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EUROCHAMBRES' reaction to the Commission's roadmap on more efficient law-making in social policy

In his September 2018 letter to the European Parliament and the Council, European Commission's President Jean Claude Juncker announced an initiative on more efficient decision-making in social policy. The announcement was followed by a roadmap published in December 2018 with the objective to explore the possibilities to make the decision-making on social policy more efficient through the use of qualified majority voting. This contribution presents EUROCHAMBRES' view on this matter.

The very vast majority of social policy domains at EU level are already governed by qualified majority voting. **EUROCHAMBRES opposes the introduction of more qualified majority voting in social policy and argues that the areas falling under unanimity should be maintained as such.**

Despite the importance of the objective to pursue an overall more effective law-making process at EU level, an enhanced use of qualified majority voting in social policy - through the use of the passerelle clause - is not considered adequate nor desirable. Far from being purely a matter of effectiveness, discussions on the use of the passerelle clause in this domain cannot overlook the political dimension involved and the significantly differing realities in the EU Member States.

The areas of social policy governed by unanimity voting rules include protection after the termination of an employment contract, social representation and the defence of workers' and employers' interests, employment conditions for third-country nationals legally residing in the EU, social security and social protection of workers. Considering the sensitivity of such issues as well as the diversity of EU Member States traditions and of their social security and social protection systems, the use of unanimity appears to be justified.

This voting system ensures that the interests of all member states are preserved and that all of them recognise the added value of EU action in the areas concerned. This is particularly relevant in the current political context, where the EU idea and legitimacy are increasingly challenged. EUROCHAMBRES is concerned that, rather than enhancing the efficiency and effectiveness of the EU law-making, opening a debate on the use of the passerelle clause in social policy might exacerbate tensions between EU Member States, besides generating confusion on the division of competences between national and EU level.

EUROCHAMBRES therefore reiterates that unanimity voting rules should be maintained in the relevant areas of social policy.

As a final remark, while welcoming the opportunity to react to the Commission's roadmap, EUROCHAMBRES regrets that the 4-week period for feedback was opened just before the winter holiday period, thereby reducing the opportunity for interested parties to express their views. This is aggravated by the fact that no open public consultation is foreseen.

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