Working conditions and precarious employment

2016/2221(INI) - 14/06/2017 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs adopted the own-initiative report by Neoklis SYLIKIOTIS (GUE/NGL, CY) on working conditions and precarious employment.

Members noted that during the last 10 years standard employment has fallen from 62 % to 59 %. If this trend continues it may well become the case that standard contracts will only apply to a minority of workers.

Towards decent work - addressing working conditions and precarious employment: noting that here is no common definition of precarious employment so far, Members called on Member States to take into account the following: **International Labour Organisation (ILO) indicators** to **determine the existence of an employment relationship:**

- little or no job security owing to the non-permanent nature of the work, as in involuntary and often marginal part-time contracts, and, in some Member States, unclear working hours and duties that change owing to on-demand work;
- rudimentary protection from dismissal and lack of sufficient social protection in case of dismissal;
- insufficient remuneration for a decent living;
- no or limited social protection rights or benefits;
- no or limited protection against any form of discrimination;
- no or limited prospects for advancement in the labour market or career development and training;
- low level of collective rights and limited right to collective representation;
- a working environment that fails to meet minimum health and safety standards.

The committee recalled the **ILO definition of 'decent work'**, which states that such work should be productive and deliver a fair income, with a safe workplace and social protection, better prospects for personal development and social integration, freedom for people to express their concerns, and participate in the decisions that affect their lives, with equality of opportunity and treatment for all women and men. The committee encouraged the Commission and the Member States to endorse this definition when reviewing or developing employment legislation.

At the same time, it called on the Commission and Members States to adopt economic policies to ensure job creation, and rights at work in accordance with the ILO Decent Work Agenda.

Members also stressed that digitalisation and automation, are contributing to the transformation of the nature of work, including the rise in new forms of employment. This in turn might need new forms of protection. They highlighted the fact that workers with very short contracts are those most exposed to adverse conditions and that atypical labour relations are being overused to the point of abuse.

The Commission and Member States are therefore called upon to strengthen **social dialogue** in the work place as well as reinforce **labour inspectorates**, particularly in sectors that employ migrants.

Proposals: overall, the report asked the Commission and Member States to **tackle precarious employment, including undeclared work and bogus self-employment**, in line with the ILO Decent Work Agenda, and the European Social Charter.

It called on the Commission and the Member States to:

-

increase **job quality in non-standard jobs** by providing, at the least, a set of minimum standards as regards social protection, minimum wage levels and access to training and development;

- ensure that **national social security systems are fit for purpose** when it comes to new forms of employment;
- assess new forms of employment driven by digitalization and the collaborative economy;
- ensure that individual self-employed workers who are legally considered a sole- member company have the right to **collective bargaining**;
- adopt targeted policies to protect workers in the **informal economy**;
- protect vulnerable workers such as disabled people, migrants or women working in precarious conditions;
- tackle the phenomenon of 'mobbing' in the workplace, including the harassment of pregnant female employees or any disadvantage experienced after returning from maternity leave;
- ensure decent working conditions for all **first work experience opportunities** for young people, such as internships
- ensure the rights of seasonal workers.

Lastly, Members considered that under no circumstances should increase demands for flexibility on the labour market result in women continuing to be over-represented in atypical employment and among those with insecure employment status.