

WORKING PAPER – 23/02/2024 – 70/24

LobbyNet

Brussels, 16 February 2024

Minutes and action points

Item 1 – Directive on Corporate Sustainability Due Diligence

State of play:

Following the adoption of provisional agreement on the Directive on Corporate Sustainability Due Diligence, on 2 February 2024, Ceemet sent a letter to COREPER ahead of the vote asking to improve upon this provisional agreement.

The vote in COREPER was postponed due to a blocking minority in the Council. Therefore, the outcome of the file remains uncertain.

Action point:

Ceemet will further monitor the developments on the file.

Item 2 – Directive on Platform Work

State of play:

The provisional agreement on Platform Work Directive was reached between the European Parliament and Council on 8 February. As the next step, the agreement has to receive an official endorsement by the European Parliament and the Council. The new agreement includes an alternative solution regarding a legal presumption. It is suggested that presumption of employment is found when there are facts indicating control and direction, according to national law, collective agreements or practice in force in the Member States and with consideration to the case-law of the Court of Justice.

Germany will continue to abstain from the vote, France remains sceptical, certain Baltic countries are also sceptical about some of the parts of the agreement.

During the advocacy group of BusinessEurope held on 15 February, it was communicated that there might be a deal on 16 February 2024.¹

Action point: Ceemet will monitor the developments on the dossier.

¹ After the LobbyNet meeting, information was received that during the vote in Coreper on 16 February, the Belgian Presidency did not succeed in receiving the necessary support from the EU Member States with regards to the compromise deal on platform work.

Item 3 – Revision of the European Works Council Directive

State of play:

The legislative proposal of the European Commission on the EWCs was proposed on 24 January 2024. The text contains some critical points for the employers, such as the deletion of Article 14, weakened confidentiality provisions, concepts of transnational matters and of consultation.

On 14 February 2024, the European Parliament prepared a draft report on this dossier. 20 February was set as the deadline for amendments.

The report is even more worrisome than the Commission's proposal. Ceemet is preparing the amendments to this report and plans to send them to some Members of the Parliament.

Several Ceemet members are also working on the amendments :

- WKO will send the amendments to the office of Lukas Mandl.
- UIMM sent amendments to MEP Vedrenne and MEP Lalucq. In the office of MEP Vedrenne, there is supposed to be a discussion on the EWC and the position to be taken in this respect. It is not sure if the amendments will be tabled.
- Gesamtmetall has prepared the amendments and will send them to MEP Pieper. A different version, a softer one, is to be sent to RENEW Group. BDA and Chemical employers spoke with MEP Mihal about this file but it is not certain if his office will table the amendments proposed.

It is quite rare that one MEP from the group tables amendments alone, so it is important to reach out to as many MEPs as possible and convince them to table amendments.

Action point:

Ceemet will finalize the preparation of the amendments and send them to some MEPs.

Item 4 – Revision of Social Security Coordination Regulation

State of play:

The Belgian Presidency proposed to split the text of the regulation because there is a difficulty to reach an agreement on two chapters – applicable law and unemployment benefits. However, the European Parliament does not seem to support this idea.

There was a press statement from the MEPs leading the negotiations, Gabriele Bischoff and Dragoş Pişlaru. They are disappointed by the reluctance of the Belgian Presidency to continue the efforts of the Spanish Presidency to find an overall compromise. The European Parliament cannot accept a split of the file but wants to work on a well-balanced package.

Ceemet members do not have a clear position on the idea of splitting the text of the regulation.

Action point: Ceemet will further monitor the developments on the file.

Item 5 – Initiative on telework and the right to disconnect

State of play:

There will be a consultation of social partners launched this year, as announced by Commissioner Schmit in December 2023.

At the present moment, the European Commission is not sure what to put into the text of the Directive. Dansk Industri made a suggestion with regard to telework and the right to disconnect. They propose that the Directive would serve as an invitation to enter into the discussion about what can work on the

local level. The material rules of the Directive will apply in case of non-agreement. Other Ceemet members find the idea rather reasonable.

It is also important to check if BusinessEurope is pushing for the initiative to come out quickly.

Action point: Ceemet will aim to gather intelligence on the status of the proposal at the European Commission and will check regarding the position of BusinessEurope.

Item 6 –Upcoming initiative on traineeships

State of play:

The legislative proposal on traineeships is coming up at the end of March this year. Most probably there will be a proposal for a Directive as well as an enhanced recommendation.

Action point: Ceemet will continue monitoring the developments on the file.

Item 7 - Regulation establishing the EU Talent pool

On 15 November 2023, the EU Commission issued a proposal for the regulation of the European Parliament and Council establishing an EU Talent pool. One of the rationales for this regulation is to address skills shortages.

Ceemet prepared a position paper on the EU Talent Pool and sent the draft to the members of the EU and ETE committees for their comments.

Action point: Ceemet will finalise its position and take all necessary lobbying steps when needed.

Item 8 – Regulation on prohibiting products made with forced labour on the Union market

State of play:

The objective of this proposal is to effectively prohibit the placing and making available on the EU market and the export from the EU of products made with forced labour, including forced child labour. The prohibition covers domestically produced and imported products.

The committee on the Internal Market and Consumer Protection in the Parliament is dealing with this file.

On 30 January trilogue meetings started with regards to this file.

During the trilogue, the priorities of each institution were discussed and 3 topics were discussed in depth:

- the division of competencies between the Commission and national authorities for the investigations and the decision to ban products made with forced labour.
- a creation of a dedicated mechanism for state-imposed forced labour.
- provision of the remediation for the victims of forced labour.

There is a goal to reach a political agreement on 4 March 2024.

Action point: Ceemet will continue to monitor the developments on the file.

Item 9 – A.O.B.

- Members expressed concerns with regards to the planned interinstitutional La Hulpe declaration on the future of Social Europe which is planned to be signed on 16 April 2024. The declaration contains a working program for the upcoming period, which includes very concrete legislative initiatives. According to Gesamtmetall, there will be no discussion in the EMPL Committee in the Parliament on this file but the coordinators will prepare their input. Gesamtmetall wrote a letter to some German parties criticizing the procedure concerning this declaration.

Action point: Ceemet will wait until the middle of March to see the draft of the declaration before taking any further actions.

- Date of next LobbyNet meeting – **17 April 2024, from 14h00 to 15h30.**