



**COUNCIL OF
THE EUROPEAN UNION**



6854/09 (Presse 50)

PRESS RELEASE

2930th Council meeting

Employment, Social Policy, Health and Consumer Affairs

Brussels, 9 March 2009

President

Petr NEČAS

Deputy Prime Minister and Minister for Labour and Social
Affairs of the Czech Republic

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 5389 / 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

6854/09 (Presse 50)

1
EN

Main results of the Council

The Council held a **policy debate** on the current **financial and economic crisis** and adopted key **messages** in the fields of employment and social policy, intended to be reflected in the Spring European Council Conclusions.

It adopted the **joint reports 2008/2009 on employment**, as well as on **social protection and social inclusion** and reached a political agreement on a Council Recommendation on the 2009 up-date of the **broad guidelines for the economic policies and the implementation of the Member States' employment policies** and a general approach on **guidelines for the employment policies of the Member States as part of the Integrated Guidelines for Growth and Jobs**.

Furthermore, the Council adopted Conclusions on **New Skills for New Jobs: Anticipating and matching labour market and skills needs** and on **professional and geographical mobility of the workforce and the free movement of workers within the European Union**.

CONTENTS¹

PARTICIPANTS.....	4
--------------------------	----------

ITEMS DEBATED

Preparation of the Spring European Council.....	6
Proposal for amending the Regulation on the European Globalisation Adjustment Fund	18
New Skills for New Jobs - <i>Council conclusions</i>	19
Mobility of the workforce and the free movement of workers- <i>Council conclusions</i>	19
Safety and health at work of pregnant workers	20
OTHER BUSINESS	22

OTHER ITEMS APPROVED*JUSTICE AND HOME AFFAIRS*

– Schengen - 2009 budget.....	24
-------------------------------	----

TRANSPORT

– Common basic standards on civil aviation security - Regulatory procedure with scrutiny.....	24
---	----

ENERGY

– Ecodesign requirements for household lamps - Regulatory procedure with scrutiny.....	24
--	----

TRADE POLICY

– Anti-dumping measures - Pallet trucks and plastic bags from Asia.....	25
---	----

SOCIAL AFFAIRS

– Working time Directive	25
--------------------------------	----

¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Joëlle MILQUET

Deputy Prime Minister and Minister for Employment and Equal Opportunities

Bulgaria:

Ms Emilia Radkova MASLAROVA

Minister for Labour and Social Policy

Czech Republic:

Mr Petr NEČAS

Deputy Prime Minister, Minister for Labour and Social Affairs

Mr Michal SEDLÁČEK

Deputy Minister for European Affairs

Denmark:

Mr Claus Hjort FREDERIKSEN

Minister for Employment

Germany:

Ms Ursula VON DER LEYEN

Federal Minister for Family Affairs, Senior Citizens, Women and Youth

Mr Günther HORZETZKY

State Secretary, Federal Ministry of Labour and Social Affairs

Estonia:

Mr Hanno PEVKUR

Minister for Social Affairs

Ireland:

Ms Mary HANAFIN

Minister for Social and Family Affairs

Mr Billy KELLEHER

Minister of State at the Department of Enterprise, Trade and Employment with special responsibility for Labour Affairs

Greece:

Ms Fani PALLI-PETRALIA

Minister for Employment and Social Protection

Spain:

Mr Celestino CORBACHO CHAVES

Minister for Labour and Immigration

France:

Mr Philippe LEGLISE-COSTA

Deputy Permanent Representative

Italy:

Mr Pasquale VIESPOLI

State Secretary for Labour, Health and Social Policy

Cyprus:

Ms Sotirioulla CHARALAMBOUS

Minister for Labour and Social Insurance

Latvia:

Ms Iveta PURNE

Minister for Welfare

Lithuania:

Mr Rimantas Jonas DAGYS

Minister for Social Security and Labour

Luxembourg:

Ms Marie-Josée JACOBS

Minister for the Family and Integration, Minister for Equal Opportunities

Mr François BILTGEN

Minister for Labour and Employment, Minister for Culture, Higher Education and Research, Minister for Religious Affairs

