social Statistics
 - Revision of the Regulations on Coordination of Social Security Systems (883/04 and 987/09)

An agreement on the proposal for a regulation on European social statistics between the Romanian presidency and the European Parliament was reached in March. The adoption procedure will be finalised in autumn 2019.

Despite the progress achieved in the negotiations on the revision of the regulations on coordination of social security systems, it was not possible to reach an agreement acceptable to a qualified majority of member states in time before the last EP plenary session in April. Negotiations will continue once the new EP is ready to work on legislative files.

3. The presidency will provide information on the following conferences, held in the past six months in Romania ([9822/19](#)):
 - Labour Mobility, a key element in ensuring balance of labour market, 2-3 April 2019, Bucharest
 - Occupational safety and health in the new world of work. Experiences and practices in Member States, 9 April 2019, Bucharest
 - Children's Participation in Decision-Making and Policy-Making at the European Union level, 6-7 May 2019, Bucharest
 - The Role and Status of Women in Modern Society- Between Empowerment, Leadership and Gender Discrimination, 29-30 May 2019, Bucharest
4. The presidency will inform ministers on the outcome of the first EU - Western Balkans Ministerial meeting on employment and social affairs, which will take place on 12 June, the day before the Council meeting.
5. The Maltese delegation will brief ministers on the outcome of the first EU - Arab High Level Meeting on Disability Rights (Malta, 25 April 2019) ([9733/19](#)). The Maltese government hosted the meeting, in collaboration with the United Nations Economic and Social Commission for Western Asia (ESCWA).
6. The Maltese delegation will also provide information on the prioritization of gender budgeting in the future multiannual financial framework (MFF) ([9824/19](#)). In the note it is highlighted that gender budgeting should imperatively feature as a horizontal policy in the entire MFF and its funding programmes.
7. The Finnish delegation will present the priorities of the incoming presidency in the area of employment and social affairs.

Any other business (14/06/2019)

1. Ministers will be informed on the state of play in relation to the proposed Regulation on Health Technology Assessment ([9770/19](#)). The proposal ([5844/18](#)) comprises four main areas of work at EU level: joint clinical assessments; joint scientific consultations; identification of emerging health technologies; and voluntary cooperation on health technology assessment. It also intends to set common rules for national clinical assessments. .
 2. The Irish and German delegations will provide information on the implementation of Regulation (EU) 2017/745 on medical devices (MDR) ([9774/19](#)).
 3. The presidency will provide information on the outcome of the informal meeting of health ministers (Bucharest, 14-15 April 2019) and of other meetings ([9775/19](#)).
 4. The Commission will brief ministers on the measles situation in the EU and the European Economic Area (EEA) ([9913/19](#)).
 5. Ministers will also be informed on the work programme of the incoming Finnish presidency in the area of health.
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