

# Enhanced cooperation between Public Employment Services (PES)

2013/0202(COD) - 16/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 509 votes to 21 with 43 abstentions, a legislative resolution on the proposal for a decision of the European Parliament and of the Council on enhanced co-operation between Public Employment Services (PES).

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise between Parliament and Council. They amend the Commission's proposal as follows:

**Formalise and strengthen existing informal cooperation:** the Decision should aim to encourage cooperation between Member States within the areas of PES responsibility. It formalised and strengthened the informal cooperation between the PES via the current European Network of Heads of PES, in which all Member States had agreed to participate. The full potential value of the Network resided in the **continued participation of all Member States**.

**Establishment of the Network :** the decision established a Union-wide network of Public Employment Services (PES) to 31 December 2020 composed of:

- the PES as nominated by the Member States;
- the Commission.

EMCO should have an observer status.

Member States with sub-national autonomous PES should ensure their adequate representation in the specific initiatives of the Network.

**Bench learning:** for the purposes of the activities of the Network, 'bench learning' meant the process of creating a systematic and integrated link between benchmarking and mutual learning activities, that consisted of **identifying good performances through indicator-based benchmarking systems**, including data collection, data validation, data consolidation and assessments, with appropriate methodology, and of using findings for tangible and evidence-informed **mutual learning activities**, including good or best practice models.

**Objectives of cooperation between Member States:** through the Network in the field of employment, Member States should cooperate in the following areas:

- the most vulnerable social groups with high unemployment rates, especially older workers and young persons not in employment, education or training ('NEETs');
- decent and sustainable work;
- the better functioning of the labour markets in the EU;
- the identification of skills shortages and the provision of information on their extent and location, as well as the better matching of the skills of job-seekers with the needs of employers;
- the better integration of labour markets;
- increased voluntary geographical and occupational mobility on a fair basis to meet specific labour market needs;

- the integration of persons excluded from the labour market as part of the combat against social exclusion;
- the evaluation and assessment of active labour market initiatives and their effective and efficient implementation.

**Cooperation with social partners:** the Network should initiate cooperation with relevant labour market stakeholders including other providers of employment services, and, where appropriate, social partners, organisations representing unemployed persons or vulnerable groups, NGOs working in the field of employment, regional and local authorities, the European Lifelong Guidance Policy Network and private employment services, by involving them in relevant activities and meetings of the Network.

**Initiatives of the Network:** the Network shall, in particular, carry out the following initiatives:

- the development and implementation of Union-wide, evidence-based bench learning among PES to compare the performance of their activities in the following areas: (i) contribution to reducing unemployment for all age groups and for vulnerable groups; (ii) contribution to reducing the duration of unemployment and reducing inactivity; (iii) filling of vacancies (including through voluntary labour mobility); (iv) customer satisfaction with PES services.
- the provision of mutual assistance, either in the form of peer-to-peer or group activities, through cooperation, exchanges of information, experiences and staff between the members of the Network ;
- adopt and implement its annual work programme setting out its working methods, deliverables and the details related to the implementation of bench learning;
- promote and share best practices on the identification of NEETs and on the development of initiatives to ensure those young people gain the skills necessary to enter and remain in the labour market.

Member States shall remain competent to decide whether to engage on a voluntary basis in additional bench learning exercises in areas other than those listed.

**Functioning of the Network:** the Network should be governed by a Board. The text made provision for the management and composition of the Network.

**Financing:** the global resources for the implementation of this Decision should be established within the PROGRESS/employment section of EaSI, the annual appropriations of which should be authorised by the European Parliament and by the Council within the limits of the financial framework.

**Annual report:** the Network should set out the technical framework for the **delivery of the benchmarking and mutual learning activities**, as part of the annual work programme of the Network, including the bench learning methodology on the basis of the benchmarking indicators as set out in the Annex to this Decision to compare PES performance, the context variables, the data delivery requirements, and the learning instruments of the integrated mutual learning programme.

**Review:** three years after entry into force of the Decision, the Commission should submit a report on the application of the Decision to assess to what extent the Network had contributed to the achievement of the objectives and whether it has fulfilled its tasks.

**Annex:** an Annex set out the indicators for evaluating bench learning.

**Delegated acts:** the Commission should be empowered to adopt delegated acts regarding the amendment of the Annex on indicators for bench learning.

**Unilateral declaration by the European Parliament:** whilst welcoming the creation of the Network, Members recalled that Article 149 TFEU provided that the **European Parliament and the Council may**

**adopt incentive measures designed to encourage cooperation between Member States in the field of employment.** Such acts were legislative acts and may provide for legally binding obligations, however, without harmonising laws and regulations of Member States. Parliament considered that that setting up the network of cooperation between PES was an incentive measure falling within the scope of Article 149 TFEU. Therefore, **all Member States should participate in the Network**, as the non-participation of a Member State in a Union policy could not be justified by the mere wish of Member States.