Hungary:

Ms Agnes VARGHA

Deputy Permanent Representative

Malta:

Mr John DALLI

Minister for Social Policy

Netherlands:

Mr Peter W. KOK

Deputy Permanent Representative

Austria:

Mr Rudolf HUNDSTORFER

Federal Minister of Labour, Social Affairs and
Consumer Protection**Poland:**

Mr Radosław MLECZKO

Deputy State Secretary, Ministry of Labour and
Social Policy**Portugal:**

Mr José VIEIRA DA SILVA

Minister for Labour and Social Solidarity

Romania:

Mr Marius LAZĂR

State Secretary, Ministry of Labour, Family and Social
Protection**Slovenia:**

Mr Ivan SVETLIK

Minister for Labour, the Family and Social Affairs

Slovakia:

Mr Peter JAVORCÍČ

Deputy Permanent Representative

Finland:

Ms Katariina POSKIPARTA

State Secretary, Ministry of Employment and
the Economy**Sweden:**

Mr Sven Otto LITTORIN

Minister for Employment

United Kingdom:

Mr Pat McFADDEN

Minister of State for Employment Relations and Postal
Affairs

Mr Jonathan SHAW

Parliamentary Under Secretary of State for Disabled
People and Minister for the South East**Commission:**

Mr Vladimír ŠPIDLA

Member

Other participants:

Mr Aurelio FERNANDEZ LOPES

Chair of the European Social Protection Committee

Mr Bruno COQUET

Vice-Chair of the Employment Committee

ITEMS DEBATED

Preparation of the Spring European Council

The Council held a public policy debate on the present financial and economic crisis, and especially its employment implications, in order to prepare the 2009 Spring EU-Summit, on the basis of questions suggested by the Presidency ([6690/09](#)).

Against the background of rapidly deteriorating perspectives on the EU labour markets, Member States agreed that timely, temporary and targeted measures are necessary to stimulate employment, to limit as far as possible job losses and to mitigate their social impact.

The Ministers considered that helping people to keep their jobs, for example by introducing short time work, and assisting the unemployed to find new ones was crucial in the current economic situation. In addition, the Minister considered that efforts should in particular be targeted towards the most vulnerable people, such as less qualified persons and workers with a low income. They underlined the need to stick to the principles of flexicurity, but at the same time warned of its abuse by weakening social rights.

However, Member States also shared the view that the current crisis could constitute a opportunity for better matching the offer and the demand on the labour market. In this respect, Ministers considered it important reinforcing training measures (for example by using the European Social Fund or when the workers are doing part time work), especially with regard to sectors with an expected potential of creating jobs as environmentally friendly technologies.

All Member States agreed that the short-term measures should be fully in line with the long-term objectives of the Lisbon strategy. Despite the need for short-term measures the structural reforms on the labour market should continue. In this context, some delegations stressed the need to ensure long-term sustainability of public finances.

Furthermore, delegations shared their experiences and gave insights with regard to their own recovery measures, calling for the coordination of these measures at the EU level. They strongly rejected any attempt of taking the crisis as an opportunity for nationalism and protectionism.

Several delegations stressed the importance of amending rapidly the rules of the European Social Funds and of the European Globalisation Adjustment Fund in order to mobilise their resources faster and make full use of them.

All Member States welcomed the opportunity to further take stock of the developments in employment and social area at the Informal European Employment Summit on 7 May in Prague.

– Key Messages

The Council adopted the following key messages in the fields of employment and social policy and agreed to transmit them to the Spring European Council as the EPSCO Council's contribution:

"The EPSCO Council submits the following key messages to the Spring European Council:

Employment and social policies in times of economic crisis

1. The economic and financial crisis is hitting hard and calls for urgent action.

The Lisbon Strategy has driven successful reforms but a lot remains to be done. Today the EU faces an unprecedented recession which could add 6 million unemployed¹ by 2010 and bring severe social consequences, affecting households and individuals. In many Member States increased flexibility now allows firms to adjust rapidly their production capacities. But the rapid increase of unemployment is central to the concerns of EU's citizens: timely, temporary, targeted measures are necessary to stimulate employment, to prevent and limit job losses and social impacts.

