

COMMUNICATION FROM THE EUROPEAN COMMISSION
COM 2010 (608) of 27/10/2010
“TOWARDS A SINGLE MARKET ACT
FOR A HIGHLY COMPETITIVE SOCIAL MARKET ECONOMY
50 PROPOSALS FOR IMPROVING OUR WORK, BUSINESS AND EXCHANGES WITH ONE ANOTHER”

CEEMET CONTRIBUTION

With 50 proposals included in the communication released on 27 October 2010, the European Commission's ambition is to relaunch the single market and make full use of its potential.

CEEMET is convinced that the European Single Market is a success story that must be supported by all actors. Therefore we fully share the Commission's ambition and welcome notably initiatives focused on improving the environment for businesses to operate and grow within the European Union.

As the employers' organisations for the metal, engineering and technology-based industries, CEEMET have been specifically looking at initiatives in the field of Education, Employment and Social Policy in the “Single Market Act” communication.

We support the Commission's goal to overcome the tensions coming from the debate opposing Economic freedoms and freedom of collective action following a series of rulings of the European Court of Justice. However, we do not see the need for a further guarantee of the right for collective action at European level (proposals n° 29 and 30). In our view, proper national application of the Posting of Workers Directive will contribute to complementing the European Single Market, while ensuring a fair competition preserving the rights of workers.

The debate around the posting of workers Directive is a particular illustration of a more general issue which we would like to raise. When implementing European legislation, Member States have to adapt them to their specific context. They often create gaps between the national rule and the initial European law: the rights and obligations originating from the same Directive, differ from one country to another. Against this background, we believe that proper implementation of European laws is not achievable when Directives are too detailed. This should be taken into account when considering any new legislative initiative at European level but also during the legislative process by all stakeholders involved.

A number of European Directives address the preparation and management of restructuring processes. Joint orientations for reference in managing change and its social consequences have also been agreed by the European social partners in 2003 and followed up by recent joint activities. Against this background, CEEMET questions the added value of another consultation of the European Social Partners to develop an additional layer in the EU framework for restructuring (proposal n° 32). Further, we strongly insist that the decision of a company to undertake a restructuring process must not be restricted. Above all, it is crucial not to unduly slow down this process.

In the field of education and training policy, CEEMET is prepared to support initiatives respecting the principle of subsidiarity and aiming at facilitating the free movement of workers which can contribute to overcome problems raised for companies by skills mismatches and demographic developments that many European countries face.

Finally we are concerned by the proposal n°38, announcing a consultation on possible ways to improve the transparency of information provided by businesses on social and environmental matters and possible follow up by legislative measures. CEEMET strongly believes that CSR has to be a business-driven voluntary exercise therefore we cannot support the idea of legislative initiative in this field.

Brussels, 07/02/2011