

LobbyNet

Brussels, 18 January 2024

Minutes and action points

Item 1 – Directive on corporate sustainability due diligence

State of play:

On 14 December 2023, the Council and the European Parliament reached a provisional deal on the Corporate Sustainability Due Diligence Directive (CSDDD). Agreement was reached on some important topics related to scope, risk-based approach, sanctions, civil liability.

According to the information received from Greta Koch during the last info session in December, a lot of work has to be still done on a technical level. Most probably the provisional agreement will be finalized by 23 January 2024 when the last technical meeting is supposed to take place.

It is almost certain that Germany will have to abstain at the final vote. The German responsible Minister (Liberal) promised that he will actively approach other countries to secure a blocking minority. For now it is not certain who might be in the blocking minority.

BAVC (the German Chemical employers) approached Ceemet to send a joint letter on CSDDD before COREPER.

In Ceemet membership, TIF (Finland) is supporting the compromise on CSDDD. From their perspective, based on the original proposal, it's as good as it gets. If there is a failure to reach an agreement, there will be discrepancies, a risk of single market fragmentation. TIF would not want Ceemet to support the rejection of the agreement.

However, it has always been the line of Ceemet that we are opposing CSDDD. The risk for fragmentation still exists and in any case there won't be a full harmonisation with the Directive. It's not very realistic that 27 uncoordinated national laws will appear.

UIMM can't be supportive of the text which is far away from the good text. Many things in the compromise are not agreeable, for example, exclusion of the financial sector.

Action point:

Ceemet will prepare a letter to be addressed to COREPER and send it to GA for approval.

Item 2 – Directive on platform work

State of play:

The provisional agreement on Platform Work Directive reached between the European Parliament and Council on 13 of December has not been requested for a formal vote during the COREPER meeting on 22 December 2023 since it became clear there would be no majority to adopt it. Thus, the negotiations on this file will continue to take place under the Belgian presidency, and the next trilogue meeting is due to take place on 30 January 2024. During informal EPSCO meeting in Namur the Belgian Presidency announced its ambition to reach a successful outcome on the Platform

Workers Directive. Belgian Presidency is planning to make some contacts with the Member States that are the most reluctant.

The Belgian Presidency proposes a new text which still contains many red lines.

TIF found provisions contained in chapter 3 to be problematic. Platform Work Directive goes beyond GDPR. The Belgian Presidency is opposed to renegotiate chapter 3, however some MS push to reopen the chapter 3.

It doesn't seem that there will be majority, Germany would probably abstain from the vote.

For France, not known the position of the government; there is a new government, so its not clear what the opinion of the government will be.

Action point: Ceemet will monitor the dossier and undertake the necessary measures if necessary.

Item 3 – Revision of the European Works Council Directive

State of play:

The launch of the legislative proposal of the European Commission on the EWCs has been postponed from 16 January to 24 January as the College of Commissioners' meeting has been cancelled.

Action point:

Ceemet will prepare the position paper after the Commission proposal is launched.

Item 4 – Social Security Coordination Regulation

State of play:

With regard to social security, the ministers and ministerial representatives continue to discuss the future of the revision of the regulation (883/2004) on the coordination of social security schemes, which could not be finalised by the end of 2023 despite several attempts by the previous Spanish Presidency.

The national experts from the Member States, set to meet on 18 January in the 'Social Affairs' Working Group of the EU Council, will examine the scenarios envisaged by the Belgian Presidency of the EU Council to modify and limit the scope of the reform of the EU rules for social security coordination. The working group has started discussing with Member States on possible scenarios for splitting the draft regulation. There are two chapters, on unemployment and applicable legislation, which remain outstanding.

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

Item 5 – Initiative on telework and the right to disconnect

State of play:

It seems that the Commission is not in a hurry to move with the proposal. There will be a consultation of social partners launched this year, as announced by Commissioner Schmit in December 2023.

Action point: Ceemet will further monitor the developments on the file and participate in social partner consultation when it is launched.

Item 6 – Follow-up on second stage consultation on traineeships

State of play:

The legislative proposal on traineeships has been deleted from the agenda of the European Commission. The current proposal was rejected by the Regulatory Scrutiny Board.

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

Item 7 - 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.

There will be EU Talent Pool IT platform which would facilitate recruitment of jobseekers from third countries. Employers interested in participating in the EU Talent Pool may request the EU Talent Pool National Contact Point in the Member State where they are established to transfer their job vacancies to the EU Talent Pool IT platform.

Article 9 of the proposed regulation refers to the EU Talent Pool Steering Group:

"Representatives of the cross-industry social partners organisations at Union level shall have the right to participate as observers in the meetings of the EU Talent Pool Steering Group. Representation of two participants from trade union and two participants from employer organisations shall be ensured by the EU Talent Pool Steering Group. "

The idea is to lobby the EP & Council in order to ask for more seats for the sectors as this steering group is responsible for providing support to the EU Talent Pool Secretariat in the preparation of the list of EU-wide shortage occupations pursuant to Article 14.

WKO is also following this file.

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

Item 8 – Follow-up on Corporate sustainability reporting Directive and delegated act of the ESRS

State of play:

The deadline for the national transposition of the Directive is July 2024.

Currently, there are no developments on this file.

Action point: Ceemet will continue to monitor the developments on the file and the implementation of the Directive.

Item 9 – Social Summit in La Hulpe

There is a concern with regards to the planned interinstitutional declaration on future of Social Europe which is planned to be signed in April 2024. The declaration contains a working program for the upcoming 5 year period, which includes very concrete legislative initiatives. Ceemet believes that this is not in accordance with the Treaties since in this case one Member State takes over the role of the European Commission and proposes new laws. Also, the process is undemocratic as this

declaration is planned to be signed just before the European elections. UIMM expressed its views regarding La Hulpe declaration and agreed that such process is not acceptable.

There are 2 problems when it comes to the planned declaration:

- the precise content is still unknown. There is currently a lot of discussion to try to change the content.
- no one objected to the declaration yet.

Ceemet had a discussion with representatives in the Commission, they consider that the upcoming social agenda will be what the next President of the Commission will commit to and not La Hulpe declaration.

Action point: Ceemet will prepare a letter to address the concerns regarding La Hulpe declaration.

Item 10 – AOB

- Date of next LobbyNet meeting – **16 February 2024, from 10 30- 12 00 via TEAMS.**
- We are invited to participate in the event of Technology Industries of Finland – “The EU's Path to Strategic Competitiveness in 2030” which will take place on 13 February 2024.
- AI at workplace – BusinessEurope came up with the position. There are no major developments on the Commission’s proposal. TIF will have a discussion regarding planned surveys on AI in a due course.