2. Building on solidarity and allowing social protection systems to fully play their role as automatic stabiliser is key to restore and strengthen confidence and help pave the way for recovery. Particular attention should be given to the most vulnerable and to new risks of exclusion.
3. Enhanced coordination between economic, employment and social policies, taking into account the territorial dimension, is necessary to ensure that they are mutually reinforcing and that budgetary efforts proposed in national recovery packages have immediate impact on labour markets and on social cohesion. A strong EU coordinated response, in the framework of the European Economic Recovery Plan, should mobilise all available instruments, including the Community resources, and fully integrate growth, employment, social inclusion and social protection strategies. The direct involvement of all relevant economic and social actors is fundamental to guarantee the effective delivery of policy measures.

¹ Calculation based on the Commission Interim Forecast of January 2009
http://ec.europa.eu/economy_finance/thematic_articles/article13727_en.htm#documents

4. This crisis calls for close monitoring of both employment and social trends in order to better estimate its dimensions and quickly take appropriate action.
5. Direct responses to the crisis should be coherent with longer-term objectives and sound public finances. They should help to step-up the implementation of the reform agenda for a more competitive, stronger, fairer and greener Europe. The Council firmly reiterates that the political framework provided by the Integrated Guidelines, within the current cycle of the Lisbon Strategy is valid and should remain stable. Appropriate country-specific recommendations are a useful tool to keep the focus on reform commitments. Strengthened commitment to enhanced delivery of the Common Social Objectives is needed and a positive mutual interaction between the two frameworks should be further pursued.
6. The Lisbon Strategy has significantly contributed to growth and to more and better jobs. However, none of its overall objectives have been fully attained yet. Inequalities and exclusion persist affecting social cohesion. The reforms and policy mix needed to meet the long-term economic, financial, employment and social and environmental challenges of the EU should be more coherent and mutually reinforcing. These concerns should figure prominently in the definition of the EU long-term reform objectives.

Preventing and tackling unemployment while keeping labour market reforms on track

7. The Council welcomes the Joint Employment Report, the communications linked with growth and jobs and, in particular, the Commission's initiative "New skills for New Jobs". To confront rising unemployment while pursuing measures coherent with long-term objectives, Members States are urged to give immediate priority to:
 - 7.1. **Supporting access to employment and easing transitions** within and into the labour market in order to shorten any spell of unemployment and to increase participation of both women and men. The **common principles of flexicurity** provide, in this context, useful guidance to further modernise labour markets. They are a step forward to strengthen resilience to economic shocks, to improve the quantity and quality of employment to modernise social protection systems and to better reconcile work, and private life.

- 7.2. **Reinforcing access to training and active labour market measures for the unemployed, workers at risk of dismissal and other vulnerable groups** in order for them to remain active, improve their employability and ensure they are ready to take-up new job opportunities brought by recovery. Lifelong learning strategies should promote the upgrading skills throughout the lifecycle with a view to raise adaptability of workers and to facilitate occupational mobility. Investment **to sustain open, efficient and high-quality education and training systems** should help enhance skills and competences that are necessary for the future.
- 7.3. **Improving anticipation and matching of skills with labour market needs** so as to facilitate transitions towards new business activities generating labour demand. As key actors in this action, education and training institutions as well as public employment services should be further modernised in order to improve their work methods and efficiency and provide lifelong career guidance for those in need.
- 7.4. **Supporting employment and job creation** through measures to stabilise the economy, promote the transition towards a low carbon economy and strengthen investment in research & development as well as in fast-growing sectors. Priority should also be given to public infrastructure investments that can strengthen the economic structure and quickly generate new jobs. Consideration could also be given to the reduction of non-wage labour costs. Using internal flexicurity to preserve jobs in healthy businesses and industries may help limit inflows into unemployment while ensuring that companies retain their stock of competences for the economic upturn.
- 7.5. **Avoiding measures that induce premature withdrawal from the labour force**, such as early retirement schemes or age barriers to training opportunities, so that participation in the labour market is retained and increased.
8. In light of the above, the Council will make every effort to limit the increase in unemployment and to avoid any rise in long-term unemployment. It invites the Employment Committee to further survey labour market trends till signs of recovery become visible. Recalling that the European Employment Strategy was born to address significant challenges posed by high EU unemployment and low employment rates, the Committee is also invited to take stock of lessons learnt since 2000, as well as of those brought by the current crisis, and reflect on the employment challenges beyond 2010.

