Basic information

2016/2221(INI) INI - Own-initiative procedure	Procedure completed
Working conditions and precarious employment **Subject** 4.15.04 Workforce, occupational mobility, job conversion, working conditions	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	SYLIKIOTIS Neoklis (GUE/NGL)	11/11/2015
	Shadow rapporteur ROLIN Claude (PPE) SIMON Siôn (S&D) MCINTYRE Anthea (ECR) DLABAJOVÁ Martina (ALDE) REINTKE Terry (Verts/ALE) AGEA Laura (EFDD) MARTIN Dominique (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	DĂNCILĂ Viorica (S&D)	13/07/2016
FEMM Women's Rights and Gender Equality	PIMENTA LOPES João (GUE/NGL)	19/09/2016

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	THYSSEN Marianne

Key events

Date	Event	Reference	Summary

15/09/2016	Committee referral announced in Parliament		
30/05/2017	Vote in committee		
14/06/2017	Committee report tabled for plenary	A8-0224/2017	Summary
03/07/2017	Debate in Parliament		
04/07/2017	Decision by Parliament	T8-0290/2017	Summary
04/07/2017	Results of vote in Parliament		
04/07/2017	End of procedure in Parliament		

Technical information	
Procedure reference	2016/2221(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/8/04582

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE587.795	16/11/2016	
Committee opinion	FEMM	PE595.615	09/02/2017	
Amendments tabled in committee		PE597.730	22/02/2017	
Committee opinion	AGRI	PE592.286	28/02/2017	
Amendments tabled in committee		PE601.282	29/05/2017	
Committee report tabled for plenary, single reading		A8-0224/2017	14/06/2017	Summary
Text adopted by Parliament, single reading		T8-0290/2017	04/07/2017	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2017)619	01/12/2017	

Working conditions and precarious employment

2016/2221(INI) - 04/07/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 504 votes to 111, with 59 abstentions, a resolution on working conditions and precarious employment.

It should be noted that an alternative motion for a resolution tabled by the ENF Group was rejected in plenary by 65 votes to 622, with 4 abstentions.

Parliament 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.

It noted that the **risk of precariousness depends on the type of contract** but also on the following factors:

- 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.

Parliament highlighted that decent work should specifically provide:

- a living wage, also guaranteeing the right of freedom of association;
- collective agreements in line with Member States' practices;
- workers' participation in company matters in line with Member States' practices;
- respect of collective bargaining;
- equal treatment of workers in the same workplace;
- workplace health and safety;
- social security protection for workers and their dependents;
- provisions on working and rest time;
- protection against dismissal;
- access to training and lifelong learning;
- support for work-life balance for all workers.

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.

Parliament 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. It 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 Parliament 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;
- introduce new measures to improve **worker mobility**;
- ensure the rights of seasonal workers;
- **combat undeclared work**, bogus self-employment and all forms of illegal employment practices which undermine workers' rights and social security systems.

Lastly, Parliament 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.

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.