Strengthened commitment to the social inclusion and social protection objectives

9. The Council welcomes the Joint Report on Social Protection and Social Inclusion . In approaching the target year for the 2000 Lisbon strategy and considering the current economic context, a strong political commitment is all the more urgent to achieve the common social protection and social inclusion objectives while fully respecting the competence of Member States. This will be reaffirmed by the 2010 European Year for combating poverty and social exclusion. Against this background Member States would aim in particular at:
- 9.1. Pursuing poverty reduction and social cohesion, through reinforced comprehensive strategies to combat and prevent **poverty and social exclusion of children**, including strengthened provision of accessible and affordable quality child care, and of people with disabilities, the **emergence of new groups at risk of exclusion** such as the young, and new risk situations, including over-indebtedness. Sustained efforts should also tackle **homelessness as an extremely serious form of exclusion**, address the multiple disadvantages facing the **Roma people and their vulnerability to social exclusion** and promote the social inclusion of **migrants**. Balanced and comprehensive Active **Inclusion strategies** aim to enable those whose conditions render them fit for work to enter, or re-enter, and stay in employment and to provide adequate support and facilitate social participation to those who cannot enter the labour market. Together with balanced implementation of flexicurity principles, these strategies, integrating measures aimed at inclusive labour markets, access to quality services and adequate income support, are even more urgent in the current economic context.
- 9.2. Addressing **long term adequacy and sustainability** of pension systems through appropriate reforms, including inter alia the achievement of the Lisbon target of 50% employment rate of older workers and the improvement of the position of low wage earners also in the economic downturn. The current economic context underlines the need to review some scheme design issues such as investment risks, the pay-out phase and coverage.
- 9.3. Improving efficiency of **healthcare systems** and reduce health inequalities through increased attention to primary care, prevention, promotion, quality and safety, better coordination and effective use of resources including e-health, in particular considering budgetary and human resources constraints.

- 9.4. Delivering quality of **long-term care**, to ensure healthy and dignified ageing, creating a solid financing basis, improving care coordination, including coordination between health and social care services, and ensuring the availability of skilled human resources. It is also necessary to support informal long-term carers and continue promoting active ageing.
10. The social impact of the crisis is now increasingly visible across diverse situations in Member States. As revealed from the exchange of information conducted by the Social Protection Committee, Member States are taking, in addition to labour market measures, various actions to support people's income, to mitigate the direct impacts of the financial crisis on households and individuals, and are investing in social and health infrastructure. The Council invites the SPC to pursue the monitoring of social impacts of the economic crisis and of policy measures taken or planned to cushion or limit these impacts.
11. Considering the current context and taking into account the perspective of the post-2010, the essential role of the **Social Open Method of Coordination** could be further enhanced by mainstreaming social considerations in other policy areas through the strengthening of the social dimension of impact assessments, by devoting increased attention to the quality and continuity of stakeholder involvement and by evidence-based national target-setting, while the decision on setting national quantified targets and their definition remains a core responsibility of the Member States.
12. Building on the implementation of the Social Open Method of Coordination, the Council invites the Committee to contribute to the upcoming debate on the post-2010 agenda."

These key messages are intended to be reflected in the Spring European Council conclusions.

– **Joint Reports on Employment 2008/2009 and on Social Protection 2009**

Furthermore, the Council adopted the 2008/2009 joint Commission and Council reports on Employment ([7435/09](#)), and on Social Protection and Social Inclusion ([7503/09](#) + [ADD1](#)) and agreed to forward them to the European Council.

The two reports take stock of progress made and of that still to be made on the achievement of the objectives of the Lisbon strategy for growth and jobs.

In their joint **Employment** Report, the Council and the Commission welcome the strong decrease of unemployment since 2005 and the limited impacts the economic downturn had on EU labour market until the end of 2008.

Against the background of deteriorating labour market prospects they demand however additional measures as called for by the European Economic Recovery Plan and going partly beyond the plans laid out in the National Reform Programmes, especially to ensure that vulnerable groups are not being hit too hard by the economic contraction and to allow social protection to play its full role as an automatic stabiliser.

The Council and the Commission ask the Member States in particular to reinforce their efforts in implementing integrated flexicurity approaches and ensuring better skills matching and upgrading. These priorities should be supported by the European Social Fund (ESF) and the European Globalisation Adjustment Fund. Despite the necessity for short-term measures to alleviate the economic downturn, the Member States should pursue their structural reforms.

Moreover, the Council and the Commission invite the Member States to continue to make every effort to address the priority areas of attracting and retaining more people in employment, increasing labour supply and modernising social protection systems, improving adaptability of workers and enterprises and increasing investment in human capital through better education and skills.

The report is intended to contribute to the European Council's conclusions, on which the employment part of the 2009 guidelines will be based¹.

The joint Report on **Social Protection and Social Inclusion** covers the policies in the fields of social inclusion, pensions, health and long-term care. It gives an overview of the key messages from Member States' new National Strategic Reports outlining strategies to promote the EU's common social objectives and emphasizes the importance appropriate social policies have in mitigating adverse social impact on the most vulnerable and in cushioning the impact of the crisis on the economy as a whole. It further contains a snapshot of the progress achieved so far in fighting poverty and social exclusion, providing adequate and sustainable pensions and ensuring healthcare and long-term care.

In order to reach the Lisbon targets for social protection and inclusion, the report calls for further efforts and suggests strengthening the role of the social open method of coordination by setting evidence-based national targets.

¹ Under the heading "Employment", Article 125 of the Treaty provides that the Member States and the Community are to work towards developing a coordinated strategy for employment, the objectives of which it defines. The joint employment report, the recommendations to the Member States and the annual employment guidelines are all components of the European Employment Strategy (EES) launched by the European Council meeting in Luxembourg in November 1997. The annual EES procedure is defined in Article 128 of the Treaty: on the basis of a *joint annual report by the Council and the Commission*, the European Council shall each year consider the employment situation in the Community and adopt conclusions thereon. On the basis of those conclusions, the Council shall each year draw up *guidelines* which the Member States shall take into account in their employment policies. The Member States shall provide the Council and the Commission with *annual national reform programmes* on the principal measures taken in the light of those guidelines. On the basis of those programmes, the Council shall each year carry out an examination of the implementation of the employment policies of the Member States, and it may make *recommendations* to Member States. In addition, on the basis of the results of that examination, the Council and the Commission shall make a *joint annual report* to the European Council on the employment situation in the Community. Since 1997 the EES has been reinforced by initiatives taken at spring European Council meetings. At present, within the framework of a three-year cycle, the EES has three general objectives: full employment, quality and productivity at work, cohesion and an inclusive labour market.

– Guidelines for the Employment Policies of the Member States

The Council agreed to a general approach¹ on a decision maintaining the current Guidelines for the Employment Policies of the Member States unchanged in 2009 (7436/09)² and to transmit the document to the Spring European Council. Following receipt of the opinions of the European Parliament and of the Economic and Social Committee and the Committee of the Regions, the EPSCO Council is expected to reach political agreement on the Employment Guidelines at its June session.

In 2008, the Council decided that the Integrated Guidelines for 2008-2010 should be valid for three years, and that their updating in the intermediate years should remain strictly limited. The Guidelines for the Employment Policies of the Member State form together with the broad Guidelines for the economic policies the Integrated Guidelines for growth and jobs.³

The Titles of the Employment Guidelines are the following:

- (17) Implement employment policies aiming at achieving full employment, improving quality and productivity at work, and strengthening social and territorial cohesion.
- (18) Promote a life-cycle approach to work.
- (19) Ensure inclusive labour markets, enhance work attractiveness, and make work pay for job-seekers, including disadvantaged people, and the inactive.
- (20) Improve matching of labour market needs.
- (21) Promote flexibility combined with employment security and reduce labour market segmentation, having due regard to the role of the social partners.
- (22) Ensure employment-friendly labour cost developments and wage-setting mechanisms.
- (23) Expand and improve investment in human capital.
- (24) Adapt education and training systems in response to new competence requirements.

¹ It is expected that the European Parliament will deliver its opinion in March.

² Council Decision 2008/618/EC of 15 July 2008 on Guidelines for the Employment Policy of the Member States OJ L 198, 26.7.2008, p. 47-54

³ OJ L 198 of 26.7.2008 p.47 (Employment Guidelines) and OJ L 137 of 27.5.2008 p.13 (Broad Economic Policy Guidelines).

– **2009 up-date of the broad guidelines for the economic policies of the Member States and the implementation of Member States' employment policies**

In addition, the Council reached political agreement on a recommendation on the 2009 up-date of the broad Guidelines for the economic policies of the Member States and the Community and the implementation of Member States' employment policies ([6638/09](#)). This document will be forwarded to the European Council for endorsement and adopted formally by the Council afterwards.

The Integrated Guidelines themselves will remain unchanged, but in order to take into account of the principles of the European Economic Recovery Plan and the progress made with their implementation since their adoption, the **country specific recommendations** will be updated. Each Member State should take action at national level along the lines set out in the Annex of the Broad Guidelines and report on their follow up in their next programmes in the framework of the renewed Lisbon strategy for growth and jobs.

Some specific actions are foreseen for those Member States belonging to the Euro Area.

The recommendation will also be submitted for political agreement to the ECOFIN Council on 10 March.

– **Commission's 2009 Report on equality between women and men**

The Council took note of the Commission's annual report on equality between women and men, as requested by the European Council in Spring 2003¹ ([7017/09](#)). This report will also be transmitted to the Spring European Council.

In its report, the Commission sets out the main progress achieved in the area of equality between women and men in 2008 and outlines the future challenges, including the continuation of efforts to meet the Barcelona targets on the provision of childcare and the active promotion of balanced representation of women and men in the elections to the European Parliament in 2009.

¹ cf. (8410/03, section 47).

– Preparation of the Tripartite Social Summit

As part of the preparation of the Spring European Council, the Council took note of the state of preparation of the tripartite social summit for growth and employment to be held in Brussels on 19 March, prior to the Spring European Council.

The Ministers had the opportunity to comment on two main topics, the current economic and social situation in Europe and the European Economic Recovery Plan.

The task of the tripartite social summit for growth and employment, which was established by Decision 2003/174/EC¹, is to ensure that there is a continuous social dialogue between the Council, the Commission and the social partners at the highest level.

The troika (currently the Czech Presidency and the subsequent Swedish and Spanish Presidencies) of the Heads of State or Government and of Ministers for Employment, Commission's President Barroso, Commissioner Vladimir Špidla, responsible for Employment, Social Affairs and Equal Opportunities, and delegations of the social partners meet before each Spring European Council to examine the components of the re-launched Lisbon strategy for growth and jobs.

¹ OJ L 70, 14.3.2003, p. 31.

Proposal for amending the Regulation on the European Globalisation Adjustment Fund

On the basis of a report of the Presidency ([6476/1/09](#)), the Council took note of the progress achieved with regard to a revision of the Regulation concerning the European Globalisation Adjustment Fund contained in Commission's proposal of 16 December 2008.

A number of Member States intervened by expressing their wish to get an agreement as soon as possible, in order to help citizens who lose their job because of the current economic crisis. Some Ministers called for making the assistance available already from the moment when redundancies are announced by the employer.

Despite the progress so far achieved in the preparatory instances of the Council, more discussion is needed, in particular on the proposal to reduce the trigger from 1000 to 500 redundancies, to increase the co-financing rate from 50% to 75% and to expand temporarily the scope of the fund.

The Presidency concluded the debate by asking the Permanent Representatives Committee to continue the work in order to reach a first reading agreement with the Parliament which is expected to adopt its opinion at its plenary early May.

The Commission's proposal forms a part of the European Economic Recovery Plan. Its main objective is to allow the European Globalisation Adjustment Fund to make interventions earlier by reducing the trigger number from 1000 to 500 redundancies and to strengthen its attractiveness by increasing the co-financing rate for assistance from 50% to 75% and by prolonging the period for the use of a financial contribution from 12 to 24 months. In order to strengthen the solidarity, the European Globalisation Adjustment Fund should also provide support, on a temporary basis, to workers who had lost their jobs as a result of the current financial and economic crisis.

Legal basis proposed: Article 159(3) of the Treaty; qualified majority required for a Council decision; co-decision procedure with the European Parliament applicable.

New Skills for New Jobs - Council conclusions

The Council adopted Conclusions on New Skills for New Jobs: Anticipating and matching labour market and skills needs, see ([6479/09](#)).

These Conclusions form a follow-up to the Commission Communication of 16 December 2008 ([17537/08](#)).

The process "New Skills for New Jobs" was started by the Education Council's Resolution in November 2007 ([14806/07](#)).

Mobility of the workforce and the free movement of workers- Council conclusions

The Council also adopted Conclusions on professional and geographical mobility of the workforce and the free movement of workers within the European Union, see ([6480/09](#)).

These Conclusions are based on a Commission's Communication of 18 November 2008 on the impact of the free movement of workers in the context of EU enlargement ([16162/08](#)) and on the discussion of labour ministers at the Informal EPSCO Council in Luhačovice (Czech Republic) on 22 – 23 January 2009.

Safety and health at work of pregnant workers

The Council held a policy debate on key questions of a Commission's proposal concerning the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

On the basis of questions suggested by the Presidency ([6573/09](#)), a majority of Member States supported the extension of maternity leave entitlement from 14 to 18 weeks. However, some called for opening up the leave also for fathers and to take into account the outcome of the social partners' negotiations on other types of family leave.

A number of Member States wished to keep the right to decide within their national legislation whether a part of maternity leave should be taken before childbirth.

Some Member States expressed concern that a further extension of maternity leave might be at the expense of broader rights to parental leave and might adversely effect the situation of women on the labour market.

Furthermore, Member States agreed that further discussion would be needed concerning the dual legal basis of the proposal, namely Article 137(2) (on workers' health and safety) and 141(3) (on equal treatment between women and men) of the Treaty.

The aim of the Commission's proposal is to improve the protection offered to pregnant workers and workers who have recently given birth or are breastfeeding by extending the minimum length of maternity leave from 14 to 18 weeks of which at least six weeks shall be taken after childbirth. Other elements of the proposal include the principle of full pay during the 18 weeks, with a possibility for Member States to introduce a ceiling that must not be below sickness pay; the right for women coming back from maternity leave or already during maternity leave to ask their employer to adapt their working patterns and hours; the right to return to the same job or an equivalent post.

The proposal forms part of the Commission's work-life balance package which aims to contribute to a better conciliation of professional, private and family life. The other parts of the package are a proposal for a Directive on the equal treatment of the self-employed and their assisting spouses ([13981/08](#)), a policy document explaining the background and context ([13977/08](#)) and a report on progress made by EU countries towards the so-called 'Barcelona targets' for children provision ([13978/08](#)).

Legal basis proposed: Article 137(2) (on workers' health and safety) and 141(3) (on equal treatment between women and men) of the Treaty; qualified majority required for a Council decision; co-decision procedure with the European Parliament applicable whose first reading opinion is expected in early May 2009.

OTHER BUSINESS**a) Communication from the Commission: Contribution to the Spring European Council****Information from the Commission**

The Ministers were informed by the Commissioner Špidla on the Commission's Communication "Driving European Recovery" published on 4 March 2009 as a contribution for the Spring European Council ([7084/09](#) + [ADD1](#)). The document presents a follow-up of the European Economic Recovery Plan published at the end of November ([16097/08](#)), and gives an overview of the next steps the Commission plans to propose in dealing with the crisis. This include a programme of financial sector reform, the setting up of principles for shaping the Member States' actions to support the economy and some orientations to help Member States in the design of appropriate and effective measures in favour of the citizens hit by the crisis. Furthermore, the document contains some Commission's reflection with regard to the Employment Summit on 7 May in Prague and the G-20 summit on 2 April in London.

b) Work Programme of the Employment Committee 2009**Oral information from the Chair**

The Council was informed by the Chair of the Employment Committee, Bruno Coquet, on its work programme for 2009¹.

c) Work Programme of the Social Protection Committee 2009**Oral information from the Chair**

The Council was informed by the Chair of the Social Protection Committee, Aurelio Fernandez Lopes, on its work programme for 2009².

¹ This document can be found in [6454/09](#).

² This document can be found in [6916/09](#).

d) Presidency Conferences:**(i) "Parental Childcare and Employment Policy: Collision or Complementarity"**

The Council took note of a Presidency note reflecting the outcome of the Conference on "Parental Childcare and Employment Policy: Collision or Complementarity" ([7078/09](#)) which took place in Prague on 5-6 February 2009 (<http://www.eu2009.cz/event/1/242/>).

(ii) "Strengthening EU Competitiveness- the Potential of Migrants on the Labour Market"

In addition, the Council took note of a Presidency note reflecting the outcome of the Conference on "Strengthening EU Competitiveness- the Potential of Migrants on the Labour Market" ([7079/09](#)) which took place in Prague on 26-27 February 2009 (<http://www.eu2009.cz/event/1/299/>).

(iii) "EU Enlargement - 5 years after"

Furthermore, the Council took note of a Presidency note reflecting the outcome of the Conference on "EU Enlargement - 5 years after", ([7080/09](#)) which took place in Prague on 2 March 2009 (<http://www.eu2009.cz/event/1/302/>).

OTHER ITEMS APPROVED**JUSTICE AND HOME AFFAIRS****Schengen - 2009 budget**

The member states meeting within the Council adopted the 2009 budget for SISNET (the communication infrastructure for the Schengen environment) ([5267/09](#)).

TRANSPORT**Common basic standards on civil aviation security - Regulatory procedure with scrutiny**

The Council decided not to oppose adoption by the Commission of a regulation supplementing the common basic standards on civil aviation security laid down in the annex to regulation (EC) no 300/2008.

In accordance with the EU's regulatory procedure with scrutiny, the Council can oppose the adoption of legal acts by the Commission. Consequently, unless the European Parliament objects, the Commission can adopt the regulation.

ENERGY**Ecodesign requirements for household lamps - Regulatory procedure with scrutiny**

The Council decided not to oppose adoption by the Commission of a regulation implementing directive 2005/32/EC (*OJ L 191, 22.7.2005, p. 29*) with regard to ecodesign requirements for non-directional household lamps.

In accordance with the EU's regulatory procedure with scrutiny, the Council can oppose the adoption of legal acts by the Commission. Consequently, unless the European Parliament objects, the Commission can adopt the regulation.

TRADE POLICY**Anti-dumping measures - Pallet trucks and plastic bags from Asia**

The Council adopted regulations:

- terminating the partial interim review of the anti-dumping measures applicable to hand pallet trucks and their essential parts originating in China ([6553/09](#)); and
- amending regulation 1425/2006 imposing a definitive anti-dumping duty on imports of certain plastic sacks and bags originating in China or Thailand, and terminating the proceeding on imports of certain plastic sacks and bags originating in Malaysia ([6556/09](#)).

SOCIAL AFFAIRS**Working time Directive**

The Council decided not to approve all of the European Parliament's amendments and consequently to convene the Conciliation Committee in accordance with Article 251(3) of the EC Treaty.
